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Volume 1

# Journal of the Senate

Legislature of the State of California  
1955 Regular Session

First Part of Session, January Third to January Twenty-first,  
Inclusive; Second Part of Session, February Twenty-  
eighth to June Eighth, Inclusive



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HON. HAROLD J. POWERS  
President of the Senate

HON. BEN HULSE  
President pro Tempore

J. A. BEEK  
Secretary



Volume 1

# Journal of the Senate

Legislature of the State of California  
1975 Session

This journal is published weekly, except on days when the Senate is not in session, and is available to the public free of charge. It is published by the Senate Office of the State of California.

LEGISLATIVE SECTION  
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# Volume 1

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## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Monday, January 3, 1955

The hour of 12 o'clock m. having arrived, Hon. Harold J. Powers, President of the Senate, in accordance with Article IV, Section 2, of the Constitution of the State of California, called the Senators to order and announced that the 1955 Regular Session of the Legislature of the State of California was about to convene, and informed the Senators that the Officers of the Senate during the 1954 Regular Session of the Legislature, J. A. Beek, Secretary; John F. Lea, Minute Clerk; and Joseph F. Nolan, Sergeant-at-Arms, were in their respective places in the Senate Chamber as required by Section 9150 of the Government Code.

### PRAYER

By invitation of the President, prayer was offered by Dr. Torrance Phelps of the Pioneer Congregational Church.

### PLEDGE OF ALLEGIANCE

Senator Cunningham led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bartley Cavanaugh, City Manager of the City of Sacramento and Reg Renfree, Director of the Recreation Department of the City of Sacramento.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gerald O'Gara, former Senator from San Francisco.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert McCarthy, Sr., of San Francisco.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Alan Short, wife of Senator Short, from Stockton.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following: Mrs. James A. Cobey (Senator Cobey's wife), Mr. and Mrs. Frank Desmond, and Mr. and Mrs. Allan Roberts, Madera; Mr. Howard Cullen and Mr. John Howell, Merced; Mr. and Mrs. Jack Stockman, Livingston; and Mr. and Mrs. J. L. Green and Mr. Don Cardwell, Chowchilla; Mrs. M. D. McPherson and Miss Muriel McPherson, Santa Cruz; Mr. and Mrs. A. M. Branum, San Jose; Mr. and Mrs. J. P. Bunker, Gustine; Mr. Sam Hamburg, Los Banos; Mr. and Mrs. Robert Hall, Mr. and Mrs. Arthur Ferrari, Mr. James Barker, Miss Fern McCoy, Mr. and Mrs. Theo. Escola, and Mr. and Mrs. Frank Gallagher, Merced; Mrs. Bessie DeWitt, Mr. Charley Vann, and Mr. Frank Valladeo, Atwater; Mr. and Mrs. Jos. A. Cappelletti, Mr. and Mrs. Dewie Rushing, and Mr. and Mrs. G. B. Hillhouse, Madera; Mr. and Mrs. Max Rouff, Los Banos; Mr. Wm. Bucknam, Ceres; Mr. Arden Powers, Modesto; Capt. and Mrs. E. A. Cobey, Coronado; and Mrs. J. C. Cobey, Frostburg, Md.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Thomas Gianella and Miss Doris Gianella of Marysville and Mrs. Katherine Nelson of Sacramento.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Robert McCarthy, wife of Senator McCarthy, from San Francisco.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Enoch S. Christoffersen, Mayor of Turlock and member of the Poultry Improvement Commission of the State of California, and Mrs. Christoffersen; Mrs. Hugh P. Donnelly and Hugh Donnelly, Jr., wife and son of Senator Donnelly.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clarence Fraser of Dinuba.

On request of Senator Regan and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jesse W. Carter, associate justice, Supreme Court, State of California.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Paul Byrne and Paul Byrne, Jr., of Chico.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arden "Pony" Powers of Modesto, and William N. Buckman of Ceres.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Leslie Anderson of Suisun, and Mrs. Chas. Hust, Mrs. Bill Hust, and Mrs. Ed. C. Johnson of Marysville.

### RESOLUTIONS

The following resolution was offered:

By Senator Parkman:

#### Senate Resolution No. 1

*Resolved*, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate, and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read, and, on a motion of Senator Parkman, unanimously adopted.

### CERTIFICATE FROM SECRETARY OF STATE

By direction of the President, the Secretary read the following certificate of duly elected Senators of the 1955 Regular Session of the Legislature of the State of California:

#### STATE OF CALIFORNIA OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over state Senators, together with those duly elected at the General Election held on the SECOND day of NOVEMBER, 1954, to represent the people of the State of California at the 1955 Session of the Legislature of said State, as appears from the statement of vote received from the county clerks and registrars of voters of the various counties comprising the several Senatorial districts of the State of California, said statement of vote being a record of and on file in my office, viz:

### STATE SENATORS-ELECT

<i>Name</i>	<i>District</i>	<i>County or Counties Comprising District</i>
Randolph Collier	Second	Del Norte, Siskiyou
James E. "Jim" Busch	Fourth	Lake, Mendocino
Paul L. Byrne	Sixth	Butte
Louis G. Sutton	Eighth	Colusa, Glenn, Tehama
Ed. C. Johnson	Tenth	Sutter, Yuba
F. Presley Abshire	Twelfth	Sonoma
Robert I. McCarthy	Fourteenth	San Francisco
Arthur H. Breed, Jr.	Sixteenth	Alameda
John F. Thompson	Eighteenth	Santa Clara
Alan Short	Twentieth	San Joaquin
Hugh P. Donnelly	Twenty-second	Stanislaus
James A. Cobey	Twenty-fourth	Madera, Merced
Stephen P. Teale	Twenty-sixth	Calaveras, Mariposa, Tuolumne
Charles Brown	Twenty-eighth	Alpine, Inyo, Mono
Hugh M. Burns	Thirtieth	Fresno
J. Howard Williams	Thirty-second	Tulare
Jess R. Dorsey	Thirty-fourth	Kern
James E. Cunningham	Thirty-sixth	San Bernardino
Richard Richards	Thirty-eighth	Los Angeles
Fred H. Kraft	Fortieth	San Diego



## HOLD-OVER STATE SENATORS

<i>Name</i>	<i>District</i>	<i>County or Counties Comprising District</i>
Dale C. Williams	First	Lassen, Modoc, Plumas
A. W. Way	Third	Humboldt
Edwin J. Regan	Fifth	Shasta, Trinity
Harold T. (Bizz) Johnson	Seventh	Nevada, Placer, Sierra
Swift Berry	Ninth	Amador, El Dorado
Nathan F. Coombs	Eleventh	Napa, Yolo
John F. (Jack) McCarthy	Thirteenth	Marin
Luther E. Gibson	Fifteenth	Solano
George Miller, Jr.	Seventeenth	Contra Costa
Earl D. Desmond	Nineteenth	Sacramento
Harry L. Parkman	Twenty-first	San Mateo
Donald L. Grunsky	Twenty-third	San Benito, Santa Cruz
Fred Weybret	Twenty-fifth	Monterey
Robert I. Montgomery	Twenty-seventh	Kings
A. A. Erhart	Twenty-ninth	San Luis Obispo
Clarence C. Ward	Thirty-first	Santa Barbara
James J. McBride	Thirty-third	Ventura
John A. Murdy, Jr.	Thirty-fifth	Orange
Nelson S. Dilworth	Thirty-seventh	Riverside
Ben Hulse	Thirty-ninth	Imperial

(SEAL)

Witness my hand and the Great Seal of the State of California, at office in Sacramento, this third day of January, A.D., 1955.

FRANK M. JORDAN, Secretary of State

## ROLL CALL OF HOLD-OVER SENATORS

The President directed the Secretary to call the roll of hold-over Senators.

The roll was called, and the following answered to their names:

Senators Berry, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Ward, Way, and Dale C. Williams—19.

## ROLL CALL OF SENATORS-ELECT

The President directed the Secretary to call the roll of Senators-elect.

The roll was called, and the following answered to their names:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Donnelly, Dorsey, Ed. C. Johnson, Kraft, Robert I. McCarthy, Richards, Short, Sutton, Teale, Thompson, and J. Howard Williams—20.

## OATH OF OFFICE ADMINISTERED

The Senators-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the constitutional oath of office, as set forth in Article XX, Section 3 of the Constitution of the State of California, administered by the Honorable Fred B. Wood, Associate Justice, First Appellate District, Division 1, San Francisco, California.

Whereupon the President announced their qualification, and declared that quorum of all Senators was present.

## TEMPORARY ORGANIZATION EFFECTED

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate?"

**ROLL CALL**

The President called the Senate to order, and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

**RESOLUTIONS**

The following resolution was offered:

By Senator Burns:

**Senate Resolution No. 2**

*Resolved*, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro Tempore;  
Secretary of the Senate;  
Sergeant-at-Arms;  
Minute Clerk, and  
Chaplain.

Resolution read, and, on a motion of Senator Burns, adopted.

**NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEMPORE OF THE SENATE**

The President thereupon declared nominations for the office of President pro Tempore of the Senate in order.

Senator Hulse placed in nomination for the office of President pro Tempore of the Senate the Honorable Clarence C. Ward from Santa Barbara County.

On motion of Senator Parkman, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR SENATOR CLARENCE C. WARD—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, Dale C. Williams, and J. Howard Williams—38.

NOES—None.

Whereupon the President declared Senator Clarence C. Ward of Santa Barbara County duly and unanimously elected President pro Tempore of the Senate.

**NOMINATIONS FOR AND ELECTION OF SECRETARY OF THE SENATE**

The President declared nominations for the office of Secretary of the Senate in order.

Senator Breed placed the name of J. A. Beek of Balboa in nomination for Secretary of the Senate.

On motion of Senator Dorsey the nominations were declared closed.

The President directed the Minute Clerk to call the roll.

The roll was called with the following result:

FOR J. A. BEEK—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

NOES—None.

Whereupon the President declared J. A. Beek of Balboa duly and unanimously elected Secretary of the Senate.

#### NOMINATIONS FOR AND ELECTION OF SERGEANT-AT-ARMS

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Richards placed the name of Joseph Francis Nolan of Los Angeles in nomination for Sergeant-at-Arms of the Senate.

On motion of Senator Parkman, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR JOSEPH FRANCIS NOLAN—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

NOES—None.

Whereupon the President declared Joseph Francis Nolan of Los Angeles duly and unanimously elected Sergeant-at-Arms of the Senate.

#### NOMINATIONS FOR AND ELECTION OF MINUTE CLERK OF THE SENATE

The President declared nominations for the office of Minute Clerk of the Senate in order.

Senator Harold T. Johnson placed the name of John F. Lea of Sacramento in nomination for Minute Clerk of the Senate.

On motion of Senator Parkman, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR JOHN F. LEA—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—38.

NOES—None.

Whereupon the President declared John F. Lea of Sacramento duly and unanimously elected Minute Clerk of the Senate.

#### NOMINATIONS FOR AND ELECTION OF CHAPLAIN

The President declared nominations for the office of Chaplain of the Senate in order.

Senator Desmond placed the name of Dr. Torrance Phelps of the Pioneer Congregational Church in nomination for Chaplain of the Senate.



On motion of Senator Gibson nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following results:

FOR DR. TORRANCE PHELPS—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

NOES—None.

Whereupon the President declared Dr. Torrance Phelps of the Pioneer Congregational Church, duly and unanimously elected Chaplain of the Senate.

#### OATH OF OFFICE ADMINISTERED

The newly-elected officers of the Senate, Senator Clarence C. Ward, President pro Tempore; J. A. Beek, Secretary of the Senate; Joseph F. Nolan, Sergeant-at-Arms; John F. Lea, Minute Clerk; and Dr. Torrance Phelps, Chaplain of the Senate, appeared at the bar of the Senate where the constitutional oath of office, as set forth in Article XX, Section 3 of the Constitution of the State of California, was administered to them by the Honorable Fred B. Wood, Associate Justice, First Appellate District, Division 1, San Francisco, and they subscribed to the same.

#### RESOLUTIONS

The following resolutions were offered:

By Senator J. Howard Williams:

##### Senate Resolution No. 3

*Resolved*, That the following members be and the same are hereby elected members of the Senate Committee on Rules:

Senators Ward, Brown, Burns, Breed, and Byrne.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

NOES—None.

By Senator Dilworth:

##### Senate Resolution No. 4

*Resolved*, That the following members be and the same are hereby elected members of the Senate Committee on Legislative Representation:

Senators McBride, Abshire, Desmond, Weybret, and Grunsky.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

NOES—None.

By Senator Murdy:

**Senate Resolution No. 5**

*Resolved*, That the President of the Senate appoint a Special Committee of Three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and, on a motion of Senator Murdy, adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced, in accordance with the above resolution, the appointment of Senators Murdy, John F. McCarthy, and Burns as the Special Committee to call upon the Governor, and notify him of the organization of the Senate, and the Senate is now ready to receive any communication he may have to make.

By Senator Desmond:

**Senate Resolution No. 6**

*Resolved*, That the President of the Senate appoint a Special Committee of Three to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State.

Resolution read, and, on a motion of Senator Desmond, adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced, in accordance with the above resolution, the appointment of Senators Desmond, Robert I. McCarthy, and Thompson as a Special Committee to notify the Assembly that the Senate is duly organized, and ready to proceed with the business of State.

**RESOLUTIONS**

By Senator Harold T. Johnson:

**Senate Resolution No. 7**

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate has elected the following statutory officers:

*President pro Tempore*—Clarence C. Ward

*Secretary of the Senate*—Joseph A. Beek

*Sergeant-at-Arms*—Joseph F. Nolan

*Minute Clerk*—John F. Lea

*Chaplain*—Dr. Torrance Phelps

Resolution read, and, on motion of Senator Harold T. Johnson, adopted.

By Committee on Rules:

**Senate Resolution No. 8**

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the

State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1955 Regular Session of the Legislature:

Senators	County	Mileage	Total at 5 cents per mile
Abshire, F. Presley	Sonoma	228	\$11 40
Berry, Swift	El Dorado	100	5 00
Breed, Arthur H., Jr.	Alameda	180	9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Fresno	338	16 90
Busch, James E.	Mendocino	300	15 00
Byrne, Paul L.	Butte	202	10 10
Cobey, James A.	Merced	228	11 40
Collier, Randolph	Siskiyou	590	29 50
Coombs, Nathan F.	Napa	122	6 10
Cunningham, James E.	San Bernardino	1,016	50 80
Desmond, Earl D.	Sacramento	22	1 10
Dilworth, Nelson S.	Riverside	1,092	54 60
Donnelly, Hugh P.	Stanislaus	182	9 10
Dorsey, Jess R.	Kern	550	27 50
Erhart, A. A.	San Luis Obispo	666	33 30
Gibson, Luther E.	Solano	112	5 60
Grunsky, Donald L.	Santa Cruz	436	21 80
Hulse, Ben	Imperial	1,206	60 30
Johnson, Ed. C.	Yuba	106	5 30
Johnson, Harold T.	Placer	38	1 90
Kraft, Fred H.	San Diego	1,146	57 30
McBride, James J.	Ventura	980	49 00
McCarthy, John F.	Marin	210	10 50
McCarthy, Robert I.	San Francisco	180	9 00
Miller, George, Jr.	Contra Costa	168	8 40
Montgomery, Robert I.	Kings	428	21 40
Murdy, John A., Jr.	Orange	978	48 90
Parkman, Harry L.	San Mateo	222	11 10
Regan, Edwin J.	Trinity	434	21 70
Richards, Richard	Los Angeles	894	44 70
Short, Alan	San Joaquin	96	4 80
Sutton, Louis G.	Colusa	150	7 50
Teale, Stephen P.	Calaveras	194	9 70
Thompson, John F.	Santa Clara	256	12 80
Ward, Clarence C.	Santa Barbara	920	46 00
Way, A. W.	Humboldt	624	31 20
Williams, Dale C.	Modoc	648	32 40
Williams, J. Howard	Tulare	168	23 40
			Total at 10 cents per mile
Officers	County	Mileage	
Powers, Harold J., President	Modoc	832	\$83 20
Beek, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Lea, John F., Minute Clerk	Sacramento	2	20

### Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

Noes—None.

### Senate Resolution No. 9

By Senator McBride:

*Resolved*, That the Controller be and he is hereby directed to deliver to Joseph F. Nolan, Sergeant-at-Arms, or such of his assistants as the Sergeant-at-Arms may designate, warrants for salaries and expenses of members and officers of the Senate.

Resolution read, and, on motion of Senator McBride, adopted.

By Senator Brown:

### Senate Resolution No. 10

Creating the Senate Legislative Process Committee  
and defining its powers and duties

WHEREAS, Many of the legislative proposals involve problems within the jurisdiction of more than one standing committee of the Senate, and the adequate consideration of such measures requires the cooperation of such several committees



in order to avoid duplicating the work of one such committee by another, and much delay in the legislative process could be avoided if it were possible to eliminate such duplication of effort and provide a means for expediting the consideration of such measures; and

WHEREAS, There is need of a committee equipped to ascertain facts and secure facts and secure information upon assigned topics from time to time during the session, a committee acting in aid of and in collaboration with the several standing committees of the Senate; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. A special committee designated the "Senate Legislative Process Committee" is hereby created and authorized and directed to take such steps as may be necessary to coordinate the work of the various standing committees of this session in considering questions before such session in order that there be no duplication of work or effort, and to make such studies as may be necessary, ascertain such facts and information, and secure such statistics for the use of the members and committees of the Senate as may be of aid to them in considering and acting upon legislative proposals at this session.

2. The committee shall consist of the same Members of the Senate as the Senate Committee on Rules, and shall have the same chairman.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members except that the members of the committee shall serve without compensation and shall not be allowed mileage.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Senate from time to time and at any time.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution.

6. The sum of one hundred thirty thousand dollars (\$130,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

NOES—None.

#### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Weybret, on motion of Senator Dorsey, due to illness.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 1:** By Senators Murdy, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—Relative to the passing of the Honorable Clyde A. Watson.

**Request for Unanimous Consent**

Senator Murdy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1**

**Senate Concurrent Resolution No. 1**—Relative to the passing of the Honorable Clyde A. Watson.

Resolution read, and, on a rising vote of the following Senators, adopted:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE GOVERNOR**

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, January 3, 1955

*To the Honorable Members of the Senate of the State of California:*

In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a report of the cases of pardon and commutation of sentence issued by me from March 1, 1954, to January 3, 1955.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

**PARDONS AND COMMUTATIONS****ISSUED BY GOODWIN J. KNIGHT****PARDONS**

Granted pursuant to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon.

JOHN W. BARNES, San Quentin No. 67035, was convicted of the crime of forgery by fictitious name, 9 counts, with prior felony conviction, in Los Angeles County during August, 1941. He served 2 years 4 months in prison and 2 years 1

month on parole, being discharged therefrom on January 17, 1946. Certificate of rehabilitation issued on July 30, 1952, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted July 2, 1954.

WARD BEASLEY, San Quentin No. 55110, pleaded guilty to the crime of violation of Section 112 of the California Vehicle Act in Merced County during April, 1933. He was granted probation for 2 years. He was thereafter arrested on a charge of nonsupport during November, 1933, in Fresno County, was declared a probation violator and committed to state prison. He served approximately 1 year 9 months in prison and 7 months on parole, being discharged therefrom on April 5, 1936. Certificate of rehabilitation issued June 4, 1954, by the Superior Court of Fresno County. Granted December 20, 1954.

DONALD J. BISINGER, also known as DONALD J. FAIRCHILDS, San Quentin No. 35523, was convicted of the crime of robbery in Alameda County during October, 1921. He served 4 years 6 months in prison and 4 years on parole, being discharged therefrom on May 1, 1930. Certificate of rehabilitation issued on January 15, 1954, by the Superior Court of Sacramento County. Granted July 2, 1954.

JOHN BITSEKAS, San Quentin No. 45690, was convicted of the crime of murder in the second degree in Imperial County during July, 1928. He served approximately 13 years in prison and 7 years on parole, being discharged therefrom on July 2, 1948. Certificate of rehabilitation issued November 20, 1953, by the Superior Court of Stanislaus County. Granted December 20, 1954.

WILLIAM G. CAMPBELL, San Quentin No. 37735, pleaded guilty to the crime of robbery in Lassen County during April, 1923. He served approximately 4 years 3 months in prison and 1 year 9½ months on parole, being discharged therefrom on May 2, 1929. Certificate of rehabilitation issued April 29, 1954, by the Superior Court of Alameda County. Granted December 20, 1954.

FRANK HUGO CANNIZZARO, San Quentin No. 56049, was convicted of the crime of violation of Chapter 339, Laws of 1923, amended 1931, Act 1970, Section 2 (Gun Law), 2 counts, in Los Angeles County during May, 1934. He served 3 years 9 months in prison, being discharged therefrom on February 19, 1938. Certificate of rehabilitation issued on June 20, 1945, by the Superior Court of Los Angeles County. Granted July 2, 1954.

NOAH CANTOR, San Quentin No. 57049, was convicted of the crime of robbery, first degree, in Los Angeles County during December, 1934. He served approximately 2 years 7 months in prison and approximately 2 years 6 months on parole, being discharged therefrom on January 7, 1940. Certificate of rehabilitation issued on March 8, 1954, by the Superior Court of Contra Costa County. Granted July 2, 1954.

HARRY FISHER DARBY, San Quentin No. A-565, was convicted of the crime of abortion in Los Angeles County during November, 1944. He served approximately 1 year 5 months in prison and approximately 1 year on parole, being discharged therefrom on March 21, 1947. Certificate of rehabilitation issued on September 16, 1953, by the Superior Court of Los Angeles County. Granted July 2, 1954.

NICHOLAS DERAHETIS, San Quentin No. 59207, was convicted of the crime of manslaughter, 2 counts, in Alameda County during July, 1936. He served approximately 6 years 4 months in prison, being discharged therefrom on November 18, 1942. Certificate of rehabilitation issued on May 6, 1953, by the Superior Court of Alameda County. Granted July 2, 1954.

PONCIANO VITALES DOMENA, also known as PONCIANO DOMENA VITALES, San Quentin No. 63903, pleaded guilty to the crime of robbery in the second degree in Santa Clara County during August, 1939. He served approximately 2 years 7 months in prison and 6 years 10 months on parole, being discharged therefrom on January 11, 1949. Certificate of rehabilitation issued April 15, 1954, by the Superior Court of the City and County of San Francisco. Granted December 20, 1954.

MATT FRATIC, Alameda County Jail No. 14732, San Quentin No. 54809, was convicted of the crime of grand theft during July, 1930, and was sentenced to serve 8 months in the Alameda County Jail and 5 years on probation. He was thereafter convicted of the crime of grand theft in Alameda County during September, 1933. He served approximately 2 years 1½ months in prison and 2 years on parole, being discharged therefrom on November 24, 1937. Certificate of rehabilitation issued on June 10, 1953, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted July 2, 1954.

ANTONIO GONZALES, also known as LEON FERRIS, San Quentin No. 34965, was convicted of the crime of burglary in the second degree in Los Angeles County during May, 1921. He served approximately one year in prison and approximately 8 months on parole, being discharged therefrom on January 28, 1923. Certificate of rehabilitation issued May 5, 1954, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted December 7, 1954.



GENE GOSS, San Quentin No. 54138, was convicted of the crime of manslaughter in Alameda County during April, 1933. He served approximately 2 years 6½ months in prison and 2 years 6 months on parole, being discharged therefrom on May 24, 1938. Certificate of rehabilitation issued on December 4, 1953, by the Superior Court of Sacramento County. Granted July 2, 1954.

GEORGE C. GRAFFT, San Quentin No. 36719, Folsom No. 18905, was convicted of the crime of murder in the second degree in Fresno County during July, 1922. He served approximately 10 years 4 months in prison. While still on parole he was convicted of the crime of robbery in the first degree in Santa Clara County during December, 1933, and was returned to prison as a parole violator. He served approximately 6 years 11 months in prison and approximately 4 years on parole, being discharged therefrom on December 2, 1944. Certificate of rehabilitation issued February 23, 1954, by the Superior Court of Sacramento County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted November 15, 1954.

CHARLES M. GRANT, San Quentin No. 65182, was convicted of the crime of robbery in the first degree in Alameda County during June, 1940. He served approximately 2 years in prison and 2 years 10 months on parole, being discharged therefrom on April 15, 1945. Certificate of rehabilitation issued February 17, 1954, by the Superior Court of Alameda County. Granted December 20, 1954.

EMERY L. GRIFFITH, San Quentin No. 54194, was convicted of the crime of grand theft in Los Angeles County during May, 1933. He served approximately 2 years 3 months in prison and 1 year 4 months on parole, being discharged therefrom on December 20, 1936. Certificate of rehabilitation issued on January 20, 1954, by the Superior Court of Los Angeles County. Granted July 2, 1954.

CASPER HEARST, also known as CASPER HURST, San Quentin No. 51058, was convicted of the crime of grand theft in Tulare County during October, 1931. He served approximately 1 year 4 months in prison and 10 months on parole, being discharged therefrom on January 5, 1934. Certificate of rehabilitation issued on September 2, 1952, by the Superior Court of Fresno County. Granted July 2, 1954.

LOUIS HURST, San Quentin No. 39831 and Folsom No. 13823, pleaded guilty to the crime of arson in the second degree in Alameda County during August, 1924. He served 2 years in prison and 1 year on parole, being discharged therefrom on August 30, 1927. Certificate of rehabilitation issued June 9, 1954, by the Superior Court of Alameda County. Granted December 20, 1954.

CRISANTO HAJILI JULIAN, San Quentin No. 65057, was convicted of the crimes of robbery first degree and assault with a deadly weapon in the City and County of San Francisco during May, 1940. He served approximately 2 years 7 months in prison and 3 years 8 months on parole, being discharged therefrom on August 17, 1946. Certificate of rehabilitation issued on August 17, 1953, by the Superior Court of Santa Barbara County. Granted July 2, 1954.

SAM LOWENTHAL, San Quentin Nos. 65777 and 55243, was convicted of the crimes of grand theft and violation of Section 146 of the California Vehicle Act in Los Angeles County during May, 1930, and was given 5 years probation. He thereafter violated his probation and was sentenced to 5 months in the county jail and 3 years probation. He was thereafter convicted of the crime of violation of Section 146 of the California Vehicle Act, 2 counts, with prior felony conviction, in Los Angeles County during December, 1933. He served approximately 2 years 3 months in prison and 6 months on parole, being discharged therefrom on September 19, 1936. He was thereafter convicted of the crime of attempted grand theft in Los Angeles County during August, 1938, and was sentenced to 90 days in the county jail, 60 days suspended. He was thereafter convicted of the crime of violation of Section 503 of the Vehicle Code in Los Angeles County during November, 1940. He served approximately 2 years 2 months in prison and 1 year 1 month on parole, being discharged therefrom on March 1, 1944. Certificate of rehabilitation issued on June 17, 1953, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted July 2, 1954.

HENRY MEDINA, San Quentin No. 50941, was convicted of the crime of robbery, first degree, 2 counts, in Los Angeles County during September, 1931. He served approximately 6 years 1½ months in prison and 1 year on parole, being discharged therefrom on November 10, 1938. Certificate of rehabilitation issued on September 4, 1953, by the Superior Court of Los Angeles County. Granted July 2, 1954.

ROBERT A. MILLER, Preston No. 15581, San Quentin No. 67164, was convicted of the crime of violation of Section 503 of the California Vehicle Act in Los Angeles County during February, 1938. He served approximately 1 year in Preston School of Industry, being released therefrom on March 3, 1939. He was thereafter convicted of the crime of grand theft, auto, in San Bernardino County during September, 1939. He served approximately 1 year 1 month in Preston School



of Industry, being released therefrom on October 20, 1940. He was thereafter convicted of the crime of violation of Section 503 of the Vehicle Code in Los Angeles County during September, 1941. He served approximately 1 year 3 months in prison and 2 years 3 months on parole, being discharged therefrom on March 8, 1945. Certificate of rehabilitation issued on January 27, 1954, by the Superior Court of Los Angeles County. Granted July 2, 1954.

MANUEL PALACIO, San Quentin No. 52889, was convicted of the crime of attempted burglary, second degree, in Monterey County during September, 1932. He served approximately 3 years in prison, being discharged therefrom on September 29, 1935. Certificate of rehabilitation issued on October 9, 1953, by the Superior Court of the City and County of San Francisco. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted July 2, 1954.

DAN G. PEREZ, San Quentin No. 56291, pleaded guilty to the crime of burglary in the second degree in San Luis Obispo County during June, 1934. He served approximately 2 years 4 months in prison, being discharged therefrom on October 29, 1936. Certificate of rehabilitation issued June 18, 1954, by the Superior Court of Santa Clara County. Granted December 20, 1954.

WILLIAM PERRY, San Quentin No. 66145, was convicted of the crimes of criminal conspiracy to commit petty theft and burglary in Los Angeles County during February, 1941. He served approximately 1 year 2 months in prison and 2 years 5 months on parole, being discharged therefrom on September 15, 1944. Certificate of rehabilitation issued on March 1, 1948, by the Superior Court of the City and County of San Francisco. Granted July 2, 1954.

SAMUEL SNYDER, San Quentin No. 64843, was convicted of the crimes of violation of Section 1906 (pandering), General Laws, Subdivision 1, 3 counts, and violation of Section 1907 (pimping), General Laws, in Fresno County during March, 1940. He served approximately 1 year 11 months in prison and 1 year 6 months on parole, being discharged therefrom on August 25, 1943. Certificate of rehabilitation issued on April 23, 1948, by the Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted July 2, 1954.

PAUL SORICHTA, San Quentin No. 46375, was convicted of the crime of burglary, second degree, in Los Angeles County during December, 1928. He served approximately 3 years in prison and 7 months on parole, being discharged therefrom on July 22, 1932. Certificate of rehabilitation issued on January 27, 1954, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted July 2, 1954.

GLENN SPRIGGS, San Quentin No. 58875, pleaded guilty to the crime of grand theft, 2 counts, in San Diego County during March, 1936. He served approximately 4 years 2½ months in prison and 2 years 3½ months on parole, being discharged therefrom on October 5, 1942. Certificate of rehabilitation issued May 19, 1954, by the Superior Court of Los Angeles County. Granted December 20, 1954.

HARLAN N. SUMMERS, San Quentin No. 66850, Folsom No. 23796, was convicted of the crime of issuing check without sufficient funds in Tulare County during June, 1941. He served approximately 1 year in prison and 3 years 10 months on parole, being discharged therefrom on April 18, 1946. Certificate of rehabilitation issued on September 11, 1952, by the Superior Court of Kern County. Granted July 2, 1954.

VERNON D. THOMAS, JR., San Quentin No. 59694, pleaded guilty to escaping from lawful custody of an officer in Marin County during December, 1936. He served approximately 2 years 7 months in prison and 6 months on parole, being discharged therefrom on January 16, 1940. Certificate of rehabilitation issued March 29, 1954, by the Superior Court of Marin County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 20, 1954.

VICTOR ALVIN TRIMELONI, San Quentin No. A-4962, was convicted of the crime of assault with a deadly weapon in Contra Costa County during November, 1946. He served approximately 1 year 1 month in prison and 1 year 11 months on parole, being discharged therefrom on November 29, 1949. Certificate of rehabilitation issued on November 27, 1953, by the Superior Court of Alameda County. Granted July 2, 1954.

GENE VIOLA, San Quentin No. 53478, was convicted of the crime of robbery, first degree, in Alameda County during January, 1933. He served approximately 3 years in prison and 2 years on parole, being discharged therefrom on January 29, 1938. He was thereafter convicted of the crime of Violation of Section 337A of the Penal Code in Alameda County during January, 1941, and was sentenced to 2 months in the County jail. He was thereafter convicted of the crime of violation of Section 330 of the Penal Code in Alameda County during July, 1945, and was sentenced to 60 days in the County jail and \$400 fine or 80 days in the County jail. Certificate of rehabilitation issued on February 17, 1954, by the Superior Court of Los Angeles County. Granted July 2, 1954.

MARTIN VUICA, San Quentin No. 54218, was convicted of the crime of manslaughter in San Mateo County during May, 1933. He served approximately 5 years 10 months in prison, being discharged therefrom on March 29, 1939. Certificate of rehabilitation issued on September 21, 1953, by the Superior Court of Kern County. Granted July 2, 1954.

### PARDONS

Granted without reference to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, after favorable recommendations.

VERDUN JOSEPH ARCHIMEDES, also known as JOSEPH FRANCESCONI, San Quentin No. 54847, pleaded guilty to the crime of grand theft in San Luis Obispo County during September, 1933. He served approximately 10½ months in prison and 4½ on parole, being discharged therefrom on January 21, 1935. Pardon recommended by the Adult Authority, H. C. Grundell, District Attorney of San Luis Obispo County, Murray C. Hathaway, Sheriff of San Luis Obispo County, and a majority of the Justices of the California Supreme Court. Granted July 2, 1954.

LEW BOWERS, San Quentin No. 60334, Folsom No. 23530, pleaded guilty to the crime of robbery, first degree, 2 counts, in Orange County during May, 1937. He served approximately 3 years 2½ months in prison, being released on parole July 30, 1940. He thereafter pleaded guilty to the crimes of robbery, first degree, and grand theft in Los Angeles County during February, 1941, while still on parole. He served approximately 3 years 4 months in prison and 3 years on parole, being discharged therefrom on June 5, 1947. Pardon recommended by the Adult Authority and a majority of the Justices of the California Supreme Court. Granted July 2, 1954.

DONOVAN BURTON GRABLE, Los Angeles Police Department No. 30711M12, pleaded guilty to the crime of taking auto without owner's permission in Los Angeles County during June, 1933, and was sentenced to 5 years probation, the first 6 months to be served in the county jail. Pardon recommended by the Adult Authority. Granted December 20, 1954.

ROBERT F. HOLLAND, also known as FRANK ALBRECHT, Los Angeles County Jail No. 56682, pleaded guilty to the crime of petit theft in Los Angeles County during November, 1925. He was sentenced to serve six months in the county road camp. Pardon recommended by the Adult Authority. Granted July 2, 1954.

CHARLIE V. JACKSON, San Quentin No. A-6357, pleaded guilty to the crime of manslaughter in Los Angeles County, during May, 1947. He served approximately 2 years in prison and 2 years 2 months on parole, being discharged therefrom on July 20, 1951. Pardon recommended by the Adult Authority. Granted July 2, 1954.

CHARLES G. JOHNSON, California Institution for Men No. A-14479, pleaded guilty to the crime of assault with intent to commit robbery in Santa Cruz County during March, 1950. He served approximately 1 year 6 months in prison and 1 year 6 months on parole, being discharged therefrom on March 31, 1953. Pardon recommended by the Adult Authority, and Lucian Morehead, Chairman, Hale County Parole Board, Plainview, Texas. Granted July 2, 1954.

CLAUDIO LIERA, Folsom No. 9332, was convicted of the crime of murder, second degree, in Los Angeles County during December, 1914. He served approximately 4 years 9 months in prison and 1 year 8½ months on parole, being discharged therefrom on June 8, 1921. Pardon recommended by the Adult Authority. Granted July 2, 1954.

LAWRENCE A. MECCHI, San Francisco Police Department No. 52595, pleaded guilty to the crime of robbery, second degree, 2 counts, in the City and County of San Francisco during August, 1935. He was given a suspended sentence and probation granted for a period of 5 years, with the condition that he spend 6 months in the county jail, at the end of which time probation was terminated. He was discharged on November 25, 1935. Pardon recommended by the Adult Authority and Michael Gaffey, Chief of Police of San Francisco. Granted July 2, 1954.

DUANE O. MILLER, San Quentin No. 33624, was convicted of the crime of grand larceny in Stanislaus County during March, 1920. He served approximately 1 year 6 months in prison and 3 years 3 months on parole, being discharged therefrom on December 30, 1924. Pardon recommended by the Adult Authority. Granted July 2, 1954.

CHARLES THEODORE MYERS, San Quentin No. 57503, was convicted of the crime of grand theft in Los Angeles County during January, 1934, and was granted probation. He violated his probation during January, 1935, and was sentenced to San Quentin Prison. He served approximately 4 years in prison and 1 year on parole, being discharged therefrom on March 21, 1940. Pardon recommended by the Adult Authority. Granted July 2, 1954.

PATRICK E. PETTINGILL, San Quentin No. 62907, was convicted of the crimes of murder in the first degree and robbery in the second degree, 2 counts, in the City and County of San Francisco during January, 1939. He served approximately 5 years 5 months in prison, being released on Special Service Parole on June 6, 1944. Pardon recommended by the Adult Authority, District Attorney, and the Chief of Police. Granted December 20, 1954.

PETER PICCOLI, also known as GIOVANNI P. PECCOLE, also known as PETER PANSEY, San Quentin No. 44593, was convicted of the crime of assault with a deadly weapon in Calaveras County during December, 1927. He served approximately 2 years 3 months in prison and 2 years 4 months on parole, being discharged therefrom on July 31, 1932. Pardon recommended by the Adult Authority and Harry E. James, Sheriff of Calaveras County. Granted July 2, 1954.

ARTHUR H. PROTASIEWICZ, Alameda County Jail No. 41321, pleaded guilty to the crime of taking car without owner's consent in Alameda County during December, 1945. He served approximately 2 months in the county jail, being discharged therefrom on February 24, 1946, and was placed on probation for two years. Pardon recommended by the Adult Authority and the New York State Parole Officer. Granted July 2, 1954.

SAMUEL RAMIREZ, San Quentin No. 60410, was convicted of the crime of petit theft in Los Angeles County during June, 1935. He served approximately 1 year 1 month in Preston School of Industry and 9½ months on parole, being discharged therefrom on May 1, 1937. He was thereafter convicted of the crimes of robbery, second degree, and rape in Los Angeles County during May, 1937. He served approximately 4 years 1 month in prison, being discharged therefrom on June 26, 1941. Pardon recommended by the Adult Authority. Granted July 2, 1954.

JOSE HERNANDEZ RIOS, Ventura County Jail No. 15623, pleaded guilty to the crime of statutory rape during November, 1949. He served approximately 4 months in the Ventura County Jail, being discharged therefrom on March 30, 1950. Pardon recommended by the Adult Authority and Charles F. Blackstock, Judge of the Superior Court of Ventura County. Granted July 2, 1954.

FRUCTUOSO RONDEZ, San Quentin No. 52802, was convicted of the crime of kidnapping in Merced County during September, 1932. He served approximately 4 years 5 months in prison and 4 years 4 months on parole, being discharged therefrom on June 11, 1941. Pardon recommended by the Adult Authority and District Attorney. Granted December 20, 1954.

JACOB ROSENBERG, Los Angeles County Jail No. 18951, pleaded guilty to the crime of petit theft, 3 counts, in Los Angeles County during December, 1930, given a suspended sentence of 180 days and 3 years probation. On January 17, 1931, he violated his probation and was sentenced to serve 1 year in the county jail, concurrent with the 180-day sentence. Pardon recommended by the Adult Authority. Granted December 20, 1954.

VICENTE SANDOVAL-FRANCO, also known as VICENTE SANDOVAL, San Diego County Jail No. 47382, was convicted of the crime of petit theft in San Diego County during March, 1934, and was sentenced to 90 days in the county jail. Pardon recommended by the Adult Authority and Chief of Police. Granted December 20, 1954.

ALFRED GARCIA TELLES, San Quentin No. 67288, pleaded guilty to the crime of forgery in San Joaquin County during September, 1941. He served approximately 13 months in prison and 3 years 9 months on parole, being discharged therefrom on August 4, 1946. Pardon recommended by the Adult Authority. Granted December 20, 1954.

ALFREDO TELLO, Fresno County Jail No. 9770, pleaded guilty to the crime of attempt to commit burglary, second degree, in Fresno County during September, 1935. He served approximately 25 days in the county jail, being discharged therefrom on October 29, 1935. Pardon recommended by the Adult Authority. Granted July 2, 1954.

### COMMUTATIONS OF SENTENCE

RICHARD DYSON, San Quentin No. 54860, was convicted of the crime of murder, first degree, in San Joaquin County during October, 1933, and received a life sentence. He served approximately 12 years in prison or until his release on parole October 26, 1945. Commutation of sentence to time served recommended by the Adult Authority, Carlos A. Sousa, Sheriff of San Joaquin County, J. A. O'Keefe, Chief of Police of Stockton, and Guard C. Darrah, former District Attorney of San Joaquin County. Commutation of sentence to time served granted July 2, 1954.

GUY A. FOGG, San Quentin No. 46159, pleaded guilty to the crime of murder in the first degree in San Joaquin County during October, 1928, and received a life sentence. He served approximately 18 years in prison, until his release on



parole October 28, 1946. Commutation of sentence to time served recommended by Adult Authority. Commutation of sentence to time served granted December 20, 1954.

**SAMUEL O. HALE**, also known as **SAMUEL O. BREEDING**, San Quentin No. 39694, was convicted of the crime of murder in the first degree in San Diego County during July, 1924, and received a life sentence. He served approximately 22 years in prison, until his release on parole July 22, 1946. Commutation of sentence to time served recommended by the Adult Authority and the Division of Adult Paroles. Commutation of sentence to time served granted December 20, 1954.

**WILLIAM KERNAN**, Folsom No. 16600, was convicted of the crime of burglary in the second degree and 3 priors in the City and County of San Francisco during January, 1931, and received a life sentence. He served approximately 13 years 10 months in prison and was released on parole on November 27, 1944. He was declared a parole violator in November, 1945, was apprehended in April, 1948, and reinstated on parole on May 21, 1948. Commutation of sentence to time served recommended by the Adult Authority and a majority of the Justices of the California Supreme Court. Commutation of sentence to time served granted December 20, 1954.

**JOHN D. KITTRELL**, San Quentin No. 56862, pleaded guilty to the crime of murder, first degree, in Santa Barbara County during October, 1934, and received a life sentence. He served approximately 13 years 9 months in prison or until his release on parole August 16, 1948. Commutation of sentence to a term of 20 calendar years recommended by the Adult Authority. Commutation of sentence to a term of 20 calendar years granted July 2, 1954.

**THOMAS F. MARTIN**, San Quentin Nos. 51000 and 67049, Folsom Nos. 20412 and 23968, pleaded guilty to the crime of burglary, second degree, and two prior convictions in Yolo County during August, 1941, was adjudged an habitual criminal and received a life sentence. He served approximately 7 years 7 months in prison or until his release on parole March 21, 1949. Commutation of sentence to a term of 14 calendar years recommended by the Adult Authority and a majority of the Justices of the California Supreme Court. Commutation of sentence to a term of 14 calendar years granted July 2, 1954.

**ALFRED P. PETERSON**, California Medical Facility No. A-18391, was convicted of the crime of murder in the first degree in El Dorado County during July, 1951, and received a life sentence. He has been confined in state prison since July 23, 1951. Commutation of sentence recommended by the Adult Authority. Clemency Investigator for the Division of Adult Paroles, Prison Psychologist, Judge of the Superior Court and the Sheriff. Commutation of sentence from murder in the first degree to murder in the first degree removing the restrictions of Penal Code Section 3046 granted December 20, 1954.

**JAMES FRANCIS SILVA**, San Quentin No. A-17658, was convicted by a jury of the crime of violation of Section 4500 of the California Penal Code (assault by a person serving a life term) in Marin County during July, 1953, and was sentenced to be executed. Commutation of sentence to life imprisonment without possibility of parole recommended by a majority of the Justices of the California Supreme Court. Commutation of sentence to life imprisonment without possibility of parole granted March 31, 1954.

**WILLIAM E. TANNER**, Folsom No. 19005, was convicted of the crimes of kidnapping and prior, 2 counts, and robbery in the first degree and prior, 2 counts, in Los Angeles County during February, 1934. He has been confined in state prison since March 9, 1934. Commutation of sentence recommended by the Adult Authority and a majority of the Justices of the California Supreme Court. Commutation of sentence from life imprisonment without possibility of parole to life imprisonment granted December 20, 1954.

**WESLEY ROBERT WELLS**, San Quentin No. 24155, was convicted by a jury of the crime of violation of Section 4500 of the California Penal Code (assault by a person serving a life term) in Sacramento County during August, 1947, and sentenced to be executed. Commutation of sentence to life imprisonment without possibility of parole recommended by a majority of the Justices of the California Supreme Court. Commutation of sentence to life imprisonment without possibility of parole granted March 31, 1954.



## COMMUNICATIONS

The following communications were received and read, and, on motion of Senator Ward, ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, December 21, 1954

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. BEEK: Reference is made to Senate Resolution No. 25 by Senators Way, Cunningham, Parkman, Teale, Montgomery, Dale C. Williams, Dorsey, Miller, Busch, Harold T. Johnson, Erhart, O'Gara, McCarthy, Sutton, Abshire, Coombs, J. Howard Williams, Kraft, Byrne, Tenney, and Thompson. This resolution requested the State Department of Public Works to make a location survey according to state highway standards, commencing at a point near Hales Grove in Mendocino County and thence northerly by the most practical route to a point near Thorn in Humboldt County, and to report its findings to the Legislature upon the convening of the 1955 Regular Session.

There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Enclosures

Communication ordered printed in the Journal and the report filed with Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, December 22, 1954

*Hon. J. A. Beek, Secretary of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. BEEK: Reference is made to Senate Resolution No. 14 by Senators Donnelly, Parkman, O'Gara, and Thompson. This resolution requested that the California Highway Commission authorize such preliminary surveys as are necessary to determine the advisability of the creation of a new state highway from the City of Patterson in the San Joaquin Valley to the City of San Jose, including therein a report of the number of miles from the Santa Clara County line to the City of San Jose on any such proposed route or routes, and report to the Legislature the results of such preliminary surveys as soon as possible and not later than the beginning of the 1955 Regular Session of the Legislature.

There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Enclosures

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, December 22, 1954

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. BEEK: Reference is made to Senate Resolution No. 19, by Senator Stephen P. Teale, which requested that the Department of Public Works expedite a study of the existing conditions of State Highway Sign Route 49 between Angels Camp and Mariposa in order to determine the necessary steps to be taken to provide adequate facilities for travel and commerce, and report on the subject matter of this resolution to the Senate upon the convening of the 1955 Regular Session.

There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Attachments

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, December 22, 1954

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. BEEK: There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in House Resolution No. 27 by Mr. Cloyd.

This resolution requested that the California Highway Commission authorize such preliminary surveys, including cost surveys, as were necessary to determine the feasibility of the creation of a new state highway from a point north of the City of Del Mar to a point near Palm City, via Sorrento Canyon and Murphy Canyon, and to report to the Legislature the results of such preliminary surveys as soon as possible and not later than the first day of the 1955 Regular Session of the Legislature.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Attachments

Report ordered filed with the Secretary of the Senate.

CALIFORNIA STATE PERSONNEL BOARD  
December 31, 1954

*Mr. J. A. Beek*  
*Secretary of the Senate*  
*State Senate, Sacramento, California*

DEAR MR. BEEK: The State Personnel Board at its regular meeting on December 3, 1954, adopted the following resolution:

*Resolved*, That the Report to the Governor and the Legislature Concerning State Salaries and other matters together with recommendations be adopted as the report prepared in conformance with Government Code Section 18712. The Secretary of the State Personnel Board is directed to file the report with the Governor immediately and to file copies with each house of the Legislature in accordance with Government Code Section 18712.

In conformance with this resolution, we are transmitting a copy of this report to be filed with the Assembly.

Very truly yours,

JOHN F. FISHER, Secretary

JFF:JKM  
Enclosure

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, December 29, 1954

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. BEEK: Reference is made to Assembly Concurrent Resolution No. 5 by Assemblymen Donald D. Doyle, S. C. Masterson, Samuel R. Geddes, Francis C. Lindsay, Bruce F. Allen, Frank P. Belotti, Ralph R. Cloyd, William W. Hansen, and L. H. Lincoln. This resolution requested the Department of Public Works to resume surveys, plans and estimates for a toll or other bridge across Carquinez Straits between the Cities of Benicia and Martinez, and to report to the Legislature the results of its studies not later than 15 days after the commencement of the 1955 Regular Session.

There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Attachments

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, PRINTING DIVISION  
SACRAMENTO, October 15, 1954

Mr. J. A. Beek, Secretary of State Senate  
Senate Chambers, State Capitol  
Sacramento 14, California

DEAR MR. BEEK: I am this day forwarding to the State Treasurer a check in the sum of \$15,000 to be placed to the credit of the Legislative Printing Fund representing proceeds from the sale of legislative publications and services by the Legislative Bill Room from July 1, 1953, to October 1, 1954.

Very truly yours,

PAUL E. GALLAGHER, State Printer

PEG:V

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, October 19, 1954

Mr. J. A. Beek, Secretary of the Senate  
State Capitol

DEAR MR. BEEK: Pursuant to Section 229 of the Water Code, there is transmitted herewith a report prepared by the Division of Water Resources, Department of Public Works, entitled, "Ground Water Occurrence and Quality, Colorado River Basin Region," dated May, 1954, as Report No. 4 of the Water Quality Investigations series.

This report presents pertinent geologic, hydrologic and water quality data now available concerning ground water in the Colorado River Basin Region. It evaluates existing or native quality of ground water of the Region and discusses ground water quality problems. Localized pollution effects of individual waste discharges were not investigated.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Report ordered filed with the Secretary of the Senate.

## BEFORE THE STATE SENATE OF THE STATE OF CALIFORNIA

DONALD J. BRUCE, *Contestant*,

VS.

ROBERT I. MCCARTHY, also known as  
ROBERT IGNATIUS MCCARTHY, *Contestee*.

In the matter of the election of the Senator from the Fourteenth Senatorial District of the State of California at the general election held in the City and County of San Francisco, State of California, on November 2, 1954, contestant Donald J. Bruce contests the eligibility of the said contestee to be seated as a State Senator from the said Fourteenth Senatorial District and for grounds of contesting alleges:

## I.

That Donald J. Bruce, contestant herein, during all of the times herein mentioned was and still is a duly qualified elector of the City and County of San Francisco, State of California, and of the Fourteenth Senatorial District.

## II.

That the name of the person whose right to the office hereafter mentioned is contested, is Robert I. McCarthy, also known as Robert Ignatius McCarthy.

## III.

That the office the right to hold and fill which is hereby contested is the office of State Senator from the Fourteenth Senatorial District, City and County of San Francisco, State of California.

## IV.

That the election which is involved in this contest was held on the second day of November, 1954.

## V.

That the grounds and reasons for contesting the right of the said Robert I. McCarthy, also known as Robert Ignatius McCarthy, to hold the said office is set forth in Article 4, Section 4 of the Constitution of the State of California, in that the said contestee has not been a resident of the City and County of San Francisco or of the said Fourteenth Senatorial District for more than one year next preceding the said election held on November 2, 1954, and in fact the said contestee was not a resident of the said Fourteenth Senatorial District or of the said City and County of San Francisco at the time of said election, but was in fact a resident of the City of San Mateo, County of San Mateo, State of California.

## VI.

This action is brought under Article 4, Section 7 of the Constitution of the State of California which gives the right to the said State Senate to judge of the qualifications, elections and returns of the members of the said Senate.

WHEREFORE, The contestant prays that it be decreed that the contestee, Robert I. McCarthy, also known as Robert Ignatius McCarthy, has no right to the said office and that the contestant, Donald J. Bruce herein, be elected to and entitled to hold said office for the term commencing on January 3, 1955, and for a period of four years thereafter.

Donald J. Bruce, Contestant

George V. Curtis, Attorney for Contestant

STATE OF CALIFORNIA, }  
CITY AND COUNTY OF SAN FRANCISCO } SS:

DONALD J. BRUCE, being first duly sworn, deposes and says:

That he is the contestant in the above-entitled action; that he has read the foregoing and knows the contents thereof; that the same is true of his own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters, he believes the same to be true.

DONALD J. BRUCE

Subscribed and sworn to before me this twenty-seventh day of December, 1954.

CHALMER MUNDAY

(SEAL) Notary Public in and for the City and County  
of San Francisco, State of California

Received in office of Secretary of Senate, December 29, 1954.

Florence I. Mason, Secretary to

J. A. Beek, Secretary of Senate

Senator Grunsky moved that the above communication regarding the contesting of the election of Robert I. McCarthy be referred to the Committee on Rules.

Motion carried.



BEFORE THE SENATE OF THE STATE OF CALIFORNIA  
1955 REGULAR SESSION

*Statement of Contest and Petition For Recount*

To the honorable members of the California Senate, 1955 Regular Session, and to J. A. Beek, Secretary of the Senate of the State of California:

VERNE W. HOFFMAN, a resident of San Joaquin County, California, respectfully represents as follows:

That he was a candidate for the Republican nomination for member of the California State Senate from the Twentieth Senatorial District, San Joaquin County, California, and was duly and regularly elected as such Republican nominee at the direct primary held in June of 1954.

That ALAN SHORT was the duly elected Democratic nominee for said office, likewise elected and nominated at the said June primary of 1954.

That in the general election held November 2, 1954, according to the official canvass of votes, the said ALAN SHORT received 31,399 votes and your petitioner herein received 31,201, and the said ALAN SHORT has been certified by the County Clerk of San Joaquin County and by the Secretary of State of the State of California to have been elected to the office of State Senator from the said Twentieth Senatorial District.

That your petitioner contests the said election and respectfully requests the Senate to conduct or order to be conducted a recount of the ballots cast for the office of Senator from the Twentieth Senatorial District on the following grounds and for the following reasons:

1. That your petitioner has been the duly elected and qualified Senator from the said Twentieth Senatorial District since January 1, 1951, and, as stated above, was a candidate for re-election, and verily believes that due to irregularities in the counting of ballots, oversized precincts established contrary to the provisions of Section 571 of the Elections Code of the State of California, fatigue of members of the election board due to the large number of candidates and ballot propositions upon the ballot, all as more particularly set forth hereinafter, caused errors to be committed in the counting of the ballots for the said office of Senator from the said Twentieth Senatorial District, and that a recount of the ballots would show that your petitioner is the duly elected Senator from the said senatorial district and entitled to hold the said office for the term commencing January 1, 1955.

2. That your petitioner is informed and believes, and therefore alleges that in the County of San Joaquin it was fairly common practice for the election boards in the respective precincts to constitute themselves into separate squads and conducted more than one count of the ballots at the same time, and in particular, petitioner is informed that in connection with precincts 3-93, 3-94, 3-95, 3-97, 3-98, 3-99, 3-100, and 3-100A, two of the election boards for the said precincts established themselves in squads and had only one person reading the ballot and one person tallying; and in some of the precincts in Supervisory District 4 that when the tally so made was completed, the other tallies were added together to constitute the total vote of the said precinct. That in reference to precincts 2-62, 2-63, 2-65, 2-69, and 2-70, at least half of the board of the said precincts constituted themselves in squads and counted the ballots in separate teams, as above alleged.

3. That Section 571 of the Elections Code provides that: "Whenever any county is divided into election precincts or whenever the boundaries of established precincts are changed or new precincts created, the precinct boundaries shall be fixed in such manner that the number of voters polled in each precinct does not exceed 200, as nearly as can be estimated." That in the year 1954 36 election precincts in the County of San Joaquin, a list of which is attached hereto marked Exhibit "A" and incorporated herein, were so constituted that the number of voters polled exceeded 200, ranging from 201 to 306, and that by reason of the length of the ballot and the large number of votes cast in the said precincts, and by reason of the fact that some of the precinct boards divided themselves into squads and conducted more than one count of ballots at the same time, the likelihood of error having been made is great, and petitioner believes that errors were made which would change the result of the official vote cast in said election.

4. That in the said election held on November 2, 1954, there were a total of 65,846 votes cast in San Joaquin County; that upon the ballot required to be counted by the election boards were candidates for the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, State Controller, Superintendent of Public Instruction, United States Senator, United States Representative for the Eleventh District, State Senator, State Assemblymen, Member of the Board of Equalization Second District, two Associate Justices of the Supreme Court of the State of California, Presiding Justice and one Associate Justice of the Third District Court of Appeal, and in addition thereto there were 20 ballot propositions upon which votes were cast.

That by reason of the large number of votes cast in numerous precincts, the length of ballot and number of offices and ballot propositions upon which votes were cast, many of the election boards were required to work far into the night and early morning hours of November 3d and suffered great fatigue which lowered their efficiency and made them liable to make error, and petitioner is informed and believes that errors were actually made in the count of the votes for Senator in the Twentieth Senatorial District. That in at least one of the said election precincts, to wit, T-14, wherein 267 votes were cast, the election board did not complete the tally until approximately 10.30 a.m. on the morning of November 3d, and your petitioner has been informed by one of the precinct board members that she was so fatigued that she could not hear the name of the candidate called by the person reading the ballots, and frequently was necessary that the name of the candidate be called by an observer and the position of the tally of said vote indicated on the tally sheet, and in all probability errors were made in the tally of the votes cast for the office of Senator from the Twentieth Senatorial District. That in truth and in fact, in the said precinct there was a total vote of 267, and the official canvass shows that your petitioner received 127 votes and ALAN SHORT 141 votes, or a total of 268.

5. That in precinct 3-10b, there was a total vote of 162 cast, and the official tally shows that your petitioner received 54 votes, ALAN SHORT 109 votes, or a total of 163. That in precinct L-24, the total vote cast was 157, and the official canvass showed that your petitioner received 140 votes, ALAN SHORT 23 votes, or a total of 163. That in the official canvass of the ballots, the said errors were not observed and in these three precincts the total tallied vote exceeded the total vote cast by 8 in number, conclusive proof that error was made.

6. That in 1954 41 new precincts were established in the County of San Joaquin, and in many of said precincts the election boards were totally inexperienced in the conduct of elections and counting of ballots, and in others there were only one or two of the board who had had previous experience, and due to the inexperience of the said election boards your petitioner believes that errors may have been made in the counting and tallying of the vote cast for Senator in the Twentieth Senatorial District.

7. That Section 7014 of the Elections Code provides: "No election officers shall make any tally of votes in any other manner than is provided in this article, nor in any other place than the tally lists provided for that purpose," and as shown above, where the election boards divided themselves into squads, the tally was not conducted in accordance with the provisions of the said Elections Code.

That Section 7016 of the Elections Code provides: "One election officer shall read from the ballots. As the ballots are read, at least one other election officer shall sit beside him and keep watch of each vote thereon, to help keep a check on any possible illegal vote or on any error or omission on the part of the officer reading or calling the ballot," and your petitioner is informed that in many of the precincts in San Joaquin County the provisions of this section were not followed by the election boards.

8. That your petitioner verily believes that by reason of the illegal procedures alleged herein, the errors demonstrated to have been made in at least three of the precincts, the large number of ballots cast and the large number of officers and ballot measures for which votes had to be counted, and the likelihood of error resulting therefrom, a recount of the ballots should be had and that such recount would demonstrate and prove that your petitioner was duly elected as the Senator from the said Twentieth Senatorial District.

9. That your petitioner makes no accusation against ALAN SHORT and desires to make it perfectly clear that he does not think or believe that the said ALAN SHORT was connected with or responsible in anywise for the errors which were made and tallied, but that the said errors resulted from the inexperience of election boards, the large number of votes to be counted, and the resulting fatigue of the election board members, the illegal manner of counting as above alleged. Your petitioner further wants it fully understood that he is making no accusation against the Registrar of Voters of said San Joaquin County or the official canvass board, or the County Clerk, and believes that they endeavored to and did conduct the election to the best of their abilities, and that the errors in the counting which occurred were due to the procedures and factors alleged above.

WHEREFORE, Your petitioner prays the honorable Senate of the State of California for the 1955 Regular Session that it order a recount of the ballots cast for the office of Senator in the Twentieth Senatorial District, County of San Joaquin, State of California, and that if such recount shows that your petitioner received more votes than his opponent, your petitioner be declared elected to the office of Senator from the Twentieth Senatorial District and that your petitioner be treated as a member of the

California Senate from said district, and that this petition be referred to a duly and regularly constituted committee of the Senate of the State of California.

STATE OF CALIFORNIA, }  
COUNTY OF SACRAMENTO } ss.

VERNE W. HOFFMAN, Petitioner

VERNE W. HOFFMAN, being first duly sworn, deposes and says:

That he is the petitioner in the above-entitled matter; that he has read the foregoing Statement of Contest and Petition for Recount and knows the contents thereof; that the same is true of his own knowledge except as to the matters therein stated on his information or belief, and as to those matters that he believes it to be true.

VERNE W. HOFFMAN

Subscribed and sworn to before me this thirtieth day of December, 1954.

(SEAL)

RUTH M. SUTTON

Notary public in and for the County  
of Sacramento, State of California

Exhibit "A"

Thirty-six Precincts With Over Two Hundred Polled Votes  
General Election

Precinct	Total vote	Hoffman	Short
Stockton Judicial District			2d Super. Dist.
2-48 -----	236	116	115
Stockton Judicial District			3d Super. Dist.
3-11 -----	242	107	131
3-11A -----	215	73	135
3-11B -----	201	117	82
3-12 -----	213	81	126
3-13 -----	220	104	113
3-13A -----	211	88	121
3-18 -----	204	107	96
3-45 -----	203	63	135
3-49 -----	227	81	138
3-67 -----	211	63	125
3-68A -----	209	36	150
3-73 -----	209	119	77
3-77 -----	224	159	56
3-78 -----	207	145	55
3-85 -----	204	72	118
3-89 -----	223	107	111
3-89A -----	279	138	134
3-92 -----	216	132	81
3-95 -----	210	141	69
3-99 -----	200	131	66
Lodi Judicial District			4th Super. Dist.
4-4 -----	220	140	71
4-7 -----	228	135	91
4-20 -----	236	122	99
L-13 -----	223	161	49
L-16 -----	235	148	79
L-26 -----	221	184	29
Tracy Judicial District			5th Super. Dist.
5-2 -----	220	133	75
5-3 -----	223	152	65
5-4 -----	210	96	91
T-1 -----	215	32	169
T-14 -----	267	127	141
M-R-E Judicial District			5th Super. Dist.
5-10 -----	235	84	127
5-14 -----	215	74	130
5-18 -----	200	81	104
5-19 -----	211	91	111
5-20 -----	214	86	118
M-3 -----	231	114	104
M-5 -----	306	146	144
R-3 -----	214	166	41
E-1 -----	213	140	63



Senator Hulse moved that the above communication regarding the contesting of the election of Alan Short be referred to the Committee on Rules.

Motion carried.

#### REPORTS OF SPECIAL COMMITTEES

The following reports of special committees were received:

Senators Murdy, John F. McCarthy, and Burns, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Desmond, Robert I. McCarthy, and Thompson, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported they had performed their duty.

#### MESSAGES FROM THE ASSEMBLY

At 1.20 p.m., the following Assemblymen, Messrs. Maloney, Thomas J. Doyle, and Mrs. Sankary, appeared at the bar of the Senate and announced that the Assembly was duly organized and ready to proceed with the business of the State.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 2:** By Senator Thompson—Relative to approving an amendment to the charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the second day of November, 1954.

#### Request for Unanimous Consent

Senator Thompson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

**Senate Concurrent Resolution No. 2**—Relative to approving an amendment to the charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.



**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 3:** By Senator Grunsky—Relative to approving certain amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified voters of said City of Watsonville at a special election held therein on the twenty-second day of June, 1954.

**Request for Unanimous Consent**

Senator Grunsky asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3**

**Senate Concurrent Resolution No. 3**—Relative to approving certain amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified voters of said City of Watsonville at a special election held therein on the twenty-second day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—35.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 4:** By Senator Kraft—Relative to approving an amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4**

**Senate Concurrent Resolution No. 4**—Relative to approving an amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was introduced, and read the first time :

**Senate Concurrent Resolution No. 5:** By Senator Kraft—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the eighth day of June, 1954.

#### Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

**Senate Concurrent Resolution No. 5**—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was introduced, and read the first time :

**Senate Concurrent Resolution No. 6:** By Senator Harold T. Johnson—Relative to approving the charter of the City of Roseville, County of Placer, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

#### Request for Unanimous Consent

Senator Harold T. Johnson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

**Senate Concurrent Resolution No. 6**—Relative to approving the charter of the City of Roseville, County of Placer, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES** Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day elected the following statutory officers:

L. H. Lincoln	.....	Speaker
Thomas A. Maloney	.....	Speaker pro Tempore
Arthur A. Ohnimus	.....	Chief Clerk of the Assembly
Geraldine B. Hadsell	.....	Minute Clerk
Wilkie Ogg	.....	Sergeant-at-Arms
Rev. William C. Pearson	.....	Chaplain

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

## RESOLUTIONS

The following resolution was offered:

By Senators Miller, J. Howard Williams, Harold T. Johnson, Collier, and John F. McCarthy:

**Senate Resolution No. 11**

Relative to the Creation of the Senate Special Committee on Governmental Administration

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Special Committee on Governmental Administration is hereby created and authorized and directed to ascertain, study and analyze all facts relating to any department or agency of state or local government in California, including (but not limited to) its organization, functions, personnel, and administration; the evaluation of all phases of its program and the relations of such agencies or departments to newspapers, radio, and television in carrying out such program; the status of cities, counties, and public districts as owners and operators of facilities and properties used by them in the service of their inhabitants and the civil rights, duties, privileges, and responsibilities of such cities, counties and districts toward their inhabitants and toward other persons and public agencies, growing out of, or in any way related to, their acquisition, ownership, operation or management of such facilities and properties wherever situate; and (including but not limited to) the operation, effect, and administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1957 Regular Session, with authority to file its final report not later than the tenth legislative day after the constitutional recess of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.  
(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) The committee and each subcommittee thereof is authorized to leave the State of California in the performance of its duties.

6. The sum of thirty-five thousand dollars (\$35,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

At 1.35 p.m., the following Assemblymen, Messrs. McGee, Dahl, and Levering, appeared at the bar of the Senate and invited the Senators to attend the Joint Meeting in the Assembly Chambers.

#### RECESS

At 1.36 p.m., on motion of Senator Ward, the Senate recessed to meet with the Assembly in joint session.

#### IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO

Monday, January 3, 1955

At 1.40 p.m. the Senate and the Assembly met in Joint Convention. Hon. L. H. Lincoln, Speaker of the Assembly, presiding.

Arthur A. Ohnimus, Chief Clerk, at the desk.

#### ANNOUNCEMENT

Speaker L. H. Lincoln announced the presence in the Assembly Chamber of the Honorable Clarence C. Ward, President pro Tempore of the Senate, and invited him to the rostrum.

#### SENATE ROLL CALL

Senator Clarence C. Ward, President pro Tempore of the Senate, directed the Secretary of the Senate to call the roll of Senators.

The roll was called and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

The President pro Tempore declared a quorum of the Senate present.



**ASSEMBLY ROLL CALL**

Hon. L. H. Lincoln, Speaker of the Assembly, directed the Chief Clerk to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Allen, Backstrand, Beaver, Bee, Belotti, Bonelli, Bradley, Brady, Brown, Burke, Caldecott, Casey, Chapel, Clarke, Collier, Conrad, Coolidge, Cunningham, Dahl, Davis, Dickey, Dills, Dolwig, Donahoe, Donald D. Doyle, Thomas J. Doyle, Elliott, Erwin, Fleury, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hansen, Hawkins, Hegland, Henderson, Hobbie, Holmes, Johnson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, Marsh, Masterson, McCollister, McFall, McGee, McMillan, Meyers, Miller, Morris, Munnell, Nielsen, Nisbet, O'Connell, Pattee, Patterson, Porter, Rees, Rumford, Sankary, Schrade, Shell, Smith, Stanley, Stewart, Thomas, Unruh, Weinberger, and Wilson—79.

The Speaker declared a quorum of the Assembly present.

**APPOINTMENT OF COMMITTEES ON ESCORT**

Hon. Clarence C. Ward, President pro Tempore of the Senate, announced the appointment of Senators Hulse, Parkman, and Gibson as the Special Committee to escort Hon. Harold J. Powers, Lieutenant Governor-elect of the State of California, to the bar of the Assembly.

Hon. L. H. Lincoln, Speaker of the Assembly, announced the appointment of Messrs. Chapel, Donald D. Doyle, Dills, Munnell, and Pattee as the Special Committee to escort His Excellency, Hon. Goodwin J. Knight, Governor-elect of the State of California to the bar of the Assembly.

**INVOCATION**

Invocation was offered by Rev. William C. Pearson, Chaplain of the Assembly.

**REPORT OF COMMITTEES ON ESCORT**

The Committees on Escort, appointed to wait upon the Governor-elect and the Lieutenant Governor-elect and escort them to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon. Goodwin J. Knight, Governor-elect of the State of California and Hon. Harold J. Powers, Lieutenant Governor-elect of the State of California.

**OATH OF OFFICE ADMINISTERED TO GOVERNOR**

Upon arriving at the bar of the Assembly, Governor-elect Hon. Goodwin J. Knight took and subscribed to the constitutional oath of office as set forth in Article XX, Section 3 of the Constitution of the State of California, administered by the Honorable Phil S. Gibson, Chief Justice of the Supreme Court.

**OATH OF OFFICE ADMINISTERED TO LIEUTENANT GOVERNOR**

Lieutenant Governor-elect Harold J. Powers then took and subscribed to the constitutional oath of office as set forth in Article XX, Section 3 of the Constitution of the State of California, administered by the Honorable Jesse W. Carter, Associate Justice of the Supreme Court.

## PRESENTATION OF THE GOVERNOR

Hon. Clarence C. Ward, President pro Tempore of the Senate, then presented Governor Knight to the Joint Convention.

## ADDRESS BY THE GOVERNOR

*Mr. Speaker, Lieutenant-Governor Powers, Mr. President pro Tempore, Mr. Speaker pro Tempore, Mr. Chief Justice, Members of the Legislature, and my fellow Californians:*

I bid you all a warm welcome to our Capitol City for the 1955 Session of the Legislature, and I extend the season's greetings to all of you. In accordance with the Constitution of the State of California, I report to you on the condition of our State. California has completed a prosperous year and the outlook for the forthcoming year is an even more encouraging one than it was 12 months ago.

As I begin my duties for the four-year term of office to which I have recently been elected, I also feel it is appropriate for me to re-state some of the general policies which will govern my administration.

We will be confronted at this session of the Legislature with many problems of vital concern to the people of California. I solicit your cooperation and assistance in their solution and I pledge that you shall have mine. I believe that my nearly eight years of experience with the legislative branch of our State Government has given me a comprehensive understanding of the responsibilities, traditions, and procedure of the Legislature. This background will be helpful to me in performing my duties as the Chief Administrator of the State of California. With your help I will be able to administer the State's affairs so that California may keep apace with the constantly growing requirements of our State.

I propose to deal directly and vigorously with the task which confronts us.

I stand firm on the premise that economy in our State Government is an essential ingredient in the conduct of its affairs. Costs of operation should be restricted as far as is consistent with the public welfare. But economy, solely for economy's sake, should not be practiced at the sacrifice of important services required by the public, provided our purse can afford them without undue economic burdens being imposed on selected segments of our citizens.

I am a staunch proponent of the fundamental American principle of "private enterprise." This system has made the United States the greatest Nation on earth. It has brought our people more of the finer things in life than are enjoyed by any other people in the world. Through it, we have been able, time and time again, to defeat enemies who have sought to overpower and to enslave us. There is no conflict between the principle of "private enterprise," and the theory of government that people, working together through their state, can best serve their proper collective purposes. They go hand-in-hand in our American way of life. One supports, encourages, and enhances the other.

I believe in maintaining our State Government at the highest possible point of efficiency. I am committed to the elimination of useless duplication of effort and unnecessary expense wherever they may be found. This policy has been carefully and closely followed thus far

during my tenure as your Governor, and improved efficiency has been effected in many areas under my jurisdiction. I shall continue to review administrative and procedural policies with the object of achieving even greater efficiency, economy, and stability. Every effort will be made by the State's administrative officers to simplify procedures in carrying out their respective responsibilities.

Governmental procedures tend to become more complex and more burdensome if allowed to develop unguided. Constant review is essential in keeping them simple and in preventing the development of unnecessary routine and resultant rising costs.

Several of the larger departments of our State Government, by careful review of their methods, by eliminating unnecessary functions and particularly by changes in procedure permitting higher efficiency, have effected savings of hundreds of thousands of dollars.

I shall encourage the other departments to accomplish comparable increases in efficiency and proficiency, by similar means, and without reducing the quality or quantity of their appointed services to the people.

#### GENERAL PROGRESS

The soundness of California's broad-based economy is attested by the manner in which this State has adapted itself to successive business readjustments. The grand total income of our people was higher last year than it has been in any year in our history. From wages and salaries, interest, dividends and other sources, the people of California received well over 25 billion dollars during 1953.

The continuing rapid growth of our State is additional evidence of our economic and social health. Not only have we attracted several hundred thousand new residents each year but we are raising larger families, healthier families, and, I hope, happier, more contented families. Indeed, it is in this tremendously rich resource that we find one of our most pressing problems. We face a great need for the services of government in all fields. With a larger school enrollment, the requirements for school support are rising sharply. Growth is increasingly important in our planning for educational facilities, institutions and all of the other physical requirements of government. I shall deal with these matters explicitly and submit specific recommendations to you in my Budget Message. In passing, however, I emphasize that our financial problems arise not from deterioration and decline, but from vigorous growth and sound development.

#### AGRICULTURE

It is consistently our purpose to exert every effort to aid our agricultural industry in achieving its soundest possible position through research, educational, regulatory and service activities. No other state has such a well-rounded program for agricultural assistance as California offers through its state agencies.

Our population increase has resulted in greater consumer demand for our many and varied crops and other agricultural products. Consumption here at home increases as our population grows, reducing costly marketing charges in moving our farm surplus to more distant outlets in other states.



During the past year two serious insect pest situations have developed, one involving the Khapra beetle, a serious pest of stored grain and certain other products, and the other involving the Mexican fruit fly, which threatens our citrus and deciduous fruit industries.

The Khapra beetle has been found in nine counties of California and the Mexican fruit fly has been found along the Mexican border. The California Department of Agriculture, in cooperation with the counties, the Federal government, and other State agencies, is taking prompt preventive action.

Both of these pests will require extensive control programs, and it will undoubtedly become necessary to provide funds for such campaigns. A more detailed presentation of these and related problems will be made later.

#### STATE BUILDING CONSTRUCTION PROGRAM

In my budget message last year I discussed the need for sound, long-term planning in our efforts to provide the facilities required by the inescapable expansion of our state colleges and university, mental hospitals, correctional institutions, and other activities of government. Too long we have relied on the hope that once we had caught up with our needs, we could keep abreast without strenuous effort. Our continued growth makes this easy solution impossible. We must now plan not only for next year, but for many years ahead.

Last May I appointed, in accordance with a resolution of the Senate, a seven-member committee of key state officials and charged them with responsibility for preparing a balanced long range building program. In the course of its study, this committee and its technical advisors made estimates of our capital outlay needs for the next 10 years. The committee has prepared a comprehensive construction program covering the period 1955-60. I have drawn up recommendations for the projects to be undertaken immediately, and also a major financing program which will not impose undue burden or hardship upon our taxpayers. These recommendations will be contained in my forthcoming budget message. One of the main features of this study, basic in its conception, is the principle that the users of state buildings and equipment during their lifetime should share in the capital cost, as well as the taxpayers of this day and this period in California life.

#### EDUCATION

One of our most important and pressing tasks lies in the field of education. The heavy increase in birth rate, which began about 20 years ago, along with our general growth in population, has resulted in a phenomenal rise in the number of children in our public schools and will cause greatly expanded annual enrollments in our university and state colleges. The rate of increase in our college population will be more than three times that of the total population. The future welfare of our State is concerned with adequate planning to meet the educational needs of these young people. We must train more teachers to staff our schools and colleges, we must expand our college and university facilities, and we must have continuing comprehensive



examination of the entire educational program to see that it keeps pace with the dynamic developments of the day.

In my budget, provision will be made for anticipated enrollment increases, and for a program of construction to provide more classrooms and other facilities needed for even still greater enrollments.

Los Angeles County faces an acute situation because college facilities have not kept pace with population growth, and immediate steps are being taken to meet this problem. The Public Works Board has recently selected two sites for new state college campuses in Los Angeles, and we are proceeding with plans for construction of these two campuses.

A committee of recognized authorities in the field, under the joint supervision of the Regents of the University of California and the State Board of Education, is making a comprehensive study of the needs of higher education in this State. This committee will, I am sure, give further guidance toward improvements in our educational system, and recommend means by which we can meet the needs of the growing number of young people seeking advanced learning.

#### AIR POLLUTION

Air pollution in California is a perplexing health and economic problem of vast magnitude.

The once sunny skies of some of our more heavily populated sections are often obscured by a recurring aerial scum which not only distresses people but represents a potentially serious health hazard. Our State's continued industrial development, as well as its attractiveness for living, may well depend upon our finding a solution to this situation—an effective and rapid solution. Jobs for a great many of our people, and the health of a large segment of our population, may be at stake.

Last October, when Los Angeles suffered one of the greatest smog attacks in its history, I immediately set wheels in motion to assist in developing answers to this community crisis. I then allocated \$100,000 from the State's Emergency Fund to the Department of Public Health for an investigation into the health aspects of air pollution. I also allocated \$50,000 from the Emergency Fund to the University of California to finance several special projects on the causes and effects of smog.

The Department of Public Health is engaged in a six-point study of the nature, sources and the extent of air pollution, and its effects on health and environment. This study is state-wide in scope and I recommend to you that it be continued. The study includes air pollution's cumulative effect over a long period of exposure, as well as its immediate effects. Measurement activities are being conducted in sections of the State that have not received this attention heretofore, principally the San Diego and San Francisco Bay areas. Our Public Health Department is working closely with the University of California, the California Institute of Technology, the Stanford Research Institute, the Los Angeles County Air Pollution Control District, and other public and private agencies engaged in working out solutions to the vexing smog situation.

The Department of Engineering of the University of California has begun intensive development work on automobile muffler design, incinerator design, microwave surveillance and internal space air conditioning. Equipment such as wave guide tubes, crystal mounts,

klystrons, frequency flanges, microwave tubes, meters and thermo precipitators have been assembled for evaluating microwave methods as a means of determining the composition, the formation and the location of smog. Facilities are being developed for accumulating and analyzing automotive exhaust to evaluate systems for removing atmospheric pollutants from internal combustion engines. Glass incinerators are being fabricated for use in a basic study of trash burning with the object of increasing the effectiveness of the combustion process. Experts in the field of atmospheric diffusion processes are planning a series of model tests to determine the amount of energy required to penetrate an atmospheric inversion.

The university is scheduled to make its initial report on February 1, the Department of Public Health will report on March 1, and the information contained in these reports will be available for legislative consideration.

We shall do everything humanly possible to meet this challenge to our ingenuity and I am convinced we will be successful so long as we recognize that it is a problem to be solved by engineering and scientific endeavors and not by political sound and fury.

#### WATER PROBLEMS

The careful conservation and development of our water resources is of paramount importance to the people of our State.

We can anticipate the construction in the near future of two mammoth projects which will insure extensive additional supplies of water and power for our expanding population. These are the Feather River Project and the Trinity River Project. The Feather River Project is a major unit of our long-range California water plan and will be financed, constructed, and operated by the State of California. The State Engineer will present a report to this session of the Legislature which will contain a step-by-step construction program for the project, a schedule of deliveries from the project, an estimate of the funds which will be required for construction, and suggested means of financing. When this report is presented to the Legislature, we will have ended the era of planning on the Feather River Project and we will have entered the era of financing and construction. There is immediate need for the project. I urgently recommend that the Legislature take immediate steps to determine the proper and most effective means of raising the funds necessary for construction—for without affirmative action, the project will remain only a grandiose dream. I am hopeful that you will act expeditiously so that right-of-way acquisition can begin without delay and that initial phases of construction may be under way by this time a year hence.

The Trinity River Project is now being planned by the Federal Government. California has informed the Secretary of the Interior that the project is feasible from an economic and an engineering standpoint and should be constructed at the earliest possible date. I recommend that this session of the Legislature approve a joint resolution urging the Congress to begin consideration of this construction project, including all of its power facilities, at the earliest possible date.

Studies have been made by both state and federal agencies on the San Luis Project on the west side of the San Joaquin Valley. This project could utilize surplus waters obtained from either the Trinity River or Feather River Projects. There are conflicting views on whether the San Luis Project should be a part of one or the other. My view is that we should endeavor to include the San Luis development in whichever project will be finished first.

I oppose the state purchase of the Central Valley Project at this time. The United States Government has indicated that it has no interest in selling the project. We have greater and more immediate needs for construction of the Feather River Project, the Trinity River Project and other necessary state water and power developments on which we can use the several hundred million dollars which the Central Valley Project would undoubtedly cost.

#### COORDINATING WATER RESOURCES AGENCIES

Many efforts have been made to create a single, coordinated water resources department in our State Government. Conflicting interests have delayed approval of the creation of a department of this type. A dozen departments, commissions, boards and other agencies are now engaged in one or more phases of our water resources activities, and an equal number are indirectly involved. The functions of the various agencies lack effective over-all continuity of policy. If the Legislature acts affirmatively on the creation of a single water resources department, in which conflicting interests have been satisfactorily resolved, I will support and approve that legislation.

We must be certain, however, that essential safeguards of existing law are included in any legislation establishing a new water resources department.

#### HIGHWAY FINANCING

On June 30, 1955, unless affirmative action is taken by the Legislature, the tax on motor vehicle fuel will drop from six cents per gallon to 5½ cents per gallon. Other highway user taxes will drop approximately one-third. I am firmly of the opinion that urgency legislation should be enacted continuing highway user taxes at the present level in order that we may continue maximum highway construction in the interests of the motoring public and in providing maximum safety features for our people.

Because of the widespread support which exists for such a policy, I have asked that the budget of the Division of Highways for the 1955-56 Fiscal Year be prepared on the assumption that the present tax rates will continue after June 30, 1955. In the event that the Legislature does not provide for continuance of highway user taxes at the present rates, it will be necessary to eliminate approximately \$25,000,000 in projects now included in the 1955-56 highway program.

#### MENTAL HYGIENE AND HEALTH

In recent years we have become increasingly aware of the fact that mental illness among our people, while serious, is not hopeless. Gradually through education and actual experience the public is losing



much of its former prejudicial and superstitious attitudes and is becoming interested in learning more about the causes of mental and emotional illnesses and mental handicaps.

California has devoted a generous share of its resources toward the care and treatment of the mentally ill and the mentally handicapped and will continue to take advantage of new and accepted treatments and techniques, so that the mentally ill and mentally handicapped will return to their homes at the earliest possible time. However, we know that mere application of the knowledge we have already attained is not sufficient. Building new buildings—as necessary as they may be—cannot be accepted as the final answer. We must intensify our research, education and training programs. In order to combat this ever-increasing danger successfully we must learn more about the causes of the illnesses and handicaps and how to prevent their occurrence.

#### OUR CORRECTIONAL PROGRAM

Our phenomenal increase in population and a still more rapid increase in crime rates place an unprecedented burden upon our correctional facilities. Herein lies a tremendous challenge to our vision and ability to meet this test with wisdom, humanity, and efficiency. California points with justifiable pride to the fact that this State has not experienced the disastrous prison riots and disturbances which have plagued many of our sister states during the past few years. I do not believe that the absence of such disturbances in California is a mere accident. It is the result of careful planning, good personnel, and sound leadership.

Excessive overcrowding in penal and correctional institutions has been accepted for many years as one of the unfortunate conditions which may cause prisons to contribute to criminal behavior, rather than to cure and prevent it. By building adequate prisons, by providing effective rehabilitation programs, we shall seek in every scientific and sensible way to improve our correctional system standards. We believe in restoring human beings, not in exacting futile revenge for society.

#### NARCOTICS

During the special session held in March of 1954, the Legislature approved increased penalties for those who traffic illegally in narcotics.

Punitive measures are a step in the right direction, but it is the certainty of punishment more than the degree of punishment, that aids in curbing antisocial practices.

#### NARCOTICS

Since meeting last with you, I have endeavored to strike at this social evil and its operations in one of our tender spots. This is the peddling of narcotics on our high school, junior college, and university grounds, and among our young men and women wherever they gather. The prospect of increased use of drugs or narcotics by young people is frightening to contemplate. During the past few months I have held two conferences with youth leaders of the San Francisco Bay area and



Northern California. The hundreds of youngsters who attended these conferences have undertaken the civic responsibility of educating their fellow students on the dangers of experimenting with drugs and narcotics. Additional conferences of this nature will be held in the near future in Central and Southern California.

I ask the close cooperation of all agencies in our State Government in the effort to control this threatening social problem.

#### HIGHWAY SAFETY

The California Highway Patrol, guardian of our vast network of traffic lanes, needs additional manpower without delay. Beat coverage, fixed post duty, traffic control, scale operation, and other duties, along with our vast highway mileage, our increasing population, our mounting vehicle registration, and other factors, impel me to urge the Legislature to increase the personnel of this Department so that it may meet its responsibilities in a more adequate manner.

Economic and humanitarian aspects of the situation also must be considered. Stricter traffic control through greater enforcement activities results in a proportionate reduction in deaths, personal injuries, and property losses. Providing a substantial number of additional traffic officers will assist materially in reducing the tragic carnage on the highways of the State of California.

#### FISH AND GAME

The number of licensed hunters and fishermen in California is increasing at a faster rate than our population. Today the fish and game program is producing more fish for the streams and more wild life for the field than at any time in our history, but the mounting human pressures on these resources pose serious problems which demand immediate relief. We need more wardens and patrol captains to protect fish and game against the poacher and law violator.

I recommend the allocation of \$2,500,000 on a continuing basis from the state revenue from pari-mutuel horse racing funds for this program. This proposal is consistent with previous legislative actions which made \$12,000,000 available from these funds for fish and game purposes during the past six years. I am opposed to any increase in fishing or hunting fees at this time.

Another problem is the fact that many of our best fish and game areas, including much ocean beach frontage, are not available to our 1,800,000 licensed sportsmen, because they are not accessible to the public. I urge the construction of a suitable number of access roads and trails which will open up vast new areas for hunting and fishing in California. These roads and trails would provide unlimited new opportunities for outdoor sportsmen and for family recreation, and at the same time permit wise use of the fish and wild life which are not being harvested efficiently at this time.

The continuing decline of our ocean fisheries is also of keen concern to all informed persons. In 1953, the landings of commercial fish in California slumped to the lowest ebb in 22 years. Common sense and our financial interests dictate that an ocean fisheries management program

should be established with special emphasis on study and management of sardines, mackerel and anchovies. The existing condition of this commercial fishing crop demands decisive action on our part without further delay.

With more intensive use of the State's water resources for an increasing variety of purposes, the danger of pollution of our streams becomes a highly important matter, and one worthy of your close attention.

#### CREATION OF AN ADVISORY COUNCIL ON AGING

We are now facing a social question of rapidly increasing importance in the steadily growing number of older people in our population. In California each year we have a net increase of almost 40,000 in the number of people 65 years of age and over. This is due, in the main, to the efforts and achievements of science which is gradually extending the human life span, and pushing back the barriers of age.

We are already aware of the cost of maintaining our senior citizens in some degree of economic security. However, there are other costs which are not generally recognized. Because of involuntary idleness and the lack of activity programs for them, the state and local governments are paying out large sums of money each year for mental and physical care for older persons.

I urge the Legislature to establish a Citizens Advisory Council on Aging, the members to be appointed by the Governor. Such a council should serve in an advisory capacity to the Legislature, to the Governor, and to our existing Interdepartmental Coordinating Committee on Aging. It would be in a position to encourage the development of programs to meet the needs of our senior citizens in every community in California. It would be the one state-wide body to which the communities could turn for advice and guidance. It would ensure California's place of leadership among the states in their concern for the needs of their citizens.

#### LABOR-MANAGEMENT

The history of the free world in our times has made it clear that stable labor-management relations are essential to the well-being of our society. Here in California our State Government has long sought to approach this critical area in a mature and scientific manner. I believe that California has long since passed from that primitive day when differences between labor and management frequently worked to the grave detriment of our State and the general public not directly connected with either labor or management.

I believe that State Government here has an obligation to encourage harmony and to discourage controversy. Through our various divisions in the State Department of Industrial Relations we do make an enlightened approach to the many economic and social aspects pertinent to this critical relationship. The very existence of that department attests to our recognition of the necessity for labor-management cooperation.

Essentially, of course, labor and management must themselves determine their own functional destiny. Government may assist this process but it must never dominate; it must never impose dictatorial controls.

Thus, as your Chief Administrator, I believe I have the duty to discourage any form of punitive legislation which shackles labor or management and pits one against the other in economic and social welfare, often at considerable expense and inconvenience to the general public.

#### UNEMPLOYMENT INSURANCE

Unemployment insurance is one of the proudest historical achievements of our times. We have come a long way since the days of the Elizabethan Poor Law and, in our own times, since the days of the soup-kitchen philosophy of depression and despair.

Unemployment insurance is a vital part of our economy. It touches the life of almost every Californian. Last year you complied with my request that benefits be increased from \$25 to \$30 per week to make them more in line with present living costs.

But if this system is to make its proper contribution to the economic vitality of a growing California, the abuses to which it is being subjected by fraudulent claimants should have your grave attention.

I strongly recommend changes in the Unemployment Insurance Code to provide more realistic and enforceable penalties for claimants who commit fraud. There should also be more realistic and enforceable penalties for employers who fail to provide the Department of Employment with the necessary and timely information it must possess in order to pay claims promptly and properly.

During the past year, the department has vigorously attacked the problem of fraud with administrative weapons, and by a complete overhaul of its organization and its policies. Now we need—we must have—measures to strengthen the program further and strike at the root of our difficulties.

We must, however, see to it that there is no curtailment of the right of the honest worker, who is a legitimate part of our labor force, to obtain unemployment benefits during periods when he is unable to find work.

I will be the first to advocate increased unemployment benefits with any funds saved through more effective enforcement measures.

#### WORKMEN'S COMPENSATION AND DEATH BENEFITS

The present law provides a maximum benefit of \$35 weekly for workmen temporarily disabled in industrial accidents and \$30 weekly for those permanently disabled. California's wage-loss standard for reimbursement of injured workers is approximately 62 percent of their actual earnings. Benefits have lagged far behind this standard. The current rate of reimbursement is another example of a well-intentioned compensation law losing its efficiency when it ceases to reflect prevailing economic conditions. I do not believe it is necessary for me to expand on the moral need for providing adequate compensation for working men and women who suffer the loss of limb, as well as earning power, through industrial accidents. I recommend that the Legislature increase these disability allowances at least \$5 per week.

California is far down the list of states in the amount of benefits paid to survivors of working men who suffer fatal industrial accidents. Twenty-two other states provide more liberal death benefits. In the



event of the death of a California workingman in an industrial accident, his widow now receives \$7,000, with burial allowance up to \$400. If the widow has children, she receives up to a maximum of \$9,100, including burial allowance.

It is my recommendation that the Legislature revise the present law, and provide that when a workingman dies as the result of an industrial accident, his widow shall receive \$12,000 in death benefits, plus \$1,000 for each child up to a maximum of \$5,000. This would provide a maximum of \$17,000 in death benefits for a widow with a large family. These added benefits can be financed with a very small increase in insurance premium rates.

The reasons for increasing maximum unemployment disability benefits are logical. The cost of this type of insurance is borne entirely by the worker himself. When a worker is deprived of his income through disability, he suffers a wage loss, and is compelled in most instances to meet medical bills and other extraordinary expenses involved in his nonoccupational disability. I urge the Legislature to examine all the ramifications of the present disability law in an effort to revise it in a manner that will be equitable to the worker, and to the carriers.

#### LIQUOR CONTROL

I wish to compliment the Legislature for its bold and progressive action at the special session last March in approving a proposition for the November election calling for a radical change in our method of liquor control. The voters of the State gave the proposal their overwhelming approval.

We must now implement your action, and their approval, by effective and efficient enforcement under the new laws.

The evils which exist in liquor control have grown over the years. Time and hard, devoted work will be required to destroy them. But the determination to destroy these evils is a basic part of my administration's program. Some time naturally will elapse until our new enforcement procedures are perfected.

To aid our new liquor program, I recommend that the Legislature create a Liquor Control Advisory Council, the members of which are to be appointed by the Governor from all sections of the State and to be representative of interested groups of citizens throughout California. This council should possess advisory powers only and should report to the Director of Alcoholic Beverage Control.

I ask that all concerned give the new control program close cooperation and that would-be critics confine themselves to judicious and constructive comment until the new system has had an opportunity to establish and to prove itself.

Later in the session I may offer some suggestions on new and additional legislation which may be required to correct any shortcomings which are found to exist in present law.



### YOUTH PROBLEMS

We are undergoing a serious increase in the rate of crime committed by young people. Every day reveals another shocking story of juvenile violence. As a result of my personal concern, I requested my Advisory Committee on Children and Youth to call a state-wide conference of interested citizens to study this problem. A total of 25 local conferences have been held during the past year, and California is taking positive steps to combat juvenile crime. It is well recognized that delinquency prevention must begin in the local community and there is evidence that counties and cities are assuming more of this responsibility. The courts, the probation departments, the law enforcement agencies, and the schools have responded to our call for greater use of local resources.

In my judgment, the expansion of our preventive program is imperative if we are to hold the line against further increase in delinquency. Prevention of delinquency is necessarily a slow process of parent education and constant vigilance on the part of our citizens. In the meantime, the State is faced with responsibility for the rehabilitation of those serious delinquents who cannot be cared for in their home communities.

I am happy to be able to say that for the first time in the history of the State, it is no longer necessary for youngsters to spend long periods in county jails and juvenile halls awaiting delivery of Youth Authority institutions. But as the youth population increases, we shall have to expand our institutions for the treatment and retraining of these youngsters.

In order to round out the State's training program, there is immediate need for the previously authorized Youth Training School to provide vocational training for young adults. Members of this group—between 18 and 21 years of age—are being committed to the State in increasing numbers. They have, in fact, increased from 20 percent to 35 percent of the total commitments to the Youth Authority this past year. This new vocational training institution will make it possible to segregate those needing only minimum security and maximum training from the more dangerous group, which requires maximum security.

### FAIR CAMPAIGN PRACTICES ACT

California needs a substantial revision of its existing Code of Election Laws with reference to the control of campaign funds. The present statutes are outmoded. The requirements are unrealistic and ineffective and do not give proper information to the people on the actual facts concerning the financing of campaigns.

I recommend that the Legislature enact an effective Fair Campaign Practices Act covering the solicitation, collection, disbursement and reporting of campaign contributions. Such an act should contain penalties for violations broad enough, and punitive enough, to command the respect of all individuals and groups concerned with any election campaign.

### SUBVERSIVES

One of the greatest burdens borne by our taxpayers here in California, and throughout the Nation, is the enormous cost of our national defense measures. These measures are vital to our own protection

because of the constant threat of thermonuclear warfare. Enemy agents, both foreign and domestic, still ply their nefarious trade within our borders. These enemies, and all who help them, must be curbed, controlled, exposed and punished. I urge that the Legislature, operating within constitutional limits, maintain constant vigilance so that subversive individuals or elements shall not have an opportunity to plot the destruction of the cherished institutions of our free government.

In closing, I wish to stress that California is a rapidly growing State with problems magnified because of our phenomenal growth. Such problems are inherent in a State with constantly expanding population, industry, agriculture, and all other normal activities of a rich and successful commonwealth. This Legislature is well equipped to meet the challenges that confront it. I wish you all every success in your endeavors. I am confident that, when you have completed your deliberations, you will have helped to move California well along on its obvious pathway toward becoming the greatest of all of the states of the Union.

#### INTRODUCTION OF LIEUTENANT GOVERNOR

Hon. L. H. Lincoln, Speaker of the Assembly, then presented Lieutenant Governor Harold J. Powers to the Joint Convention.

#### ADDRESS BY LIEUTENANT GOVERNOR

*Governor Knight, Mr. Speaker, Mr. Speaker pro Tempore, Senator Ward, President pro Tempore of the Senate, Chief Justice Gibson, Justice Carter, Members of the Legislature, ladies and gentlemen:*

Twenty years ago, the late State Senator George J. Hatfield was inaugurated as Lieutenant Governor. I recall his speaking at that time of the problems confronting California during the reconstruction period following the great economic depression of the 30's.

In 1947 when Governor Knight was inaugurated as Lieutenant Governor, he spoke of the problems of the great world war just ended, and the postwar readjustment period.

In common with the other states of the Nation, California has had many such experiences. It has recognized its problems and has faced up to them. In each case, as emergencies and crises have arisen, they have been met with courage, with determination and with unity of purpose.

California today is unique among the states of the Union. Despite the uncertainties and the uneasiness caused by the cold war with the Communist imperialists, most of the Country is enjoying a period of peace and relative economic normalcy.

This is not true of California. Our population growth, and the problems attendant thereto, has been so vast, so unprecedented and so ungovernable that we find ourselves confronted with a continuing series of crises and emergencies.

The governmental problems attendant to this great growth show no signs of abating. In fact, there are many indications that they will become even more complex. There are no ready-made answers to the problems that lie ahead of us. There is no easy way to get the job done.

Even more than in the past, the task will require patience, determination, courage, wisdom and the ultimate in cooperation.

If we are to fulfill our moral and legal obligations to all the people of California, we must lay aside political, sectional and personal differences. The job ahead is challenging enough without permitting any such considerations to make it more difficult.

California has a great and colorful history. It has an even greater destiny. Within a very short space of time, California will be the number one state in the Nation in every respect.

We must be ready for our destiny, and time is fleeting. The time for far-sighted, intelligent preparation is now. I have complete confidence in the ability of Governor Knight and his new state administration, and in this new Legislature, to leave behind a distinguished record of accomplishment.

We must continue the rapid pace of our highway and freeway construction. We must face and solve the insidious problem of smog before its menace expands beyond its present boundaries.

We must solve the intricate problem of water rights and press ahead with a state and federal construction program to assure adequate long-term supplies in areas of present abundance. And we must make preparation for supplemental supplies to those areas of deficiency, at least one of which now is forced to import its drinking water in tank cars.

We find ourselves in an increasing crisis in the field of public education. Our elementary and high school system must not be allowed to deteriorate. We must solve the problem of our overcrowded state colleges.

We must provide our congested metropolitan areas with the essentials for mass transportation systems to ease the strain on their highway and parking facilities. We must make adequate provision for our correctional and mental hospital systems, and we must assist the California Highway Patrol in reducing the tragic losses from vehicle accidents.

These are but a few of the problems demanding immediate or early solution. There is one other matter which we must not overlook, or relegate to a secondary position in our efforts to cope with these pressing affairs.

That is a sound program for conserving and perpetuating our priceless natural resources. We must not permit the encroachment of our expanding civilization or the necessities of the moment to impair our vision in this field.

Our great redwood groves and forests must be preserved and wisely utilized. Our beaches must be made to provide the greatest recreational benefit for the public. Our fish and wild life resources must be soundly managed and sustained.

We must recognize that an emergency actually exists in this field today since, once they are dissipated, these resources will be lost to us forever. In this respect, we must take a lesson from the experience of the past.

To accomplish these vital objectives, we must have unity of purpose and individual and group harmony.

To Governor Knight, to all Members of the Legislature and to all Californians, I pledge my personal efforts and those of my office to such a united effort. I thank you.

#### BENEDICTION

Benediction was offered by Rev. William C. Pearson, Chaplain of the Assembly.

#### ADJOURNMENT OF JOINT CONVENTION

At 3.10 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

#### REASSEMBLED

At 3.15 p.m., the Senate reconvened.

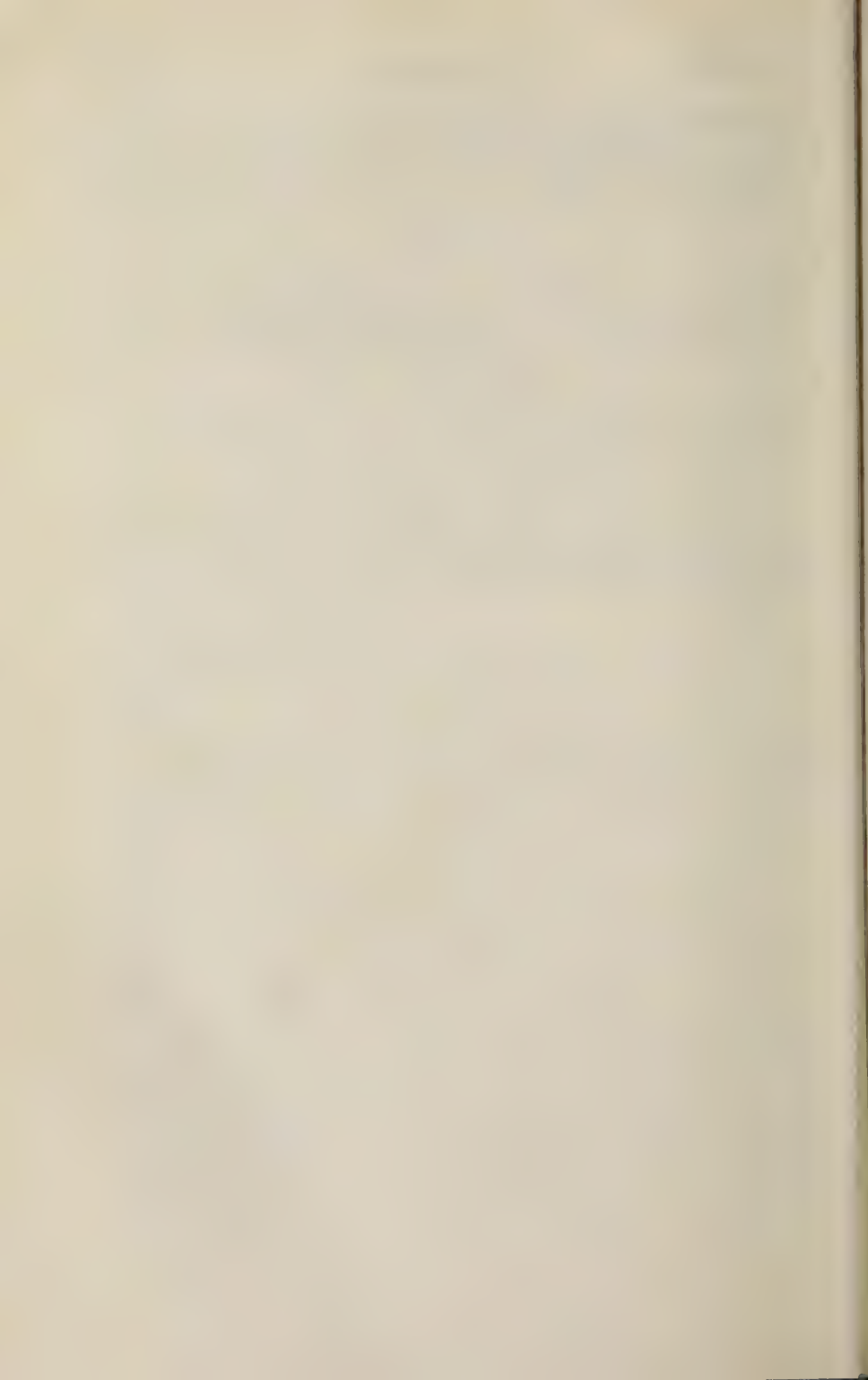
Hon. Harold J. Powers, President of the Senate, presiding.  
Secretary J. A. Beek at the desk.

#### ADJOURNMENT

At 3.19 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 11 a.m., Tuesday, January 4, 1955, out of respect to the memory of the late Clyde A. Watson.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, January 4, 1955

The Senate met at 11 a.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beck at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Weybret, on motion of Senator McBride, due to illness.

Senator Miller, on motion of Senator Montgomery, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Richard Richards, wife of Senator Richards, of Los Angeles.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Louis "Bud" Howe and Mr. and Mrs. Orville Cramer of San Jose.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Max Shearer of Ojai; Mrs. Rex Cunningham and daughter, Patricia, of Thousand Oaks; and Mrs. James J. McBride of Ventura.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ralph Fry of Inglewood.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roy Tharp of Chowchilla.

#### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA  
OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, January 4, 1955

Mr. J. A. Beek  
Secretary of the Senate  
State Capitol  
Sacramento, California

DEAR MR. BEEK: There is submitted herewith a report on all laws enacted during recent sessions which contain duration clauses limiting their effect. The expiration date of each is shown in the report.

In each instance where he is still a member of the Legislature, the first named author has been notified of this fact.

Very truly yours.

RALPH N. KLEPS  
Legislative Counsel  
By CHAS. W. JOHNSON  
Chief Deputy

STATE OF CALIFORNIA  
OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, December 9, 1954

#### *Legislation Containing Clauses Limiting Effective Period—No. 3020*

NOTE—List includes only those statutes which will require action at the 1955 Regular Session of the Legislature if their provisions are to be extended.

<i>Subject</i>	<i>Clause</i>	<i>Author</i>
<i>1951 Regular Session</i>		
S.B. 549, Chapter 1760, San Francisco Bay Area rapid transit commission	December 31, 1955	O'Gara, Parkman, McCarthy, Miller, Gibson, Abshire, Coombs, Breed, and Thompson
<i>1953 Regular Session</i>		
A.B. 1, Chapter 855, school district and city boundary changes	91st day after 1955 Session	Allen, Lindsay, McFall, and Kirkwood
A.B. 220, Chapter 532, taking of deer	91st day after 1955 Session	Mrs. Davis and Mr. Lindsay
A.B. 321, Chapter 29, war voters (See A.B. 787, below)	91st day after 1955 Session	Conrad and Beck
A.B. 323, Chapter 511, vegetable containers	91st day after 1955 Session	Allen and Dunn
A.B. 546, Chapter 541, milk and milk products standards and labeling	91st day after 1955 Session	Erwin
A.B. 697, Chapter 432, mosquito abatement districts	91st day after 1955 Session	Brown

*Legislation Containing Clauses Limiting Effective Period—No. 3020—Continued*

<i>Subject</i>	<i>Clause</i>	<i>Author</i>
A.B. 787, Chapter 291, war voters (See A.B. 321, above)	91st day after 1955 Session	Conrad, Beck, Collier, Lever- ing, Allen, Backstrand, Be- lotti, Berry, Willis W. Brad- ley, Brady, Brown, Bulen, Burke, Caldecott, Chapel, Cloyd, Collins, Cooke, Coo- lidge, Creedon, Mrs. Davis, Mr. Dickey, Miss Donahoe, Messrs. Thomas J. Doyle, Elliott, Erwin, Fleury, Er- nest R. Geddes, Hansen, Hawkins, Henderson, Hob- bie, Hollibaugh, Kelly, Kil- patrick, Klockslem, Lincoln, Lindsay, Lipscomb, Luckel, Charles W. Lyon, LeRoy E. Lyon, Maloney, Marsh, Mas- tersen, McGee, Meyers, Mor- ris, Munnell, Patterson, Por- ter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weinberger
A.B. 839, Chapter 300, Defense Production Act	91st day after 1955 Session	Levering
A.B. 848, Chapter 512, privilege taxes on cer- tain fishing	December 31, 1955	Erwin and Thomas J. Doyle
A.B. 912, Chapter 1685, state school building aid: repayments	June 30, 1955	Bulen
A.B. 1365, Chapter 1418, postwar public works program	June 30, 1955	LeRoy E. Lyon
A.B. 1908, Chapter 206, payments into judges' retirement fund	91st day after 1955 Session	Caldecott
A.B. 2678, Chapter 1810, motor vehicle liability insurance	91st day after 1955 Session	Levering
A.B. 2860, Chapter 1883, benefit rights of mili- tary trainees	90th day after 1955 Session	Cooke
A.B. 2966, Chapter 224, nurses' temporary per- mits	October 2, 1955; January 1, 1956	Evans
A.B. 3327, Chapter 1740, vehicle registration fees	December 31, 1955	Lowrey
S.B. 113, Chapter 1401, Construction and Em- ployment Act Alloca- tions	June 30, 1955	Mayo
S.B. 133, Chapter 712, fish and game commis- sion powers	91st day after 1955 Session	Brown and Hatfield
S.B. 190, Chapter 650, killing of burros	91st day after 1955 Session	Dorsey, Brown, Cunningham, Hulse, Dilworth, Tenney, and Kraft
S.B. 199, Chapter 850, nonresidents on medical staffs of state institu- tions.	October 1, 1955	Byrne, Hoffman, Erhart, McCarthy, and Burns



*Legislation Containing Clauses Limiting Effective Period—No. 3020—Continued*

<i>Subject</i>	<i>Clause</i>	<i>Author</i>
S.B. 266, Chapter 1359, closing waters to sport-fishing	91st day after 1955 Session	Williams
S.B. 326, Chapter 1459, rain-making by Riverside County Flood Control and Water Conservation District	October 1, 1955	Dilworth
S.B. 468, Chapter 1747, Interim San Francisco Bay Ports Commission	91st day after 1955 Session	Mayo, Breed, and Regan
S.B. 542, Chapter 1360, closing areas to hunting	91st day after 1955 Session	Williams
S.B. 731, Chapter 1510, school funds	July 1, 1955	Dilworth
S.B. 746, Chapter 332, sporting fishing by members of armed forces	91st day after 1955 Session or termination of national defense emergency	Abshire
S.B. 1024, Chapter 1535, authorized emergency vehicles	91st day after 1955 Session or termination of national defense emergency	Tenney
S.B. 1360, Chapter 1345, loans to board of vocational nurse examiners	91st day after 1955 Session	Burns
S.B. 1429, Chapter 1584, federal service leaves of absence for state employees	91st day after 1955 Session	Kraft
S.B. 1638, Chapter 1380, Civil Defense Act of 1950	91st day after 1955 Session	Hatfield
S.B. 1643, Chapter 464, State Livestock Sanitary Committee	91st day after 1955 Session	Hatfield
S.B. 1931, Chapter 469, purchase and possession of explosives	91st day after 1955 Session	Ward
S.B. 1949, Chapter 1213, business days, bank holidays	September 8, 1955; October 1, 1955	O'Gara
S.C.R. 23, Resolution Chapter 32, State Controller as accounting officer for Legislature	January 31, 1955	Powers
<i>1954 First Extraordinary Session</i>		
A.B. 71, Chapter 64, hot plates in hotel rooms	91st day after 1955 Session	Levering, Hawkins, Evans, Elliott, Lincoln, McMillan, Porter, and Thomas
S.B. 67, Chapter 43, state school building aid: determination of area of adequate school construction existing	91st day after 1955 Session	Dilworth

RALPH N. KLEPS  
Legislative Counsel  
By VIRGINIA STEPHENS COKER  
Deputy

## RESOLUTIONS

The following resolutions were offered:

By Senator John F. McCarthy:

**Senate Resolution No. 12**

Relative to the creation of a Fact-finding Committee on Rapid Transit in the San Francisco Bay area

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Rapid Transit in the San Francisco Bay area is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to or in any manner affecting rapid transit in the San Francisco Bay area, and any and all matters incidental or pertaining thereto and in all their several phases, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Senate appointed by the Committee on Rules. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1957 Regular Session, with authority to file its final report not later than the fifteenth day after the end of the constitutional recess.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution.

6. The sum of ----- dollars (\$-----) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Brown:

**Senate Resolution No. 13**

Relating to the continuance of the Senate Interim Committee on California Indian Affairs

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on California Indian Affairs, created by Senate Resolution No. 115 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 115, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

Senator Grunsky Presiding

At 11.20 a.m., Senator Donald L. Grunsky, of the 23d District, presiding.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 1:** By Senators Harold T. Johnson, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, J. Howard Williams—An act relating to the holding of winter Olympic games in California, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor.

Referred to Committee on Rules.

**Senate Bill No. 2:** By Senator Thompson—An act to amend Section 2674 of the Business and Professions Code, relating to the annual renewal fee for a license to practice physical therapy.

Referred to Committee on Business and Professions.

**Senate Bill No. 3:** By Senator Thompson—An act to amend Section 2655 of the Business and Professions Code, relating to the compensation of members of the Physical Therapy Examining Committee.

Referred to Committee on Business and Professions.

**Senate Bill No. 4:** By Senator Thompson—An act to amend Section 73391 of the Government Code, relating to the judges of the municipal court in the district embracing the Cities of Alviso and San Jose.

Referred to the Committee on Governmental Efficiency.

**Senate Bill No. 5:** By Senator Coombs—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Referred to Committee on Local Government.

**Senate Bill No. 6:** By Senator Coombs—An act to add Section 26464 to the Health and Safety Code, relating to the sale of imported rabbits for food.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 7:** By Senator Coombs—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Referred to Committee on Local Government.

**Senate Bill No. 8:** By Senator Coombs—An act to add Section 69590.5 to, and amend Section 69668 of, the Government Code, relating to the Superior Court of the County of Napa.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 9:** By Senator Thompson—An act to add Section 119.5 to the Streets and Highways Code, relating to a grant of excess lands in Santa Clara County to the Santa Clara Valley Water Conservation District.

Referred to Committee on Transportation.

**Senate Bill No. 10:** By Senator Thompson—An act to add Section 73.1 to the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to improvement district assessments, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 11:** By Senator Thompson—An act to amend Section 28 of the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to water district assessments, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 12:** By Senator Dorsey—An act to amend Section 2668 of the Business and Professions Code, relating to physical therapists, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Business and Professions.

**Senate Bill No. 13:** By Senator Dorsey—An act to add Sections 2626.1 and 2668.1 to the Business and Professions Code, relating to extending the time within which qualified persons may be issued certificates as registered or licensed physical therapists without taking an examination, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Business and Professions.

**Senate Bill No. 14:** By Senator Dorsey—An act to add Article 6, comprising Sections 35350 to 35356, inclusive, to Chapter 1, Part 2, Division 2, Title 4 of the Government Code, relating to the consolidation of cities and unincorporated territory.

Referred to Committee on Local Government.

**Senate Bill No. 15:** By Senator Desmond—An act to add Section 6701.5 to the Revenue and Taxation Code, relating to security for the payment of sales and use taxes.

Referred to Committee on Revenue and Taxation.



**Senate Bill No. 16:** By Senators Dorsey and Brown—An act to add Section 28007.5 to, and to amend Section 28015 of, the Health and Safety Code, relating to horse meat and burro meat.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 17:** By Senators Way, Short, Cunningham, Collier, and Teale—An act to amend Section 424 of the Education Code, relating to the salary of the county superintendent of schools of counties of the twenty-fourth class.

Referred to Committee on Local Government.

**Senate Bill No. 18:** By Senators Dilworth, Sutton, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—An act to add Article 5 to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1956.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 19:** By Senator Cunningham—An act to repeal an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, relating to the registration and recordation of land titles, deeds, and instruments affecting land titles and subjecting lands registered under said act to the general recording laws, to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Local Government.

**Senate Bill No. 20:** By Senator Murdy—An act to amend Section 18 of the Orange County Flood Control Act and to add Section 18.5 to said act, relating to the issuance of bonds and elections therefor and the disposition of the balance of proceeds of prior bond issue; and declaring the urgency thereof, to take effect immediately.

Without reference to committee.

**Motion to Print With a Rush Order**

Senator Murdy moved that Senate Bill No. 20 be sent to print with a rush order.

Motion carried.

**Senate Concurrent Resolution No. 7:** By Senators Kraft, Gibson, and Regan—Relative to the creation of the Joint Legislative Committee on Alcoholic Beverage Control Laws.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 8:** By Senators Miller, J. Howard Williams, Harold T. Johnson, John F. McCarthy, and Collier—Relative to the creation of the Joint Legislative Committee for School Visitations.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolution ordered enrolled.

**LETTER OF TRANSMITTAL**

SENATE SPECIAL COMMITTEE ON GOVERNMENTAL ADMINISTRATION

SACRAMENTO, CALIFORNIA, January 3, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Your Senate Special Committee on Governmental Administration created by Senate Resolution 157 (Senate Journal June 10, 1953, page 4145) presents herewith a partial report of its activities and the results of its study on educational aspects of legislative visits by school children, together with its recommendations.

Respectfully submitted by,

GEORGE MILLER, JR., Chairman  
J. HOWARD WILLIAMS  
JOHN F. MCCARTHY  
HAROLD T. JOHNSON  
RANDOLPH COLLIER

Letter of transmittal ordered printed in the Journal, and the report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Williams moved that 10,000 additional copies of the partial report regarding Educational Aspects of Legislative Visits by School Children, submitted by the Senate Special Committee on Governmental Administration, be printed for distribution.

Motion carried.

## LETTER OF TRANSMITTAL

SENATE SPECIAL COMMITTEE ON GOVERNMENTAL ADMINISTRATION

SACRAMENTO, CALIFORNIA, January 3, 1955

Hon. Harold J. Powers, President  
and Members of the Senate

GENTLEMEN: Your Senate Special Committee on Governmental Administration created by Senate Resolution 157 (Senate Journal June 10, 1953, page 4145) presents herewith a partial report of its activities and the result of its study on building needs of state correctional institutions, together with its recommendations.

GEORGE MILLER, JR., Chairman  
J. HOWARD WILLIAMS  
JOHN F. MCCARTHY  
HAROLD T. JOHNSON  
RANDOLPH COLLIER

Letter of transmittal ordered printed in the Journal, and the report ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator J. Howard Williams moved that 1,000 additional copies of the partial report submitted by the Senate Special Committee on Governmental Administration be printed for distribution.

Motion carried.

## RESOLUTIONS

The following resolutions were offered:

By Senator Byrne:

## Senate Resolution No. 14

Relative to the continuance of the Senate Interim Committee on  
Governmental Limitation on Free Enterprise

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Governmental Limitations on Free Enterprise, created by Senate Resolution No. 125 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 125, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Way:

## Senate Resolution No. 15

Relative to the continuance of the Senate Interim Committee on Beach Erosion

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Beach Erosion created by Senate Resolution No. 39 of the 1951 Regular Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 39, 1954 Regular Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senators Dorsey, Thompson, Sutton, Way, and Teale:

#### Senate Resolution No. 16

Relative to the continuance of the Senate Interim Committee on Child Welfare

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Child Welfare, created by Senate Resolution 182 of the 1953 Session, is continued as a Senate committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this 1955 Session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of the Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

Resolution read, and referred to Committee on Rules.

#### RECESS

At 11.35 p.m., on motion of Senator Ward, the Senate recessed until 12.14 p.m.

#### REASSEMBLED

At 12.14 p.m., the Senate reconvened.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 21:** By Senators Desmond and Ward—An act to amend Sections 9510, 9514, 9516, and 9605 of the Government Code, relating to the operation and effect of statutes, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Senate Bill No. 22:** By Senator Ed. C. Johnson—An act to amend Section 437 of the Education Code, relating to the county superintendent of schools of a county of the thirty-seventh class.

Referred to Committee on Education.



**Senate Bill No. 23:** By Senator Ed. C. Johnson—An act to amend Section 438 of the Education Code, relating to the county superintendent of schools of a county of the thirty-eighth class.

Referred to Committee on Education.

**Senate Bill No. 24:** By Senator Gibson—An act to add Chapter 5b, comprising Sections 853.1 to 853.4 to Title 3, Part 2 of the Penal Code, relating to proceedings in violation of county ordinances.

Referred to Committee on Judiciary.

**Senate Bill No. 25:** By Senators Gibson, Byrne, and Sutton—An act to amend Sections 26, 951, 2792, 2799, 2807, 2842, 3946, and 10050 of the Elections Code, relating to elections.

Referred to Committee on Elections.

**Senate Bill No. 26:** By Senator Gibson—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 27:** By Senators Collier, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—An act to amend Sections 7351 and 8651 of the Revenue and Taxation Code, Sections 370, 372, and 381 of the Vehicle Code, and to repeal Section 372.1 of the Vehicle Code, as added by Chapter 1200, Statutes of 1953, to provide tax levies for the financial support of public highways, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 28:** By Senators Gibson, Kraft, and Desmond—An act to amend Sections 1603, 1628, 1651, 1670, 1679, 1723, and 1747, and to repeal Section 1745 of the Business and Professions Code, relating to the practice of dentistry and dental hygiene and the administration of the laws relating thereto.

Referred to Committee on Business and Professions.

**Senate Bill No. 29:** By Senators Gibson, Kraft, and Desmond—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Sections 1, 2, 6, 10, 12, and 15, adding Section 10.1, and by repealing Section 8 thereof, relating to the State Board of Chiropractic Examiners and the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Business and Professions.

**Senate Bill No. 30:** By Senators Gibson, Kraft, and Desmond—An act to repeal Chapter 5.6 of Division 2 of, to amend Sections 2654, 2665, 2667, 2685 of, and to add Sections 2668.1, 2676, 2677, 2688, and 2695 to, the Business and Professions Code, relating to the practice of physical therapy.

Referred to Committee on Business and Professions.

**Senate Bill No. 31:** By Senators Gibson, Kraft, and Desmond—An act to add Section 2765 to the Business and Professions Code, relating to nurses convicted of a felony or an offense involving moral turpitude.

Referred to Committee on Business and Professions.

**Senate Bill No. 32:** By Senators Harold T. Johnson, Desmond, and Berry—An act to add Section 5006.6 to the Public Resources Code, relating to the State Park System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 33:** By Senator Harold T. Johnson—An act to add Section 69609 to the Government Code, relating to the number of judges of the Superior Court of Placer County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 34:** By Senators Harold T. Johnson, Desmond, and Berry—An act to add Section 5037 to the Public Resources Code, relating to the State Park System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 35:** By Senator Grunsky—An act to amend Section 24070 of, and to add Sections 24070.1, 24070.2, and 24070.3 to, the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 36:** By Senator Cunningham—An act to amend Section 74261 of the Government Code, relating to judges of the municipal court established in a district embracing the City of San Bernardino.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 37:** By Senator Cunningham—An act to amend Section 74264 of the Government Code, relating to employees of the municipal court established in a district embracing the City of San Bernardino.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 38:** By Senator Cunningham—An act to add Section 5468 to the Public Resources Code, relating to county recreational districts comprising federally owned land and prescribing the powers and duties of such districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 39:** By Senator Collier—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 40:** By Senator Montgomery—An act to add Chapter 5 to Division 1 of the Water Code, relating to the transportation of water taken from underground sources of supply.

Referred to Committee on Water Resources.

**Senate Bill No. 41:** By Senator Montgomery—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties of the twenty-ninth class.

Referred to Committee on Local Government.

**Senate Bill No. 42:** By Senator Montgomery—An act to add Section 618.5 to, and to amend Section 635 of, the Vehicle Code, relating to parking lights.

Referred to Committee on Transportation.

**Senate Bill No. 43:** By Senator Grunsky—An act to amend Section 69684 of the Government Code, relating to the Superior Court of the County of Santa Cruz.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 44:** By Senator Grunsky—An act to amend Section 74691 of the Government Code, relating to the salary of municipal court judges in Santa Cruz County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 45:** By Senator Grunsky—An act to amend Section 74691 of the Government Code, relating to municipal courts established in districts in Santa Cruz County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 46:** By Senator Grunsky—An act to amend Section 425 of the Education Code, relating to school superintendents' salaries in counties of the twenty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 47:** By Senator Grunsky—An act to amend Section 69675 of the Government Code, relating to the salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 48:** By Senator Grunsky—An act to amend Section 28125 of the Government Code, relating to compensation for public employment in counties of the twenty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 49:** By Senator Grunsky—An act to amend Section 28144 of the Government Code, relating to compensation for public service in counties of the forty-fourth class.

Referred to Committee on Local Government.

**Senate Bill No. 50:** By Senator Grunsky—An act to amend Section 444 of the Education Code, relating to compensation of the county superintendent of schools in a county of the forty-fourth class.

Referred to Committee on Local Government.

**Senate Bill No. 51:** By Senator Grunsky—An act to repeal Section 821 and to amend Section 822 of the Penal Code, relating to arrest and bail.

Referred to Committee on Judiciary.

**Senate Bill No. 52:** By Senator Grunsky—An act to add Section 600.5 to the Vehicle Code, relating to the disposal of garbage, refuse, and other litter upon public and private highways.

Referred to Committee on Transportation.

**Senate Bill No. 53:** By Senator Grunsky—An act to amend Section 204a of the Code of Civil Procedure, relating to jury and deputy jury commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 54:** By Senator Grunsky—An act to amend Section 25 of the Civil Code, relating to minors.

Referred to Committee on Judiciary.

**Senate Bill No. 55:** By Senator Grunsky—An act to amend Section 1 of the San Benito County Water Conservation and Flood Control District Act, relating to the San Benito County Water Conservation and Flood Control District.

Referred to Committee on Water Resources.

**Senate Bill No. 56:** By Senator Grunsky—An act to amend Sections 276 and 277 of, and to add Section 278.5 to, the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Transportation.

**Senate Bill No. 57:** By Senator Grunsky—An act to amend Section 425 of the Vehicle Code and Section 3051a of the Civil Code, relating to liens.

Referred to Committee on Transportation.

**Senate Bill No. 58:** By Senator Grunsky—An act to amend Sections 1940 and 1944 of the Labor Code, relating to the employment of aliens.

Referred to Committee on Labor.

**Senate Bill No. 59:** By Senator Murdy—An act authorizing a suit or suits against the State of California to quiet title to interests in certain real property in the County of Orange, State of California, or to reform a certain deed relating thereto, or both, and authorizing reconveyance of certain interests heretofore conveyed to the State of California.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 60:** By Senator Murdy—An act adding Sections 2.8, 2.9, 2.10, 2.11, 2.12, 2.13, 2.14, and 2.15 to the Orange County Flood Control Act, relating to special assessment proceedings.

Referred to Committee on Water Resources.

**Senate Bill No. 61:** By Senator Harold T. Johnson—An act to amend Section 10500 of the Water Code, relating to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 62:** By Senator Erhart—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Referred to Committee on Judiciary.

**Senate Bill No. 63:** By Senator Berry—An act to amend Sections 10000 and 10001 of the Water Code, relating to the State Water Plan.

Referred to Committee on Water Resources.

**Senate Bill No. 64:** By Senator Ed. C. Johnson—An act to amend Section 69691 of the Government Code, relating to the salary of the judge of the Superior Court of Sutter County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 65:** By Senator Ed. C. Johnson—An act to amend Section 69698 of the Government Code, relating to the salary of the judge of the Superior Court of Yuba County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 66:** By Senator Erhart—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 67:** By Senator Erhart—An act to add Section 29332 to the Government Code, relating to a stores purchase revolving fund for counties.

Referred to Committee on Local Government.

**Senate Bill No. 68:** By Senator Dorsey—An act to amend Section 70141.5 of the Government Code, relating to court commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 69:** By Senator Cunningham—An act to amend Section 2 of Chapter 1693 of the Statutes of 1953, relating to the Colorado River Boundary Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 70:** By Senator Cunningham—An act to provide for the creation of a Colorado River Boundary Commission to confer with representatives of the State of Arizona with respect to the definition or relocation of the common boundary of said states, and to report

concerning the same and concerning a compact between said states relative to the said boundary, and to provide an appropriation for the joint investigation of said boundary and for expenses of said commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 71:** By Senators McBride, Cunningham, and Teale—An act making an appropriation to the Regents of the University of California for the construction of a rehabilitation facility as part of the School of Medicine at the University of California at Los Angeles.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 1:** By Senator Erhart—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to grand juries.

Referred to Committee on Judiciary.

**Senate Constitutional Amendment No. 2:** By Senator Desmond—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 3:** By Senator Sutton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 9:** By Senator Byrne—Relative to the continuation of the Joint Legislative Committee on Agricultural and Livestock Problems.

Referred to Committee on Rules.

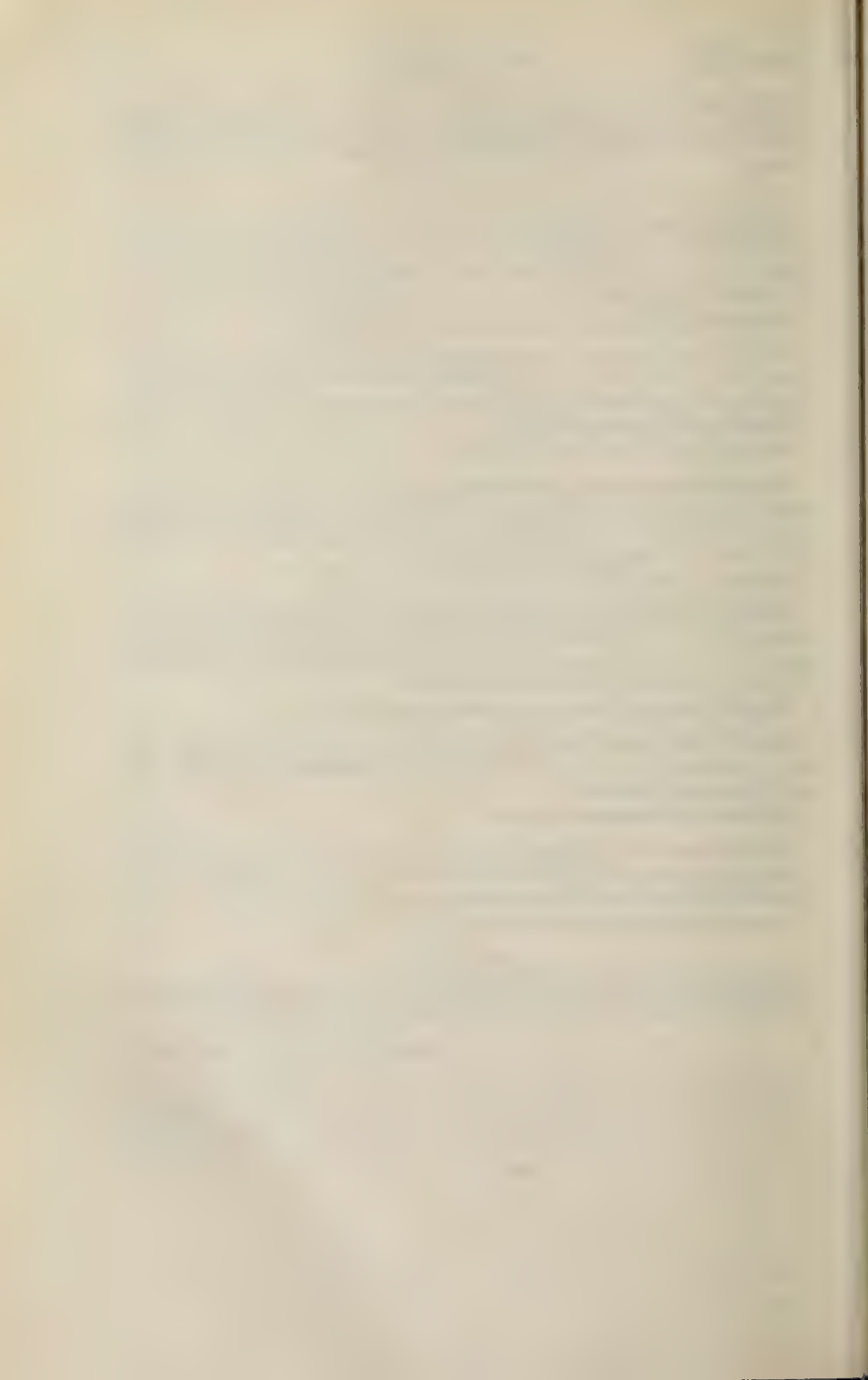
**Senate Concurrent Resolution No. 10:** By Senator Ward—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Referred to Committee on Rules.

#### ADJOURNMENT

At 12.25 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 11 a.m., Wednesday, January 5, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, January 5, 1955

The Senate met at 11 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Weybret, on motion of Senator Grunsky, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On the request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. and Mrs. George Coulter of Santa Cruz; Hon. Elmer E. Roper, Member Legislative Assembly, Alberta, Canada.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Goula Waite, manager, Amador County Fair, Plymouth.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the California Board of Cosmetology: Mrs. Rose Marney, president, of Pasadena; Mrs. Nancy Knick of Bakersfield, Mrs. Ellen



Larsen of San Francisco, Miss Louise Martinelli of San Francisco, Theo Aerts of Los Angeles, Miss Rae Goodwin, ex-secretary; Miss Agnes Wickstrom, inspector.

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 3, 1955

*To the Honorable Members of the Senate  
State of California  
State Capitol  
Sacramento, California*

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made.

Respectfully,

GOODWIN J. KNIGHT, Governor

LOUIS MARRE, a resident of Avila, owner and operator of the Luigi Marre Land and Cattle Company, a lifelong resident of San Luis Obispo County, was appointed April 30, 1954, Member of the Board of Trustees, Atascadero State Hospital, original appointment.

DONALD H. ORCUTT, SR., a resident of Paso Robles, owner and operator of a general merchandising business in Paso Robles for more than 30 years, and active in civic affairs during that period, was appointed April 30, 1954, Member of the Board of Trustees, Atascadero State Hospital, original appointment.

RALPH G. HAGLE, a resident of Atascadero, co-owner and operator of a lumber business in Atascadero, and also operator of a general contracting business, a long time resident in the community and interested in civic affairs, was appointed April 30, 1954, Member of the Board of Trustees, Atascadero State Hospital, original appointment.

REV. ALBERT J. KNOLL, a resident of San Luis Obispo, pastor of the First Presbyterian Church for a number of years, was appointed April 30, 1954, Member of the Board of Trustees, Atascadero State Hospital, original appointment.

MONSIGNOR MICHAEL SULLIVAN, a resident of Paso Robles, priest of the Catholic Church for a number of years, was appointed April 30, 1954, Member of the Board of Trustees, Atascadero State Hospital, original appointment.

MRS. HELEN WALTON, a resident of San Rafael, interested in civic and charitable organizations, was appointed May 7, 1954, Member of the Board of Trustees, Mendocino State Hospital, vice Dr. Royal Seudder, term expired.

MRS. ELYNOR BROWN FRENCH, a lifelong resident of Camarillo, a Member of the Board of Trustees, Camarillo State Hospital since April 11, 1950, was reappointed June 28, 1954, as Member of the Board of Trustees, Camarillo State Hospital.

FRANK A. LAWRENCE, a resident of San Francisco, former representative of the Operating Engineers Local 235, San Pedro, 1922-23 and in Oakland 1948, was president of the Contra Costa County Building and Construction Trades Council in 1940 and was General President of the State Building and Construction Trades Council in 1948, a Member of the Industrial Accident Commission since January 24, 1951, was reappointed June 30, 1954, as Member of the Industrial Accident Commission.

JOHN H. KLINGER, a resident of Sacramento, Deputy Director of the Department of Corrections since 1944, was appointed July 1, 1954, Warden, Medium Security Prison at San Luis Obispo, original appointment.

BART L. CHRISTENSEN, a resident of Los Angeles, former president and director of the Southern California Cleaners and Dyers Association, veteran of World War II, owner and operator of a wholesale and retail plant, was appointed July 6, 1954, as Member of the State Board of Dry Cleaners, vice Benjamin Willens, resigned.

GEORGE E. HEAVENS, a resident of Ventura, operator of a retail cleaning establishment, a Member of the State Board of Dry Cleaners since June 29, 1949, was reappointed July 6, 1954, as Member of the State Board of Dry Cleaners.

STANLEY W. BUEFLER, a resident of Alameda, operator of one of the oldest wholesale and retail cleaning and dyeing establishments in the Bay area, a Member of the State Board of Dry Cleaners since June 22, 1951, was reappointed July 6, 1954, as Member of the State Board of Dry Cleaners.

JAMES MUSSATTI, a resident of Palo Alto, former instructor in American history at Glendale Union High School and the University of Southern California, general manager of the California State Chamber of Commerce, Agriculture and Industry since 1939, editorial director of "*California—Magazine of the Pacific*," was appointed July 7, 1954, a Member of the State Board of Education, vice Mrs. Vivian N. Parks, term expired.

BERENICE I. STONE, M.D., a resident of San Diego, serves with the City of San Diego in registration comparable to the state function, a Member of the Board of Social Work Examiners since September 8, 1952, was reappointed July 7, 1954, as Member of the Board of Social Work Examiners.

MRS. BERYL C. REINHARDT, a resident of San Francisco, superintendent, Child Welfare Division of the San Francisco Public Welfare Department, a Member of the Board of Social Work Examiners since March 18, 1947, was reappointed July 7, 1954, as Member of the Board of Social Work Examiners.

MRS. BENJAMIN F. WARMER, a resident of Los Angeles, former President, State Federation of Women's Clubs, many years interested in nurses training program and social welfare program, presently superintendent of the Eastern Star Home, a Member of the Board of Social Work Examiners since September 26, 1945, was reappointed July 8, 1954, a Member of the Board of Social Work Examiners.

W. W. SHEPHERD, a resident of Los Angeles, chairman of the Aviation Committee of the Los Angeles Chamber of Commerce, business executive, and has an extensive knowledge of aviation in general, was appointed, July 26, 1954, as Member of the California Aeronautics Commission, vice Earl DeWitt Prudden, term expired.

THOMAS J. MELLON, a resident of San Francisco, Member of the State Board of Education since August 11, 1952, business executive, was reappointed August 30, 1954, as Member of the State Board of Education.

RAY EDWARD UNTEREINER, a resident of Pasadena, Professor of Economics and History at the California Institute of Technology since 1943, admitted to the California Bar in 1926, was appointed August 31, 1954, as Member of the State Public Utilities Commission, vice R. E. Mittelstaedt, retired.

W. A. HICKS, a resident of Sacramento, former Mayor of the City of Sacramento and has been editor of the *Sacramento Valley Labor Bulletin* since 1945, was appointed September 15, 1954, Deputy Director of Employment; also Chief of the Division of Accounts and Tax Collections, Department of Employment and Member, California Employment Stabilization Commission, vice Ralph R. Planteen, resigned.

REAR ADMIRAL SIGVAL B. JOHNSON, United States Coast Guard (Retired), a resident of Moss Beach; Member of the Board of Commissioners of the San Mateo Harbor District; a past president of the Pillar Point Breakwater Project, was appointed November 12, 1954, as Member of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice Bradford M. Melvin, resigned.

ROBERT GREELY, a resident of San Mateo, President of the California State Firemen's Association, is a member of the San Mateo City Fire Department, was appointed December 2, 1954, as Member of the State Fire Advisory Board, vice Harold Payton, resigned.

ANDY KELLY, a resident of Los Angeles, graduate of Kent College of Law, business executive, an active fisherman and hunter for many years and has made extensive studies of deep-sea and fresh-water fishing in California, was appointed December 15, 1954, as Member of the Fish and Game Commission, vice Lee F. Payne, term expired.

GEORGE K. WYMAN, a resident of San Bernardino, received A.B. degree in social science from Stanford University in 1935; has been director of the San Bernardino County Welfare Department since 1941; from 1936 to 1941 was Merced County Welfare Director; he is past president of the County Welfare Directors Association, and is currently chairman of that organization's policies and procedures committee; he is also a member of the Governor's Advisory Committee on Children and Youth; was appointed December 20, 1954, as Director of Department of Social Welfare, vice Charles I. Schottland, resigned.

MALCOLM E. HARRIS, a resident of Sacramento, has been departmental secretary to Governor Knight since July 1, 1954. Prior to that he was research secretary. He has had extensive administrative experience with the United States Forest Service, the Department of Veterans Affairs, and the Department of Corrections, was appointed January 1, 1955, as Director, Department of Alcoholic Beverage Control, original appointment.

JOHN FELTON TURNER, a resident of Oakland, practicing attorney, a Member of the California Aeronautics Commission since October 31, 1947, was reappointed December 31, 1954, as Member, California Aeronautics Commission.

**NORMAN LARSON**, a resident of Van Nuys, president of Norman Larson Company, a Member of the California Aeronautics Commission since October 31, 1947, was reappointed December 31, 1954, as Member, California Aeronautics Commission.

**JOHN J. SYNON**, a resident of Marin County, veteran of World War II, formerly engaged in public relations business in Los Angeles and San Francisco, private secretary to Governor Knight since February 1, 1954, was appointed December 27, 1954, as Member, Industrial Accident Commission, vice James Welsh, resigned.

**MATTHEW J. DOOLEY**, a resident and native of San Francisco; veteran of World War I; holds an A.B. degree from St. Mary's College and an LL.B. degree from University of California; in general practice in San Francisco since 1926; member of the American Bar Association, California State Bar and San Francisco Bar Association; served as Secretary to Justice Thomas J. Lennon of the State Supreme Court and was Professor of Law at Oakland College of Law for five years; was appointed, effective January 1, 1955, as Member of the State Public Utilities Commission, vice Verne Scoggins, term expired.

**RALPH J. MCGILL**, a resident of San Francisco; real estate and insurance dealer; studied for the priesthood at St. Anthony's Seminary and entered the novitiate of the Franciscan Order in 1924. After five years in the order his health and the rigors of communal life forced him to leave the order. He was an instructor at Belmont School for Boys from 1930 to 1932; served as parole officer for the Preston School of Industry and secretary of the State Department of Institutions; from 1935 to 1940 served as liquor control officer and later as special investigator in the alcoholic beverage control division of the State Board of Equalization with assignments in Sacramento, Stockton, Oakland, San Francisco, and Marin County; is a member of the Serra Club, an organization of leading Catholic professional and businessmen, was appointed, effective January 1, 1955, as Member of the Alcoholic Beverage Control Appeals Board.

**DONALD H. BONAR**, a resident of Lafayette; operator of a real estate and building company in Oakland; received an A.B. degree from the College of Commerce, University of California at Berkeley in 1932; a naval veteran of World War II and holds the rank of Lieutenant Commander in the Naval Reserve, was appointed, effective January 1, 1955, as Member of the Alcoholic Beverage Control Appeals Board.

Message read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 3, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

**LOUIS MARRE**, a resident of Avila; owner and operator of the Luigi Marre Land and Cattle Company; a lifelong resident of San Luis Obispo County; was appointed, effective April 30, 1954, as Member of the Board of Trustees, Atascadero State Hospital (original appointment), as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment.

**DONALD H. ORCUTT, SR.**, a resident of Paso Robles; owner and operator of a general merchandising business in Paso Robles for more than 30 years, and active in civic affairs during that period; was appointed, effective April 30, 1954, as Member of the Board of Trustees, Atascadero State Hospital (original appointment), as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment.

**RALPH G. HAGLE**, a resident of Atascadero; co-owner and operator of a lumber business in Atascadero, and also operates a general contracting business; a long time resident in the community and interested in civic affairs; was appointed, effective April 30, 1954, as Member of the Board of Trustees, Atascadero State Hospital (original appointment), as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment.



REV. ALBERT J. KNOLL, a resident of San Luis Obispo, pastor of the First Presbyterian Church for a number of years; was appointed, effective April 30, 1954, as Member of the Board of Trustees, Atascadero State Hospital (original appointment), as interim appointee pursuant to Section 1774 of the Government Code; to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment.

MONSIGNOR MICHAEL SULLIVAN, a resident of Paso Robles, priest of the Catholic Church for a number of years; was appointed, effective April 30, 1954, as Member of the Board of Trustees, Atascadero State Hospital (original appointment), as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment.

MRS. HELEN WALTON, a resident of San Rafael; interested in civic and charitable organizations, was appointed, effective May 7, 1954, as Member of the Board of Trustees, Mendocino State Hospital, vice Dr. Royal S. Seudder, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Trustees, Mendocino State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment.

MRS. ELINOR BROWN FRENCH, a resident of Camarillo; life long resident in the community; a Member of the Board of Trustees, Camarillo State Hospital since April 11, 1950, was reappointed, effective June 28, 1954, as Member of the Board of Trustees, Camarillo State Hospital, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Trustees, Camarillo State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the Commission.

FRANK A. LAWRENCE, a resident of San Francisco; he was representative of the Operating Engineers Local 235, San Pedro, 1922-23 and in Oakland 1948; also president of the Contra Costa County Building and Construction Trades Council in 1940, and was general president of the State Building and Construction Trades Council in 1948. Mr. Lawrence is also a member of the Sacramento-Yolo Port District Commission, serving as its chairman; he has been a member of the Industrial Accident Commission since 1951; was reappointed, effective June 30, 1954, as Member of the Industrial Accident Commission, as interim appointee pursuant to Section 1774 of the Government Code;

to the Industrial Accident Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

JOHN H. KLINGER, a resident of Sacramento; has served for the past 10 years as deputy director of the State Department of Corrections, having joined the staff of Director Richard A. McGee at the time that state agency was organized in 1944; prior to that he was director of the Division of Corrections for the State of Indiana. Mr. Klinger is a veteran of World War I, he served from 1926 to 1928, inclusive as State Adjutant of the American Legion in his native Indiana; is a career man in the service, has been engaged in correctional work for 20 years; was appointed, effective July 1, 1954, as Warden, Medium Security Prison at San Luis Obispo (original appointment), as interim appointee pursuant to Section 1774 of the Government Code;

as Warden, Medium Security Prison at San Luis Obispo, vice self, for the term prescribed by law, ending at the pleasure of the Director of the Department of Corrections.

BART L. CHRISTENSEN, a resident of Los Angeles; former president and director of the Southern California Cleaners and Dyers Association, also served two years as Director of the California Dry Cleaners Association; a veteran of World War II; owner and operator of a wholesale and retail plant, was appointed, effective July 6, 1954, a member of the State Board of Dry Cleaners, vice Benjamin Willens, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Board of Dry Cleaners, vice self, term expired, for the term prescribed by law, ending January 15, 1955.

GEORGE E. HEAVENS, a resident of Ventura; operator of a retail cleaning establishment; a member of the State Board of Dry Cleaners since June 29, 1949, was reappointed, effective July 6, 1954, as member of the State Board of Dry Cleaners, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Board of Dry Cleaners, vice self, term expired, for the term prescribed by law, ending January 15, 1958.



STANLEY W. BUTLER, a resident of Alameda; operator of one of the oldest wholesale and retail cleaning and dyeing establishments in the Bay Area; a member of the State Board of Dry Cleaners since June 22, 1951, was reappointed, effective July 6, 1954, as member of the State Board of Dry Cleaners, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Board of Dry Cleaners, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

JAMES MUSSATTI, a resident of Palo Alto; has been an instructor in American history at Glendale Union High School and at the University of Southern California; has served as General Manager of the California State Chamber of Commerce, Agriculture and Industry since 1939, and is editorial director of "*California Magazine of the Pacific*"; also is the author of several books and articles on constitutional history and California business conditions, was appointed, effective July 7, 1954, a Member of the State Board of Education, vice Mrs. Vivian N. Parks, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Board of Education, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

BERENICE I. STONE, M.D., a resident of San Diego; serves with the City of San Diego ordinance registering social workers comparable to the state function; a Member of the Board of Social Work Examiners since September 8, 1952, was reappointed, effective July 7, 1954, as Member of the Board of Social Work Examiners, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

MRS. BERYL C. REINHARDT, a resident of San Francisco; supervisor, Child Welfare Division of the San Francisco Public Welfare Department; a Member of the Board of Social Work Examiners since March 18, 1947, was reappointed, effective July 7, 1954, as Member of the Board of Social Work Examiners, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

MRS. BENJAMIN F. WARMER, a resident of Los Angeles; former president, State Federation of Women's Clubs; many years interested in nurses training program and social welfare program; presently superintendent of the Eastern Star Home; a Member of the Board of Social Work Examiners since September 26, 1945, was reappointed, effective July 8, 1954, a Member of the Board of Social Work Examiners, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

W. W. SHEPHERD, a resident of Los Angeles; business executive; chairman of the Aviation Committee of the Los Angeles Chamber of Commerce, and has an extensive knowledge of aviation in general; was appointed, effective July 26, 1954, a Member of the California Aeronautics Commission, vice Earl DeWitt Prudden, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the California Aeronautics Commission, vice self, term expired, for the term prescribed by law, ending December 31, 1957.

THOMAS J. MELLON, a resident of San Francisco; a Member of the State Board of Education since August 11, 1952; business executive; former president of the University of San Francisco Alumni Association; was reappointed, effective August 30, 1954, as Member of the State Board of Education, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Board of Education, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

RAY EDWARD UNTEREINER, a resident of Pasadena; Professor of Economics and History at the California Institute of Technology since 1943; admitted to the California Bar in 1926; practiced law from 1926 to 1931, and has been a member of the Pasadena Board of Education since 1951; was appointed, effective August 31, 1954, as Member, State Public Utilities Commission, vice R. E. Mittelstaedt, retired, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Public Utilities Commission, vice self, term expired, for the term prescribed by law, ending January 1, 1959.

W. A. HICKS, a resident of Sacramento; former Mayor of Sacramento and has been editor of the *Sacramento Valley Labor Bulletin* since 1945; was president of a local truck drivers union two terms, 1933-1934, and is past president of the Letter Carriers Association in Sacramento; was appointed, effective September 15, 1954, as Deputy Director of Employment; also Chief of the Division of Accounts and Tax Collections, Department of Employment and Member, California Employment Stabilization Commission, vice Ralph R. Planteen, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to Deputy Director of Employment; also Chief of the Division of Accounts and Tax Collections, Department of Employment, and Member, California Employment Stabilization Commission, vice self, term expired, for the term ending at the pleasure of the Governor.

REAR ADMIRAL SIGVAL B. JOHNSON, United States Coast Guard (Retired), a resident of Moss Beach; Member of the Board of Commissioners of the San Mateo Harbor District; a past President of the Pillar Point Breakwater Project, was appointed, effective November 12, 1954, as Member of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice Bradford M. Melvin, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice self, term expired, for the term at the pleasure of the Governor, not to exceed four years from the date of confirmation.

JOHN FELTON TURNER, a resident of Oakland, practicing attorney; a Member of the California Aeronautics Commission since October 31, 1947, was appointed, effective December 31, 1954, as Member, California Aeronautics Commission, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the California Aeronautics Commission, vice self, term expired, for the term prescribed by law, ending December 31, 1958.

NORMAN LARSON, a resident of Van Nuys; president of the Norman Larson Company, a Member of the California Aeronautics Commission since October 31, 1947, was appointed, effective December 31, 1954, as Member, California Aeronautics Commission, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the California Aeronautics Commission, vice self, term expired, for the term prescribed by law, ending December 31, 1958.

JOHN J. SYNON, a resident of Marin County; Veteran of World War II; formerly engaged in public relations business in Los Angeles and San Francisco; private secretary to Governor Knight since February 1, 1954; was appointed, effective December 27, 1954, as Member, Industrial Accident Commission, vice James Welsh, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the Industrial Accident Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1957.

ROBERT GREELY, a resident of San Mateo; the newly elected president of the California State Firemen's Association, is a member of the San Mateo City Fire Department, was appointed, effective December 2, 1954, as Member of the State Fire Advisory Board, vice Harold Payton, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Fire Advisory Board, vice self, term expired, for the term at the pleasure of the Governor.

GEORGE K. WYMAN, a resident of San Bernardino; received A.B. degree in Social Science from Stanford University in 1935; has been director of the San Bernardino County Welfare Department since 1941; from 1936 to 1941 was Merced County Welfare Director. He is past president of the County Welfare Directors Association, and is currently chairman of that organization's policies and procedures committee; he is also a member of the Governor's Advisory Committee on Children and Youth; was appointed, effective December 20, 1954, as Director of Department of Social Welfare, vice Charles I. Schottland, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to Director of Department of Social Welfare, vice self, term expired, for the term prescribed by law, ending at the pleasure of the Governor.

ANDY KELLY, a resident of Los Angeles; graduate of Kent College of Law; business executive; an active fisherman and hunter for many years and has made extensive studies of deep-sea and fresh-water fishing in California; was appointed, effective December 15, 1954, as Member of the Fish and Game Commission, vice Lee F. Payne, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Fish and Game Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

MALCOLM E. HARRIS, a resident of Sacramento, has been departmental secretary to Governor Knight since July 1, 1954. Prior to that he was research secretary. He has had extensive administrative experience with the United States Forest Service, the Department of Veterans Affairs and the Department of Corrections, was appointed, effective January 1, 1955, as Director, Department of Alcoholic Beverage Control, original appointment, as interim appointee pursuant to Section 1774 of the Government Code;

to Director, Department of Alcoholic Beverage Control, original appointment, for the term prescribed by law, ending at the pleasure of the Governor.

MATTHEW J. DOOLEY, a resident and native of San Francisco; Veteran of World War I; holds an A.B. degree from St. Mary's College and an LL.B. degree from University of California; in general practice in San Francisco since 1926; member of the American Bar Association, California State Bar and San Francisco Bar Association; served as Secretary to Justice Thomas J. Lennon of the State Supreme Court and was Professor of Law at Oakland College of Law for five years; was appointed, effective January 1, 1955, as Member of the State Public Utilities Commission, vice Verne Scoggins, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Public Utilities Commission, vice self, term expired, for the term prescribed by law, ending January 1, 1961.

RALPH J. MCGILL, a resident of San Francisco; real estate and insurance dealer; studied for the priesthood at St. Anthony's Seminary and entered the novitiate of the Franciscan Order in 1924. After five years in the order his health and the rigors of communal life forced him to leave the order. He was an instructor at Belmont School for Boys from 1930 to 1932; served as parole officer for the Preston School of Industry and Secretary of the State Department of Institutions; from 1935 to 1940; served as liquor control officer and later as special investigator in the alcoholic beverage control division of the State Board of Equalization with assignments in Sacramento, Stockton, Oakland, San Francisco and Marin County; and is a member of the Serra Club, an organization of leading Catholic professional and businessmen; was appointed, effective January 1, 1955, as Member of the Alcoholic Beverage Control Appeals Board, original appointment, as interim appointee pursuant to Section 1774 of the Government Code;

to the Alcoholic Beverage Control Appeals Board, vice self, term expired, for the term prescribed by law, ending at the pleasure of the Governor.

DONALD H. BONAR, a resident of Lafayette; operator of a real estate and building company in Oakland; received an A.B. degree from the College of Commerce, University of California at Berkeley in 1932; a naval veteran of World War II and holds the rank of Lieutenant Commander in the Naval Reserve; was appointed, effective January 1, 1955, as Member of the Alcoholic Beverage Control Appeals Board, original appointment, as interim appointee pursuant to Section 1774 of the Government Code;

to the Alcoholic Beverage Control Appeals Board, vice self, term expired, for the term prescribed by law, ending at the pleasure of the Governor.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

#### RECESS

At 11.20 a.m., on motion of Senator Grunsky, the Senate recessed to permit Senator Grunsky to introduce a distinguished guest.

The President appointed Senators Grunsky and Richards to escort Hon. Elmer E. Roper, member of the Legislative Assembly of the Province of Alberta, Canada, to the rostrum.

Senator Grunsky introduced Mr. Roper to the Senate, who then addressed the Senate explaining the policies of the legislative bodies of Canada and comparing them to those of the United States.

#### REASSEMBLED

At 11.25 a.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.



## COMMUNICATIONS

The following communication was received, read and ordered printed in the Journal:

LEAGUE OF CALIFORNIA CITIES  
SACRAMENTO, CALIFORNIA, January 3, 1955

Mr. J. A. Beek  
Secretary of the Senate  
State Capitol  
Sacramento, California

DEAR MR. BEEK: The following civil defense resolution, adopted by the General Assembly of the League of California Cities at its 1954 Annual Conference, urges the Congress of the United States and the Legislature of California to assume their full share of the joint civil defense responsibility that appropriately belongs to federal, state, and local governments.

Municipal governments in California will continue to urge and to support an adequate civil defense program. However, without the full cooperation of the federal and state governments and without the Federal Government assuming its primary responsibility in the field of civil defense as it relates to national security, a strong local civil defense program will be seriously hampered and in some places made impossible.

The resolution reads as follows:

WHEREAS, The most important function of local government is to protect the lives and property of its people and

WHEREAS, The development of the atomic and hydrogen bombs, and the ever-present threat of natural disaster necessitate the strongest possible civil defense organization in California; and

WHEREAS, The metropolitan cities of California have been designated as target areas by the Federal Government, and cities of California outside the target areas are also vitally concerned respecting their responsibilities in the event of enemy attack; and

WHEREAS, The cities of California, both individually and collectively, will continue to assume their share of the responsibility for civil defense and disaster preparedness and

WHEREAS, An effective civil defense organization can be developed only through the closest cooperation of federal, state, and local agencies and participation by a fully informed public; now, therefore, be it

*Resolved*, By the General Assembly of the League of California Cities, assembled in Annual Conference at Los Angeles, October 20, 1954

1. That the League of California Cities reaffirms the position heretofore taken and pledges its fullest and continued cooperation, in order that California can have the strongest civil defense organization that can be perfected.

2. That because of the development of the hydrogen and atomic bombs, there is need for a continuing reappraisal of state and regional civil defense organization and plans, and need for an understanding by the representatives of cities and counties of the plan and operation and the line of command.

3. That there is need for a re-evaluation of existing state laws to ascertain whether amendments should be made to assure public participation in civil defense training exercises, together with provision of full liability coverage for such participants, and to consideration of other necessary amendments to strengthen civil defense.

4. That to fully protect the lives and property of the citizens, it is essential that there be continuing financial assistance from both the federal and state governments to the cities of California, in order that an adequate and effective civil defense organization may be devised.

5. That the League of California Cities pledges its continued cooperation to the State Director of Civil Defense and all the members of his staff.

*Be it further resolved*, That copies of this resolution be forwarded to the President of the United States, the Governor of the State of California, the Federal Civil Defense Administrator, the State Director of Civil Defense, to Members of Congress representing California, to Members of the State Legislature, to the Civil Defense Committee of the American Municipal Association, to the County Supervisors Association of California, and to such other state and civil defense representatives as will be appropriate.

Very sincerely,

RICHARD CARPENTER  
Executive Director and General Counsel



## LETTER OF TRANSMITTAL

SENATE CHAMBER, STATE CAPITOL  
SACRAMENTO, CALIFORNIA, January 5, 1955

*Hon. Harold J. Powers, President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 142, read and adopted June 10, 1953, at the Regular Session of the Legislature, the Senate Interim Committee on Social Welfare submit a report with findings and recommendation on the Child Care Center program.

We gratefully acknowledge the cooperation extended to the staff by the officials of the State Department of Education, School Districts and Child Care Centers. The assistance rendered by other state agencies in submitting information to this committee is also appreciated.

Respectfully submitted,

FRED WEYBRET, Chairman  
JOHN A. MURDY, JR., Vice Chairman  
F. PRESLEY ABSHIRE  
SWIFT BERRY  
HUGH P. DONNELLY

Letter of transmittal ordered printed in the Journal, and the report ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator Murdy moved that 1,500 copies of the report submitted by the Senate Interim Committee on Social Welfare be printed for distribution.

Motion carried.

## LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, January 3, 1955

*To the Honorable State Senate of the State of California  
The Honorable Harold J. Powers, Lieutenant Governor  
Clarence C. Ward, Chairman of the Rules Committee*

GENTLEMEN: Your Senate Interim Committee on Hospitals and Veterans Affairs, Senate Resolution 156 made the report as follows:

Original allocation -----	\$2,000
Expenses to date -----	None
Balance -----	\$2,000

The committee felt that it was not necessary to hold any meetings in view of the information we received.

Respectfully submitted,

NATHAN F. COOMBS, Chairman  
PAUL L. BYRNE

Letter of transmittal ordered printed in the Journal.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 4  
Assembly Concurrent Resolution No. 13

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following Resolution was read the first time:

**Assembly Concurrent Resolution No. 4**—Relative to commending the Honorable Kathryn T. Niehouse.

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4**

**Assembly Concurrent Resolution No. 4**—Relative to commending the Honorable Kathryn T. Niehouse.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39

NOES—None

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read for the first time:

**Assembly Concurrent Resolution No. 13**—Relative to the selection of the Legislative Counsel of California.

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13**

**Assembly Concurrent Resolution No. 13**—Relative to the selection of the Legislative Counsel of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 2	Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 3	Senate Concurrent Resolution No. 6
Senate Concurrent Resolution No. 4	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolutions ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

## Senate Joint Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

## MOTION TO APPROVE JOURNAL

Senator Ward moved that the Journal for Monday, January 3, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

## RESOLUTIONS

The following resolutions were offered:

By Senator Brown:

## Senate Resolution No. 17

Relative to pay of attachés

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, seven days per week, beginning Monday, January 3, 1955, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the respective amounts, and the Treasurer is hereby directed to pay the same:

Cleve V. Taylor, <i>Chief Assistant Secretary</i> -----	\$20.00
Leslie W. Miller, <i>Assistant Secretary</i> -----	14.50
Petronella Rollins, <i>Assistant Secretary</i> -----	14.50
Lachlan Richards, <i>Assistant Secretary</i> -----	14.50
Edw. E. Paine, <i>Indexing Clerk</i> -----	14.50
James Heaverside, <i>History Clerk</i> -----	16.00
Jack Jackson, <i>Assistant History Clerk</i> -----	14.00
N. L. Levering, <i>Journal Clerk</i> -----	14.50
Rawlie Vandegrift, <i>Engrossing and Enrolling Clerk</i> -----	16.00
Jeanne Newington, <i>Assistant Minute Clerk</i> -----	14.00
Florence I. Mason, <i>Stenographer at Desk</i> -----	14.00
Margaret Sweeny, <i>Chief Stenographer</i> -----	13.00
R. W. Lyons, <i>File Clerk</i> -----	14.50

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

By Senators Desmond, McBride, and Grunsky:

## Senate Resolution No. 18

Relative to the continuance of the Senate Interim Committee on Vehicles and Aircraft

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Vehicles and Aircraft, created by Senate Resolution No. 121 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 121, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Ed. C. Johnson :

**Senate Resolution No. 19**

Relative to the creation of the Senate Interim Committee on Fish and Game

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Fish and Game is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to fish and game, the conservation and protection thereof, and all matters dealing with, relating to, or otherwise pertaining to fish and game including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1957 Regular Session, with authority to file its final report not later than the fifteenth day after the constitutional recess.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act, and to authorize its subcommittees and employees to meet and act, both within and without the State of California in the performance of its duties.

6. The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.



**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read the first time:

**Senate Joint Resolution No. 1:** By Senators Brown, Cunningham, and Dorsey—Relative to proposed restriction of civil aircraft flights in southeastern California.

Referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 5, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**Request for Unanimous Consent**

Senator Brown asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 1**

**Senate Joint Resolution No. 1**—Relative to proposed restriction of civil aircraft flights in southeastern California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cohey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 72:** By Senator Way—An act to add Section 7360.1 to the Business and Professions Code, relating to authorizing permanent waver licensees to perform certain cosmetological practices.

Referred to Committee on Business and Professions.

**Senate Bill No. 73:** By Senator Way—An act to amend Sections 315, 356, 458, 507, and 547, and to repeal Section 600, of the Streets and Highways Code, and to repeal Section 5 of Chapter 13 of the 1947 First Extraordinary Session, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 74:** By Senator Ed. C. Johnson—An act to amend Section 28137 of the Government Code, relating to compensation for public services in counties of the thirty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 75:** By Senator Ed. C. Johnson—An act to amend Section 23138 of the Government Code and Section 438 of the Education Code, relating to compensation for public services in counties of the thirty-eighth class.

Referred to Committee on Education.

**Senate Bill No. 76:** By Senators Thompson and Erhart—An act to add Section 21292.2 to the Government Code, relating to the State Employees' Retirement System in respect to increases in the disability retirement allowances of certain retired members of the California Highway Patrol.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 77:** By Senators Thompson and Erhart—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration.

Referred to Committee on Transportation.

**Senate Bill No. 78:** By Senator Coombs—An act to add Section 69590.5 to the Government Code, relating to the Superior Court of the County of Napa.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 79:** By Senator John F. McCarthy—An act to amend Section 69588 of the Government Code, relating to the Superior Court of the County of Marin.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 80:** By Senator John F. McCarthy—An act to amend Section 714 of the Vehicle Code, relating to vehicle and load weight limitations.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 81:** By Senator John F. McCarthy—An act to add Section 13775.5 to the Government Code relating to agreements for social security coverage of state and local governmental employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 82:** By Senator John F. McCarthy—An act to amend Section 31595 of the Government Code, relating to investment of county retirement system funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 83:** By Senator John F. McCarthy—An act to add Section 330 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 84:** By Senators Burns and Grunsky—An act to amend Sections 6702, 7200, 7202, 7203, 7204, and 7205 of, and to add Section 7206 to, the Financial Code, relating to investments and loans by savings and loan associations, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Financial Institutions.

**Senate Bill No. 85:** By Senator John F. McCarthy—An act to add Section 4700.5 to the Penal Code, relating to coroner services performed in state prisons.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 86:** By Senator Gibson—An act to amend Sections 74841, 74842, 74843, 74844, and 74845 of, and to add Section 74846 to, the Government Code, relating to the Municipal Court established in a district embracing the City of Vallejo.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 87:** By Senator Gibson—An act to amend Sections 3, 4, and 6 and to repeal Section 5 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of the 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Referred to Committee on Water Resources.

**Senate Bill No. 88:** By Senator Gibson—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 89:** By Senator Grunsky—An act to repeal Section 170.5 of, and to add Section 170.5 to, the Code of Civil Procedure, relating to disqualification of judges.

Referred to Committee on Judiciary.

**Senate Bill No. 90:** By Senator Grunsky—An act to amend Sections 12216, 12218, and 12303 of, and to add Section 12225 to, the Financial Code, relating to check sellers and cashers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 91:** By Senator Grunsky—An act to add Section 12307.2 to the Financial Code, relating to check sellers and cashers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 92:** By Senator Grunsky—An act to amend Section 12304 of the Financial Code, relating to reports by check sellers and cashers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 93:** By Senator Grunsky—An act to amend Section 12004 of, and to add Section 12200.1 to, the Financial Code, relating to check sellers and cashers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 94:** By Senator Grunsky—An act to amend Section 12100 of the Financial Code, relating to exemptions from the Check Sellers and Cashers Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 95:** By Senator Grunsky—An act to amend Section 17405 of, and to add Section 17405.1 to, the Financial Code, relating to examinations of escrow agents and the payment of the cost thereof.

Referred to Committee on Financial Institutions.

**Senate Bill No. 96:** By Senator Grunsky—An act to amend Sections 17403, 17404, and 17609 of the Financial Code, relating to escrow agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 97:** By Senator Grunsky—An act to add Sections 22204.1 and 22204.2 to, and to amend Section 22208 of, the Financial Code, relating to bonds of personal property brokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 98:** By Senator Grunsky—An act to amend Section 22411 of the Financial Code, relating to personal property brokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 99:** By Senator Grunsky—An act to amend Section 22410 of the Financial Code, relating to annual reports by personal property brokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 100:** By Senator Grunsky—An act to add Sections 24204.1 and 24204.2 to, and to amend Section 24208 of, the Financial Code, relating to bonds of licensees under the California Small Loan Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 101:** By Senator Grunsky—An act to amend Section 24409 of the Financial Code, relating to reports by loan companies.

Referred to Committee on Financial Institutions.

**Senate Bill No. 102:** By Senator Grunsky—An act to add Section 15102.1 to the Financial Code, relating to credit unions.

Referred to Committee on Financial Institutions.

**Senate Bill No. 103:** By Senator Grunsky—An act to add Section 28301.1 to the Corporations Code, relating to the Retirement Systems Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 104:** By Senator Grunsky—An act to amend Section 348 of the Code of Civil Procedure, relating to limitation of action for deposit of money or other property.

Referred to Committee on Financial Institutions.

**Senate Bill No. 105:** By Senator Grunsky—An act to amend Section 18600 of the Financial Code, relating to industrial loan companies.

Referred to Committee on Financial Institutions.



**Senate Bill No. 106:** By Senator Grunsky—An act to amend Section 18610 of the Financial Code, relating to annual reports of industrial loan companies.

Referred to Committee on Financial Institutions.

**Senate Bill No. 107:** By Senator Grunsky—An act to amend Section 25102 of the Corporations Code, relating to transactions exempt from the Corporate Securities Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 108:** By Senator Grunsky—An act to amend Section 25706 of the Corporations Code, relating to broker's and agent's certificates.

Referred to Committee on Financial Institutions.

**Senate Bill No. 109:** By Senator Grunsky—An act to amend Section 25153 of the Corporations Code, relating to preorganization subscriptions for securities.

Referred to Committee on Financial Institutions.

**Senate Bill No. 110:** By Senator Dale C. Williams—An act to add Article 6, comprising Sections 54160 to 54164, inclusive, to Chapter 5, Part 1, Division 2, Title 5 of the Government Code, relating to purchases of equipment and materials.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 111:** By Senator Dale C. Williams—An act to amend Section 16.3 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 112:** By Senator Collier—An act to amend Section 257 of the Probate Code, relating to inheritance by and succession from adopted children.

Referred to Committee on Judiciary.

**Senate Bill No. 113:** By Senators Collier and Brown—An act to amend Section 2210.5 of the Streets and Highways Code, relating to federal aid for secondary highways.

Referred to Committee on Transportation.

**Senate Bill No. 114:** By Senator Collier—An act to add Section 4377 to the Revenue and Taxation Code, relating to the destruction of property tax rolls.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 115:** By Senator Collier—An act to amend Section 2916 of the Revenue and Taxation Code, relating to property taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 116:** By Senator Collier—An act to amend Section 27361 of, and to add Section 27361.1 to, the Government Code, relating to recordation of instruments.

Referred to Committee on Local Government.

**Senate Bill No. 117:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act authorizing the transfer of a certain amount from the Division of Architecture Public Building Fund to the General Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 118:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act to amend Section 14101 of the Government Code, relating to public works.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 119:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act to add Chapter 10 to Part 3, Division 3, Title 2 to, and to repeal Chapter 4 of Part 4, Division 3, Title 2 of, the Government Code, relating to state-owned motor vehicles and automotive equipment.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 120:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act to add Section 14106 to the Government Code, relating to maintenance of state buildings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 121:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act to amend Sections 14272 and 14335 of the Government Code, relating to state contracts for public works.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 122:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act authorizing the transfer of certain moneys from the Division of Architecture Public Building Fund to the General Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 123:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act to amend Section 14376 of the Government Code, relating to state contracts for public works.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 124:** By Senator Way—An act to add Section 7332.1 to the Business and Professions Code, relating to the educational requirements for a hairdresser and cosmetician or cosmetologist license.

Referred to Committee on Business and Professions.

**Senate Bill No. 125:** By Senator Way—An act to add Section 7362 to the Business and Professions Code, relating to authorizing permanent waver licensees to practice cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 126:** By Senator Brown—An act to add Division 11 to the Public Resources Code, relating to camping, providing for a program of campground sanitation, and making an appropriation.

Referred to Committee on Public Health and Safety.

**Senate Constitutional Amendment No. 4:** By Senator Dale C. Williams—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 25½ of Article IV, relating to the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Constitutional Amendment No. 5:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14½ to Article I, relating to eminent domain.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 6:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8 to Article XXIV thereof, relating to the employment of private architects, engineers and consultants by the State.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 11:** By Senator Grunsky—Relative to cooperation between the legislative and executive branches of State Government on pending legislation.

Referred to Committee on Rules.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 20**—An act to amend Section 18 of the Orange County Flood Control Act and to add Section 18.5 to said act, relating to the issuance of bonds and elections therefor and the disposition of the balance of proceeds of prior bond issue; and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

#### ADJOURNMENT

At 12 m., on motion of Senator Ward, the President declared the Senate adjourned until 11 a.m., Thursday, January 6, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, January 6, 1955

The Senate met at 11 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Weybret, on motion of Senator Grunsky, due to illness.

Senator Cunningham, on motion of Senator Burns, due to legislative business.

Senator Miller, on motion of Senator Burns, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Montgomery, on motion of Senator Harold T. Johnson, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert E. McDavid, member of Board of Equalization, Fourth District; Col. Thomas D. Drake, deputy member of Board of Equalization; William R. Thomson, district tax administrator, Board of Equalization; and Reid Weigle, administrative assistant, Board of Equalization.



On request of Senators Thompson and Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John M. Hanley, Pfc., United States Army, from Palo Alto.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John W. Anderson and Dean Haug from Mountain View.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Murry LaFayette from Sherman Oaks.

On request of Lieutenant Governor Powers and Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Antone Dowrello, Commodore Gardom Pomeroy and Stanley H. Koller from Crockett.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Milton Marx from San Francisco.

On request of Senators Burns and Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Percy Rogers of Front Royal, Va., and Mrs. M. E. Kiser of Modesto.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 1.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 1**—Approving the charter of the City of Newport Beach, County of Orange, State of California, ratified by the qualified electors of said city at a municipal election held therein on the eighth day of June, 1954.

#### Request for Unanimous Consent

Senator Murdy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

**Assembly Concurrent Resolution No. 1**—Approving the charter of the City of Newport Beach, County of Orange, State of California, ratified by the qualified electors of said city at a municipal election held therein on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, Jan. 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 2**—Approving certain amendments to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Murdy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2**

**Assembly Concurrent Resolution No. 2**—Approving certain amendments to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 3**—Approving the charter of the City of Whittier, County of Los Angeles, State of California, ratified by the qualified electors of said city at a regular municipal election held therein on the thirteenth day of April, 1954.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3**

**Assembly Concurrent Resolution No. 3**—Approving the charter of the City of Whittier, County of Los Angeles, State of California, ratified by the qualified electors of said city at a regular municipal election held therein on the thirteenth day of April, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 5**—Approving certain amendments to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5**

**Assembly Concurrent Resolution No. 5**—Approving certain amendments to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 5, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 20

Senate Joint Resolution No. 1

And reports the same correctly engrossed.

WARD, Chairman

## RESOLUTIONS

The following resolutions were offered:

By Senator Way:

## Senate Resolution No. 20

Relative to a cost analysis of plans for highway construction

WHEREAS, The construction or reconstruction of certain portions of State Highway Routes 1 and 56 in Humboldt and Mendocino Counties is contemplated; and

WHEREAS, Facts with respect to the estimated cost of the several projects contemplated are necessary in order that the appropriate state agencies may make the decisions required; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Department of Public Works is hereby requested to submit to the Senate the estimated cost per mile for each of the following projects:

(a) Route 56 between Leggett Valley and a point near Hale's Grove and a point near Thorn and thence to Ferndale and Fernbridge.

(b) Rerouting of Route 1 (U. S. 101) around state parks in Humboldt County.

(c) Retaining the existing route of Route 1 (U. S. 101) and straightening said highway and enlarging it to four lanes outside and between state park boundaries, and construction of sidings or turn outs and parking areas within state park boundaries; and be it further

*Resolved*, That the Department of Public Works is requested to submit a report containing the above cost estimates by not later than May 1, 1955; and be it further

*Resolved*, That the Secretary of the Senate be directed to transmit a copy of this resolution to Mr. Frank B. Durkee, Director of Public Works.

Resolution read, and referred to Committee on Rules.

By Senator Way:

## Senate Resolution No. 21

Relative to the creation of the Senate Interim Committee on Beach Erosion

WHEREAS, The beaches along the coast line of this State are of major importance to the citizens of this State, both for recreational and economic reasons; and

WHEREAS, The erosion of our beaches continues to be a major threat to such beaches in many parts of the State; and

WHEREAS, It may be necessary to accelerate or expand the state program to control the erosion of our beaches; now, therefore, be it

*Resolved by the Senate of the State of California*, As follows:

1. The Senate Interim Committee on Beach Erosion is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the erosion of the beaches along the coast line of this State in order that the beaches may be maintained and developed for the use of the citizens of this State, including, but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1957 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff or any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.



(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Ed. C. Johnson:

**Senate Resolution No. 22**

Relative to the continuance of the Senate Interim Committee on Fish and Game

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Fish and Game, created by Senate Resolution No. 15 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 15, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 12:** By Senator Breed—Relative to approving amendments to the charter of the City of San Leandro, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12**

**Senate Concurrent Resolution No. 12**—Relative to approving amendments to the charter of the City of San Leandro, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse,

Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### MOTION TO PRINT OPINION

Senator Regan moved that the opinion of the Attorney General regarding the scope and effect of Water Code sections be printed in the Journal.

Motion carried.

#### OPINION OF ATTORNEY GENERAL OFFICE OF THE ATTORNEY GENERAL State of California

**EDMUND G. BROWN**

Attorney General

#### OPINION

of  
EDMUND G. BROWN, Attorney General  
Wallace Howland, Assistant Attorney General  
and  
Adolphus Moskovitz, Deputy Attorney General

No. 53/298  
January 5, 1955

The HONORABLE EDWIN J. REGAN, SENATOR from the Fifth Senatorial District, has asked for our complete analysis of the scope and effect of Water Code Sections 10505, 11460, and 11463, including particularly our opinion on the following questions:

(1) Are these code sections constitutional under Article XIV, Section 3, of the California Constitution?

(2) Under these code sections, would water appropriated for use in areas outside the county where the water originates, or the watershed where the water originates and areas immediately adjacent thereto, be made available later for use in such local areas, if the water became necessary for their development at some time in the future?

(3) Are Water Code Sections 11460 and 11463 applicable to the United States in the construction and operation of the Central Valley Project?

(4) Can the State Engineer, in the proper exercise of his power to condition appropriations of water in the public interest under Water Code Section 1253, effectuate the protection contemplated by Water Code Sections 11460 and 11463?

The conclusions may be summarized as follows:

(1) Water Code Sections 10505, 11460, and 11463, properly construed and applied, do not violate Article XIV, Section 3, of the California Constitution.

(2) In the circumstances specified in the statute, Water Code Sections 10505 and 11460 would require that water which had been put to use in the operation of the Central Valley Project in areas outside the county of origin, or the watershed of origin and areas immediately adjacent thereto, be withdrawn from such outside areas and made available for use in the specified areas of origin.

(3) Water Code Sections 11460 and 11463 are applicable to the United States in its operation of the Central Valley Project insofar as the law of California is concerned, but compliance therewith is dependent upon the fact that the United States has affirmatively elected to comply with state law in this respect.

(4) The State Engineer is empowered to insert conditions in appropriation permits issued on applications assigned by the Department of Finance under Section 10504 which are consistent and coextensive with conditions stipulated by the Department of Finance under Sections 10504 and 10505. Further, the State Engineer is empowered to insert in permits issued to any state or federal agency engaged in the construction or operation of the Central Valley Project, as conditions of such permits, the limitations upon the powers of such agencies set forth in Water Code Sections 11460 and 11463; however, such limitations are imposed upon such agencies by virtue of the statute, regardless of their inclusion or omission from any such permit granted and issued by the State Engineer.

## Analysis

## I. General Discussion of Water Code Sections 10505, 11460 and 11463

Water Code Section 10505 is commonly referred to as the "county of origin" statute. Water Code Sections 11460 and 11463 are the principal operative provisions of what is commonly known as the "watershed protection" statute. These two statutes were enacted at different times and appear in different parts of the Water Code.<sup>1</sup> However, they have a common purpose, i.e., to reserve for the areas where water originates some sort of right to such water for future needs which is preferential or paramount to the right of outside areas, even though the outside areas may be the areas of greatest need or the areas where the water is first put to use as the result of operations of the Central Valley Project.

None of these sections have been involved in litigation to date. Consequently, they have not been interpreted or construed by any court. While the general legislative intent seems clear, legal minds may differ as to the effect of the statutory enactments when applied to a specific set of facts. Inasmuch as we have been requested to give a "complete analysis of the scope and effect" of these provisions, we have endeavored to depict them in actual operation. However, it must be recognized that contrary arguments may be made to contravene some of the views expressed herein and that the conclusions reached may be considered only as reflecting our best judgment as to the effect of statutes the phraseology of which is not beyond dispute.

The breadth of the inquiry here made makes it desirable to preface our analysis with a few general observations. The development of a coordinated state-wide water plan and the embodiment of its initial phases in the Central Valley Project has not been without controversy. Fundamentally the controversy is an economic one, arising from the fact that water has always been in short supply throughout the history of the State. Our water law had its inception in the law of property. The very term "water right" implies a permanent, vested property right to be owned and enjoyed by one owner to the exclusion of all others. Some of the bitterest and most protracted litigation has been over the conflicting interests in water.

Beginning in the 1920's, however, increased engineering knowledge and technological development gave promise of transforming an economy of water scarcity to one of sufficiency for all. Initially the problem was one of capturing and distributing the surplus waters of the north to the arid but fertile regions of the San Joaquin Valley. More recently another factor has been arising from the extremely rapid growth in population of the southern part of the State. In any event, it was conceived as early as the mid-1920's that the capturing, storing, distributing and putting the waters of the State to beneficial use, in their aggregate quantity, was a task so enormous that it was beyond the capability of privately financed enterprise and must, therefore, necessarily devolve upon the public agencies of the State for its financing and execution. This injection of the State into the ownership and operation of large project works obviously required changes in existing water law. Distribution of the aggregate water resources of the State by a public agency acting in the public interest could not, and cannot be effected wholly within the framework of a water law whose "first in time" and "appropriation to beneficial use" concepts are adequate and equitable in the settlement of controversies between the limited interests of plaintiff and defendant in private litigation.

Legislatively, the die was cast in 1927 with the enactment of the Feigenbaum Act, Chapter 286 of the Statutes of 1927. The act is discussed in more detail later herein. Suffice it here to say that its effect was:

(a) To authorize the State itself to file on any and all of the unappropriated waters of the State which might be needed in the execution of a general or coordinated plan for the development and use of the water resources of the State as a whole;

(b) To subordinate to such state filings any further assertion of private rights to such unappropriated water; and

(c) To limit state action in releasing the priority of its filings or the assignment thereof to instances where such action would result in water development not in conflict with the general or coordinated plan.

This enactment was made on the recommendation of a joint Senate-Assembly interim committee that:

" \* \* \* the State of California should at once take the necessary steps, either through its proper officials or by legislation, to file on, or withdraw from filing by private parties, the water rights to be utilized and required for the consummation of the coordinated plan." (i.e., the plan for the development of the water resources of California then being formulated by the State Engineer.) (Senate Journal, Forty-seventh Session, 1927, p. 446.)

<sup>1</sup> All references to section, part and division are to the Water Code, unless otherwise indicated. Emphasis appearing in quotations has been added.



Prior to 1927 the law for many years had contained a provision substantially as now codified in Section 102, viz:

"All water within the State is the property of the people of the State, but the right to the use of water may be acquired by appropriation in the manner provided by law."

Taken literally, this section would apply to *all* water in the State, including that already privately owned at the time of its enactment. However, as the Supreme Court has pointed out, "It should not require discussion or authority to demonstrate that the State cannot in this manner take private property for public use" (*San Bernardino v. Riverside* (1921), 186 Cal. 7, 29-30). Consequently, the statute has been restricted in its application to exclude water rights which vested prior to its passage. Thus, it applies only to unappropriated water (*Palmer etc. v. Railroad Commission* (1914), 167 Cal. 163, 175).

The effect of the 1927 legislation was to withdraw the then unappropriated waters of the State filed on by the Department of Finance from any further appropriation by private parties. And, if any further implementation of prior law was needed, the 1927 act established a procedure whereby, within the concepts applicable to privately owned water rights, the State in its role as trustee for the people could fairly be said to perfect its own "right" to water needed for the general or coordinated plan to the exclusion of all other persons or parties.

## II. The Origins of the "County of Origin" Preference

In the interpretation and evaluation of present preferences to counties of origin, it is important to bear in mind the scope and size of the coordinated water plan envisaged at the time of its passage. Southern California was then directing its efforts almost exclusively towards the procurement of Colorado River water and distribution of the waters of Northern California was conceived of only in terms of the San Joaquin Valley.

Almost without exception, the reports and documents relating to the general or coordinated plan speak of taking only the "surplus" or "excess" waters of the Sacramento River to areas of deficient supply in the San Joaquin Valley. In a 1925 report to the Legislature, the Department of Public Works stated:

"Further, while the 1921-23 studies demonstrated that there is more than enough water in the Sacramento Valley for its own use, they also show that the surplus of easily developed water is not so great but that its residents would be gravely concerned that the cost of their own water development might not be increased by exportations. \* \* \* In fact, the whole discussion of the diversion of surplus waters from the Sacramento River into the San Joaquin Valley, must be predicated from the institution of a coordinated development in both valleys that gives full protection against present or future loss to the owners of vested rights and to present users of water as well as to those *potential* users whose lands lie tributary to streams from which exportations of water are proposed." (Bull. No. 9, Div. of Engineering and Irrigation, Dept. of Public Works (1925) p. 18.)

Commencing with the 1925 Session of the Legislature, a series of bills was introduced to protect the counties of origin against exportation of water which might be needed by them in their own future development. Obviously any such legislation would be a departure from existing water law which required actual reduction to beneficial use as a prerequisite to the establishment of a water right by appropriation. Little wonder, then, that the proponents of such legislation ran into difficulty in drafting an acceptable formula whereby uncertain future rights might be presently acquired. The problem is, in fact, still with us today.

The 1925 Legislature passed Assembly Bill No. 607 which would have reserved for use in the county of origin 15 percent of all water appropriated for export. The measure was pocket vetoed by the Governor, presumably in the light of a letter to him from the Director of Public Works and State Engineer dated May 13, 1925, in which it was stated:

"This Department is in sympathy with the object proposed to be obtained by the language of Assembly Bill No. 607, but the procedure is so involved and the outcome so questionable, that we doubt the propriety of the measure becoming a law."

Another proposal, Assembly Bill No. 1079, provided that all diversions outside a watershed of origin would be subject to a reservation of all water necessary to supply uses within the watershed. It was reported without recommendation by the committee and no further action was taken.

At the beginning of the 1927 Session the Legislature received a report from the Department of Public Works concerning the coordinated plan. It contained several statements to the effect that only "surplus" waters would be exported from one area to another. Under the heading of recommendations it was stated that:

"The new supplies for the deficient areas would be taken from regions of surplus after providing for their complete development." (Bull. No. 12, Div.



of Engrg. & Irrig., Dept. of Public Works (1927) p. 48; see also pp. 26, 36.)

As already stated, the 1927 Legislature passed the Feigenbaum Act permitting the State to assert a priority, as against subsequent private appropriators, to such of the then unappropriated waters of the State as might be needed for the general or coordinated plan. It also passed another so-called "15 percent" bill, similar to Assembly Bill No. 607 of the 1925 Session, only to have it again pocket vetoed by the Governor.

The 1929 Session of the Legislature had before it a report of a Joint Committee of the Senate and Assembly Dealing with the Water Problems of the State. With regard to the protection of the interests of the counties of origin, this report stated:

"In supplying areas of deficiency of water from areas of surplus only such water as is not needed to serve vested or other property rights, or necessary for supplying the uses and purposes hereinbefore mentioned should be considered and *no water should be diverted from the area of origin which is now or which may ever be required for any beneficial use within such area of origin.*" (Report of Joint Committee, January 18, 1929, p. 19.)

In a supplemental report, the joint committee recommended the following policy:

"4. It shall be the policy of the state to extend to the areas of surplus water, from which, under the coordination policy or the development thereof, areas of deficient water may obtain a supply, definite and valid assurance that such areas of surplus from which water is or may be taken shall have a right to ample water for their *ultimate needs*, superior and prior to that of the areas of deficiency to make use of such surplus \* \* \*." (Supplemental Report of Joint Committee, April 9, 1929, p. 5.)

During the 1929 Session, the Assembly passed another "15 percent" bill (Assembly Bill No. 1150) which died in the Senate committee to which it was referred.

The 1931 Legislature received from the Division of Water Resources a "Report to the Legislature of 1931 on State Water Plan." This report again emphasized that the state plan contemplated only the transfer from one area to another of water which was surplus. It stated:

"Under this plan, the basins favored with water in excess of their needs would be furnished a regulated supply in accordance with the requirements of their ultimate development. Waters in excess of their needs would be conveyed to areas of deficiency \* \* \*." (Bull. No. 25, Div. of Water Resources, Dept. of Public Works, January 1, 1931, p. 35.)

Another and more detailed report issued the same year reiterated that:

"\* \* \* There is and will be a deficiency of supplies" (in the San Joaquin River basin). "In the Sacramento River Basin, on the other hand, the water supply if adequately regulated and conserved, is larger than will be required for ultimate development of that basin. \* \* \*." (Bull. No. 26, Div. of Water Resources, Dept. of Public Works, 1931, p. 30; see also p. 45)

On March 31, 1931 the Legislature received the "Report of the Joint Committee of the Senate and Assembly Dealing with the Water Problems of the State". Therein (p. 29) the committee repeated its previous recommendation that no water should be diverted from the area of origin "which is now or which may ever be required for any beneficial use within such area of origin."

At the Regular Session of the 1931 Legislature, Assembly Bill No. 540 proposed a new formula for the protection of the future interests of the areas of origin. It was opposed because of its vague phraseology, and its doubtful efficacy, but not because of its intent to protect the rights of areas of origin. (See letter from State Engineer to Secretary, Irrigation Districts Association of California, March 21, 1931). The bill died in committee.

However, another solution to the problem was found more acceptable. In 1931, the Legislature was called upon to amend the Feigenbaum Act of 1927 by extending the date to which state filings would be exempted from requirements of diligence. Senate Bill No. 141 was introduced for this purpose and in its original form was limited to that object. However, it was amended before final passage to provide a further restriction on the authority of the Department of Finance to release from priority or to assign any of the State's filings. In assaying the importance of this amendment, it should be noted that by this time the State had already filed some 25 applications on many of the major streams flowing into the Central Valley. As thus amended and passed, Senate Bill No. 141 (Calif. Stats. 1931, Ch. 720, p. 1514) provided that:

"\* \* \* no such priority shall be released, or assignment made of any such appropriation that will, in the judgment of the State Department of Finance, deprive the county in which such appropriated water originates, of any such water necessary for the development of such county."

This proviso is now codified as Section 10505 of the Water Code. In the light of its legislative background the following conclusions may be drawn:

(1) The engineering plans developed by the State were predicated upon the reservation to "areas of origin" of water sufficient to meet their ultimate needs, and upon findings that there was a sufficient "surplus" over and above such ultimate requirements to make feasible the transportation of such surplus to areas of deficient water supply and, specifically, to the San Joaquin Valley.

(2) The Joint Committee of the Legislature repeatedly advocated a policy for enactment into law with such clarity that it is reiterated here:

"4. It shall be the policy of the state to extend to the areas of surplus water \* \* \* definite and valid assurance that such areas of surplus from which water is or may be taken shall have a right to ample water for their ultimate needs, superior and prior to that of the areas of deficiency to make use of such surplus."

(3) In the three sessions of the Legislature prior to 1931, attempts had been made to enact a law which would protect the future interests of areas of origin.

(4) In 1927, in order to make possible a coordinated development of the water resources of several major watersheds by public agencies of the State, the State was authorized to and promptly initiated action to perfect its own "right" to the then unappropriated waters needed for such purpose.

(5) With the "water rights" to the unappropriated waters filed upon by the State itself, and all persons declared subject to the priority of the State's filings, it was conceived that the desired protection for the future interests of the counties of origin could be obtained by placing restrictions upon the authority of state officials to alienate or dispose of the priorities thus vested in the State. This, then, must be taken to be the intent and effect of what is now Section 10505 of the Water Code.

(6) Difficulties with the granting of a preference to vague and undefined "mountain regions" (Assembly Bill No. 540, 1931 Session) were eliminated by granting the preference, in effect, to the "counties of origin," a term readily definable for the purposes of the Feigenbaum Act with sufficient exactitude to satisfy constitutional requirements.

### III. Analysis of Section 10505

In order that Section 10505 may properly be viewed in its context, the entire text of Part 2 of Division 6 of the Water Code, excepting Section 10506 which is not relevant to this discussion, is here set forth:

10500. "The Department of Finance shall make and file applications for any water which in its judgment is or may be required in the development and completion of the whole or any part of a general or coordinated plan looking toward the development, utilization, or conservation of the water resources of the State.

"Any application filed pursuant to this part shall be made and filed pursuant to Part 2 of Division 2 of this code and the rules and regulations of the State Engineer relating to the appropriation of water insofar as applicable thereto.

"Applications filed pursuant to this part shall have priority, as of the date of filing, over any application made and filed subsequent thereto. Until October 1, 1955, or such later date as may be prescribed by further legislative enactment, the statutory requirements of said Part 2 of Division 2 relating to diligence shall not apply to applications filed under this part, except as otherwise provided in Section 10504."

10504. "The Department of Finance may release from priority or assign any portion of any appropriation filed by it under this part when the release or assignment is for the purpose of development not in conflict with such general or coordinated plan. The assignee of any such application, whether heretofore or hereafter assigned, is subject to all the requirements of diligence as provided in Part 2 of Division 2 of this code. 'Assignee' as used herein includes, but is not limited to, state agencies, commissions and departments, and the United States of America or any of its departments or agencies."

10505. "No priority under this part shall be released nor assignment made of any appropriation that will, in the judgment of the Department of Finance, deprive the county in which the appropriated water originates of any such water necessary for the development of the county."

Section 10505 is limited in its application to water filed on by the Department of Finance under Section 10500. However, Section 10500 continues to authorize the filing of applications on unappropriated water which, in the judgment of the Department of Finance, "is or may be required" for "the whole or any part of a general or coordinated plan." In the light of the background and the date of enactment of this section, it is not confined in its application to any particular "plan," as, for example, the specific "State Water Plan" defined in Section 10000 and

adopted and approved by Section 10002. Neither is it limited to the water requirements of any particular project, such as the Central Valley Project which is the subject matter of Part 3 of Division 6 of the Water Code.

The applications filed to date under Section 10500 number more than 40. They may well cover substantially all of the water not previously appropriated or otherwise vested in private ownership within the watersheds involved.

It will be noted that Section 10504 authorizes assignment of state applications without limitation as to the identity of the assignee. From this it seems obvious that the Legislature contemplated that assignments would be made to two different classes of assignees, viz:

(a) To the agency or agencies to be eventually authorized to effectuate the general or coordinated plan by constructing and operating project works. Such assignments would, of course, be for the purpose of development not in conflict with the plan, and could be made by the Department of Finance as a routine matter.

(b) To private persons, corporations, municipalities, districts and others, but only in the event that the development and use of the water proposed by the assignee was found to be not in conflict with the general or coordinated plan.

When Section 10505 was enacted in 1931, the general or coordinated plan had not yet evolved to the point where it has legislative sanction. There was still no agency of the State authorized to do anything towards effectuating the plan still in its formulative stage. Section 10505 is cast in such language as to make its provisions applicable to *all* assignments made by the Department of Finance, regardless of the identity of the assignee. "No priority shall be released nor assignment made" which, in the judgment of the Department of Finance, would deprive the county of origin of water needed in its future development. Both the legislative intent and the effect of this provision seem clear: that the priority granted to counties of origin should be applicable to *all* water covered by state filings under Section 10505, regardless of whether such filings are assigned to an agency of the State to effectuate the general or coordinated plan, or to some other assignee for development not in conflict with such plan.

Section 10505 has one feature in common with all legislation which confers discretionary authority upon a state agency or official—the protection which it offers is not absolute. Under Section 10505, a preferential right is preserved for the counties of origin from the assignment or release of priority of state filings only to the extent that the Department of Finance may have reserved such a right.

Whether an assignment or release shall be made is left to "the judgment of the Department of Finance". The department is not required to hold a hearing before making its judgment. Thus, the section is satisfied if, before making an assignment or release, the department determines in good faith on the basis of information then available to it that the water covered by the application is not necessary for the development of the county of origin, or that the conditions inserted in the assignment or release will adequately preserve for those in the county a preferential right to use the water when they need it.<sup>2</sup> A mere error in judgment by the department in making its determination would not invalidate its action. The action of an administrative body involving the exercise of discretion may be successfully challenged in the courts only if it is arbitrary, capricious, or entirely lacking in evidentiary support. *Tulare Water Co. v. State Water Commission*, (1921) 187 Cal. 533, 538, 202 Pac. 874, 877; *Mann v. Tracy* (1921) 185 Cal. 272, 274, 196 Pac. 484, 485; *Brock v. Superior Court*, (1952) 109 Cal. App. 2d 594, 605, 241 P. 2d 283, 290; *Roussey v. City of Burlingame*, (1950) 100 Cal. App. 2d 321, 326, 223 P. 2d 517, 520.

Section 10505 requires that "the county in which the appropriated water originates" be protected from deprivation of any such water necessary for the development of the county. The common sense meaning of the word "originates" in this context would seem to be "falls in the form of precipitation". The protection afforded by the section to each county relates only to the water which falls as precipitation within that county's boundaries. But the need to be considered is that of the entire county, regardless of whether the place of need is in a different watershed from the place where the water originates. That is, each county is to be regarded as a unit, and all water originating therein which is covered by Department of Finance applications is, to the extent that such water may be needed anywhere therein, subject to the protection of the statute. Hence, the place of use of the water is the sole standard by which the preference is established, and the extent of the preference is limited to the aggregate amount of water which falls in the form of precipitation upon the county in question.

A person desiring water for use in a county of origin for development not in conflict with the general or coordinated plan must first apply to the Department of Finance for an unconditional assignment of so much of the State's application filed

<sup>2</sup> A more detailed discussion of the functions and responsibilities of the Department of Finance in making assignments under Sections 10504 and 10505 is found in Opinion 54/159.



under Section 10500 as may be necessary to satisfy his needs. Such action is necessary since any application which such person might otherwise initiate and file would be subject to the priority of the State's application.

It is the function of the Department of Finance to determine whether such an application for an unconditional assignment satisfies the conditions laid down in Sections 10504 and 10505. The granting of such an unconditional assignment establishes the preferential or priority status of the application so assigned as against an earlier assignee of the department who has been exporting water out of the county of preference subject to a reservation in his assignment which protects the county of origin preference.

Upon the granting by the Department of Finance of such an unconditional assignment, the application so assigned must then be pursued to permit before the State Engineer under Sections 1200-1800. Determination of all of the questions involved in the processing of an application to permit are still for the State Engineer in the exercise of his normal functions concerning the granting of appropriate permits.

#### IV. Analysis of Sections 11460 and 11463

Sections 11460 through 11463 are codifications of Section 11 of the Central Valley Project Act of 1933 (Chapter 1042 of the Statutes of 1933). They provide as follows:

11460. "In the construction and operation by the authority of any project under the provisions of this part a watershed or area wherein water originates, or an area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall not be deprived by the authority directly or indirectly of the prior right to all of the water reasonably required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein."

11461. "In no other way than by purchase or otherwise as provided in this part shall water rights of a watershed, area, or the inhabitants be impaired or curtailed by the authority, but the provisions of this article shall be strictly limited to the acts and proceedings of the authority, as such, and shall not apply to any persons or state agencies."

11462. "The provisions of this article shall not be so construed as to create any new property rights other than against the authority as provided in this part or to require the authority to furnish to any person without adequate compensation therefor any water made available by the construction of any works by the authority."

11463. "In the construction and operation by the authority of any project under the provisions of this part, no exchange of the water of any watershed or area for the water of any other watershed or area may be made by the authority unless the water requirements of the watershed or area in which the exchange is made are first and at all times met and satisfied to the extent that the requirements would have been met were the exchange not made, and no right to the use of water shall be gained or lost by reason of any such exchange."

At the outset, it should be noted that these provisions apply only to any project described in Part 3 of Division 6.

By Section 11460 the Water Project Authority is prohibited from depriving certain described areas directly or indirectly of the prior right to certain water. Some comment seems desirable concerning the descriptions of the areas of preference. The areas to be protected are (1) "a watershed or area wherein water originates", and (2) "an area immediately adjacent thereto which can conveniently be supplied with water therefrom."

In the first category, the term "watershed" must be taken as synonymous with the term "area wherein water originates." Otherwise, the latter term would be completely indefinite. It is obvious that an "area wherein water originates", without further qualification, could be as large or as small as one desired to make it. For example, the entire State of California is an area wherein water originates. On the other hand, a "watershed" is capable of fairly accurate delineation. It is defined as "The whole region or area contributing to the supply of a river or lake; drainage area; catchment area or basin" (Webster's New International Dictionary, 2d ed., unabridged, 1941, p. 2886). A reasonable and practicable construction of a statute which avoids fatal uncertainty is, of course, to be preferred (*Drummeyer v. State Board of Funeral Directors*, (1939) 13 Cal. 2d 75, 80, 87 P.2d 848, 851). Thus, the first type of area to receive protection is a watershed, i.e., the region or area which contributes to the supply of the stream in question.

The second category of areas described extends the protection of the statute beyond the confines of the particular watershed to any immediately adjacent area which can conveniently be served with water from that watershed. The word "adjacent" means "lying near or close at hand" (Funk & Wagnall's New Standard Dictionary). "Objects are adjacent when they lie close to each other, but not neces-



sarily in actual contact" (Webster's New International Dictionary, 2d ed. unabridged, 1941, p. 32). But the word "immediately" qualifying the word "adjacent" indicates that the area must adjoin the watershed.

The extent of the area immediately adjacent to the watershed which is subject to protection is ascertainable from the remainder of the description. It is that adjoining territory which "can conveniently be supplied with water" from the watershed. The requirement of convenience in supplying the water implies the necessity that there be no difficult problems in effecting such supply and that delivery be clearly feasible, from both a financial and an engineering point of view.

Although the question is not entirely free from doubt, in our opinion this description is stated with sufficient certainty of language and exactitude to constitute a valid enactment.

A civil statute cannot be held void for uncertainty if any reasonable and practical construction can be given to its language. Mere difficulty in ascertaining its meaning or the fact that it is susceptible of different interpretations will not render it nugatory (*Clark v. City of Pasadena* (1951), 102 Cal. App. 2d 198, 205, 227 P. 22d 306). Proof of what is "convenient" is no more difficult than what is "reasonable" and falls within the category of "problems which in their nature are not subject to precise definition, but which tribunals exercising judicial functions must determine" (*Gin S. Chow v. City of Santa Barbara* (1933), 217 Cal. 673, 706). However, if litigation and the need for judicial construction is to be minimized, in all candor it must be stated that the certainty of this description leaves something to be desired.

The quantity of water as to which the prior right for use in the described areas is to be preserved is—

" \* \* \* all of the water reasonably required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein."

The words "the water" mean the water which originates, i.e., falls as precipitation in the particular watershed. This is borne out by reference to the original enactment from which Section 11460 is derived, which contains the more precise words, "said water" (Calif. Stats. 1933, Ch. 1042, Sec. 11, p. 2650). How much water is reasonably required to supply the beneficial needs of the watershed, the adjacent area and the inhabitants and property owners therein is a question of fact depending upon the circumstances in a particular case at any given time.

The scheme of things intended by Sections 11460-11463 seems clear:

(1) Section 11460 has the effect of reserving to the entire body of inhabitants and property owners in watersheds of origin, a priority as against the Water Project Authority, in establishing their own water rights in the usual manner as their needs increase from time to time, up to the maximum of either their ultimate needs, or the yield of the particular watershed.

(2) The establishment of this priority does not create or vest in any individual person a presently definable "water right" in the conventional sense of the term. This is the unmistakable meaning of the limitation in Section 11462.

"The provisions of this article shall not be so construed as to create any new property rights other than against the authority \* \* \*"

This means simply what it says: No inhabitant of a watershed of origin<sup>3</sup> becomes possessed of any presently vested title or right to any specific quantity of water as a result of this statute. As the need of such an inhabitant develops he must comply with the general water law of the State, both substantially and procedurally, to apply for and perfect a water right for water which he then needs and can then put to beneficial use (Sees. 1200-1800). However, when he makes such an application, as a member of the class of persons protected by the statute, his application is not to be gainsaid, denied or limited by reason of any activity on the part of the Water Project Authority. Specifically, this means that if, prior to the development of the applicant's increased needs, the authority had been exporting from the watershed in question water required to supply the applicant's increased needs, such use by the authority would not justify denial of the application. Assuming the application to be otherwise meritorious, the State Engineer would grant a permit in the usual form, and the authority would thereafter be compelled to honor the water right thus created and vested.

(3) The priority thus reserved to inhabitants of watersheds of origin by Section 11460 may not in any way be defeated by any action or proceeding by the authority. In interpreting Sections 11460-11463, it must be constantly borne in mind that the priority is a reservation granted to an entire class of citizens in the aggregate. The class is ascertainable at any given time with constitutional exactitude, but the individual inhabitants and property owners comprising it will change and vary over the years. No definable property right is created or presently vested in any particular

<sup>3</sup> For brevity, as used herein, the word "inhabitants" includes also the "property owners" specified in Section 11460. Similarly, the term "watershed of origin" is used to denote all of the preferred areas described in Section 11460.

individual. As to any particular individual the grant of the statute is wholly inchoate. Its potential maximum is the individual's ultimate need for water which can be beneficially used up to the capability of the watershed. It can only be defined momentarily, from time to time, as the needs of the individual develop and, by actually putting more water to beneficial use, he is able to establish a "water right" in himself in the usual form and manner. This is not to say that the grant of the statute is unconstitutional for vagueness, but it does mean that the reserved priority is not susceptible of being presently purchased, condemned or otherwise acquired by the authority.

Such being the case, the authority is precluded from any action which would have the effect of presently defeating or destroying the priority. Our view in this respect is predicated upon the following reasons:

(a) Section 11460 is contained in Article 4, under the heading "Limitation of Powers" of the authority. It expressly prohibits the authority from depriving the watershed of origin or its inhabitants "directly or indirectly of the *prior right*" to water needed in the future. The word "prior" as used in this section means paramount, preferred or superior. Section 11462 establishes beyond doubt that this priority in right exists *as against the authority*.

(b) The legislative background of the priority makes it difficult to conceive that the Legislature intended that the authority could destroy the priority by condemnation. Since the priority exists only as against the authority, such a construction would completely destroy the effect of Section 11460 and make its enactment an idle gesture. We must reject such an interpretation. Hence, we conclude that Section 11460 not only creates the priority in inhabitants of a watershed of origin but constitutes a limitation on the legal powers of the authority granted by other provisions of the Water Code.

It must be borne in mind that Section 11575 empowers the authority to acquire water rights and other property for the purpose of constructing, maintaining and operating the Central Valley Project "by gift, exchange, purchase or eminent domain proceedings." Section 11580 expressly confers upon the authority the power of condemnation when other means of acquisition fail.

Section 11461 provides in part that:

"In no other way than by purchase or otherwise as provided in this part shall water rights of a watershed, area, or the inhabitants be impaired or curtailed by the authority \* \* \*."

In the original statute from which these sections were derived, Section 11461 immediately follows the provisions of Section 11460 as the next sentence of the same paragraph (Calif. Stats. 1933, Ch. 1042, Sec. 11, p. 2650). Consequently, it must be taken in that context. We deem the intent and effect of Section 11461 to be as follows:

(a) It is a qualification on the scope of Section 11460, in that it authorizes the curtailment and impairment of the "*water rights* of a watershed, area or its inhabitants," if that be the result of acquisition of such water rights by the authority by purchase, gift, exchange or condemnation.

(b) It is a reaffirmation of the powers granted the authority under Section 11575 to acquire "water rights," and indicates a legislative intent that these powers as applied to a watershed of origin are not wholly nullified by Section 11460. We thus have a grant of the power of eminent domain by Section 11575, a limitation on the power in Section 11460, and a qualification of that limitation in Section 11461. What can this mean? Needless to say every effort must be made to save the statute from ambiguity and to give it effect. In our view, the sections taken together mean that

(1) The inchoate priority of inhabitants of a watershed of origin granted by Section 11460 may not presently be defeated or destroyed by acquisition or any other action on the part of the authority;

(2) When the priority is asserted by such an inhabitant and with its aid he acquires and becomes vested with a water right in accordance with Sections 1200-1800, such water right may be purchased or condemned by the authority if necessary for purposes of the project.

Any other interpretation would have either of the following results: On the one hand, if the priority be considered subject to immediate condemnation under Sections 11461 and 11575, the result is a complete frustration of Section 11460. On the other hand, if Section 11460 be deemed to create a permanent "water right" which, even after it has been perfected and vested, may not be acquired or condemned by the authority when essential for project purposes, then Section 11461 becomes meaningless and of no consequence. If either of these results was, in fact, within the legislative contemplation, then it must be concluded that the sections referred to are mutually inconsistent and conflicting.

The question may well be asked whether, under our interpretation, the priority is of little real consequence since, although the priority may not be presently condemned or otherwise defeated by the authority, any vested water right which may eventuate from it can be condemned. We do not believe this necessarily follows. On the contrary, we believe that the statute effectuates the legislative intent and confers extremely valuable rights upon watersheds of origin. Its very effectiveness depends upon the distinction made between (a) the power of the authority to condemn a "water right" after it has come into being in accordance with the provisions of the law of appropriative rights and become vested in a particular individual, and (b) the total lack of power on the part of the authority to in any way defeat the operation of the preference in its inchoate form and prior to its ripening into an individually owned "water right." It was by this means that the Legislature was able to create and preserve the intended preference for the watershed of origin as a whole, without having to presently define and resolve the present property rights of countless individuals. It was by this means that the Legislature was able to achieve its objective with a minimum of confusion and with no substantial departure from well-established water law, both procedural and substantive, concerning the assertion and protection of water rights as between individual citizens of the state. Finally, it preserves the effectiveness of the authority in carrying out its intended functions.

In resolving the questions presented, it is significant that Sections 11460-11463 are cast in terms of a legislative directive to an agency of the State concerning the manner in which it is to deal with the unappropriated waters of the State withdrawn from private appropriation as the result of State applications made under Section 10500. Our entire discussion here concerns the future right of inhabitants of a watershed of origin to satisfy their future needs. By definition, then, we are not concerned with water which was in private ownership prior to state filings under 10500. Water which has been put to use since the state applications were filed and which is covered by such applications is subject to the priority thereof; and water not yet presently in use but which will be needed at a later date has not yet been applied for; and it is with these two cases, i.e., unappropriated waters covered by the state's filings under Section 10500—that we are concerned.

Section 11462 is important in two respects. It provides that:

"The provisions of this article (Secs. 11460-11465) shall not be so construed as to create any new property rights other than against the authority as provided in this part \* \* \*"

It is this provision which effectively prevents any attempt to construe the priority granted in Sections 11460 and 11463 as a "water right" in the conventional sense of the term which, if it existed, would be susceptible of individual ownership as against any and all persons and entities. Section 11462 further provides that the provisions of Sections 11460-11465 shall not be construed:

"\* \* \* to require the authority to furnish to any person without adequate compensation therefor any water made available by the construction of any works by the authority."

This provision has important financial results. It is obvious that certain of the project works are so situated in a watershed of origin that their storage and stream regulation capabilities augment the natural flow of the stream within the watershed of origin. It is most probable, and each case would present a question of fact for determination, that there are instances where the ultimate needs of the inhabitants of the watershed of origin can only be fully met by some degree of augmentation and regulation of the natural flow of the stream. Section 11460 assures such inhabitants of the prior right to water sufficient for their ultimate needs. However, this does not mean that they are entitled to water "made available by the construction of any works by the authority" without paying adequate compensation for the benefits actually received from the existence and operation of the project works. Having to pay for benefits received does not detract anything from the benefit or effect of the priority granted. It is simple equity to the taxpayers of the State as a whole. It is the purpose and effect of this provision of Section 11462 to make it crystal clear that no person entitled to the priority reserved by Section 11460 is thereby entitled to receive free of charge water which is made available by the construction of any project works by the authority. Charges appropriate to such cases may be fixed and established by the authority pursuant to Section 11455.

There remains for consideration the effect of Section 11463. Like Section 11460, this section applies in the construction and operation by the authority of any project under the provisions of Part 3 of Division 6. It is a limitation on the power of the Water Project Authority to supply the needs of a watershed of origin



from which water is being exported by means of the importation of water from another watershed. No such exchange may be made by the authority:

"\* \* \* unless the water requirements of the watershed or area in which the exchange is made are first and at all times met and satisfied to the extent that the requirements would have been met were the exchange not made, and no right to the use of water shall be gained or lost by reason of any such exchange."

In practical operation, this provision has the effect of making the priority granted to watersheds of origin by Section 10460 effective as against both agreements and operational practices of the authority which result in the exchange of water between watersheds, as well as the outright exportation of water from the watershed of origin.

Section 11463 does not create any new or additional priority or preference. However, it prohibits the exportation of water under an exchange arrangement which would impair the fulfillment of the water requirements of the watershed from which such exportation is being made "to the extent that the requirements would have been met were the exchange not made." This qualification makes this section consistent with Section 11460 since the preference granted by the latter section is limited to the amount of water which originates in the watershed in question. In the event that a particular watershed cannot fulfill the needs of its inhabitants, the proviso in Section 11463 quoted above would become effective to prevent any part of the requirements of such watershed from being filled by water being imported into that watershed under the exchange arrangement to replace water being exported. That such is the intent of the proviso is made doubly clear by the clause which immediately follows: "\* \* \* and no right to the use of water shall be gained or lost by reason of any such exchange."

Subject to the foregoing, the "requirements" of the watershed protected by Section 11463 are those which it may have at any time in the future. This is the meaning of the condition that "unless the water requirements of the watershed \* \* \* are first and at all times met" no exchange may be made by the authority. In this connection, it will be noted that the prohibition is not merely against the execution of an exchange contract or any other form of specific agreement. Instead the prohibition is against a particular type of operating practice, i.e., the exchange of water from one watershed for that of another, regardless of whether the basis of such practice is a contract, agreement, or unilateral policy or practice.

The uncertainties which would otherwise arise by reason of this section are mitigated, from a practical viewpoint, by the over-all power of the authority to purchase or condemn any and all "water rights" needed for operation of the project when and as such "water rights" come fully into being and are vested in a particular individual under the applicable general law.

#### V. *Constitutionality of Sections 10505, 11460-11463*

As interpreted and construed herein, Sections 10505 and 11460-11463 are in our opinion constitutional.

The Legislature has ample authority to control the disposition of unappropriated water in the State. "These excess waters constitute the public waters of the State to be used, regulated, and controlled by the State or under its direction." (*Meridian, Ltd. v. San Francisco* (1939), 13 Cal. 2d 424, 445, 90 P. 2d 537, 547.)

The specific question has been asked whether, in reserving water for future use in areas of origin as provided in Sections 10505, 11460, and 11463, the Legislature has exercised this authority in violation of Article XIV, Section 3 of the California Constitution which provides:

"It is hereby declared that because of the conditions prevailing in this State the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare. The right to water or to the use or flow of water in or from any natural stream or water course in this State is and shall be limited to such water as shall be reasonably required for the beneficial use to be served, and such right does not and shall not extend to the waste or unreasonable use or unreasonable method of diversion of water. Riparian rights in a stream or water course attach to, but to no more than so much of the flow thereof as may be required or used consistently with this section, for the purposes for which such lands are, or may be made adaptable, in view of such reasonable and beneficial uses; *provided, however*, that nothing herein contained shall be construed as depriving any riparian owner of the reasonable use of water of the stream to which his land is riparian under



reasonable methods of diversion and use, or of depriving any appropriator of water to which he is lawfully entitled. This section shall be self-executing, and the Legislature may also enact laws in the furtherance of the policy in this section contained."

The immediate occasion for the passage of this amendment in 1928 was the widespread dissatisfaction with the judicial rule upholding the right of a riparian landowner to enjoin any use by appropriators of water from the stream to which his land is riparian which would reduce the natural flow of the stream past his land, even if enforcement of this right might result in a waste of water. (*Herminghaus v. Southern California Edison Co.* (1926), 200 Cal. 81, 252 Pac. 607; *Luz v. Haggin* (1886), 69 Cal. 255, 390, 10 Pac. 674, 753.) The effect of the amendment is to deny a riparian landowner the remedy of injunction to prevent the use by others of water which he himself cannot use reasonably and beneficially. (*Peabody v. City of Vallejo* (1935), 2 Cal. 2d 351, 368, 40 P. 2d 486, 492.)

The amendment does not forbid the maintenance of preferences for prospective uses, so long as the water is made available for interim use by others who have a present need for it. Thus, the preservation of a preferential right to the use in the future of water not presently needed, despite the present need and use of such water by others, was expressly held constitutional under Article XIV, Section 3, both in the case of riparian rights (*Tulare Irr. Dist. v. Lindsay-Strathmore Irr. Dist.* (1935), 3 Cal. 2d 489, 525, 45 P. 2d 972, 986, 1014); and in the case of pueblo rights (*City of Los Angeles v. City of Glendale* (1943), 23 Cal. 2d 68, 75, 142 P. 2d 289, 293).

There are other examples of paramount or preferential rights which may be exercised in the future so as to supersede rights already being exercised. The California Supreme Court has approved a condition, in a permit to appropriate water for power generating purposes, making the right subordinate to future domestic use of the water (*East Bay M. U. Dist. v. Department of Public Works* (1934), 1 Cal. 2d 476, 35 P. 2d 1027). This condition was inserted for the purpose of carrying out the legislative policy expressed in Section 106. Sections 106.5, 1203, and 1460 to 1464, which grant a preference to applications for future municipal use, and Section 10500, which gives a preference to the applications filed by the Department of Finance, are as yet untested in the courts.

Neither Section 10505 nor Sections 1460 and 1463 prohibit interim use by others of water which may be reserved in the manner provided and as interpreted herein. To be constitutional, the section must be construed to permit such interim use, and that is how we construe them.

## VI. Reversion of Water to Areas of Preference When Needed

From what has already been said, it follows that the interim use of water reserved for counties of origin under Section 10505, or for watersheds of origin under Sections 1460 and 1463 is subject to termination whenever such water become necessary for development of such areas of preference and proper applications to appropriate the water for use therein are filed and granted. In such case there would be no right of reimbursement for the project works which had been used for the interim use of the water exported.

Until recently, however, this consideration has been academic in view of the fact that the Central Valley Project to date has been of such scope that all of the legislation considered herein is predicated upon a project conception and engineering data indicating that a surplus or excess of water exists over and above the ultimate needs of the counties and other areas of origin for which the reserved priorities have been granted (*supra*, II).

Today we have under consideration the addition of large units to the existing Central Valley Project. More important, perhaps, is the proposed expansion of the areas of deficiency to be served with project water to include territory lying south of the Tehachapis. The Division of Water Resources is engaged in an up-to-date survey of the needs of the areas of origin, and upon its findings much will depend.

As the next phase of the State's coordinated plan for water development evolves, it may be that the effect of the reserved priorities now granted will impair the financial feasibility of certain project works required to transport present surpluses the great distance to Southern California. Future sound water development may therefore make it desirable that the Legislature provide a definite, quantitative ceiling on the preferential rights of areas of origin to the future use of water. One basis of limitation might be the ultimate needs of a given watershed but not to exceed the flow of the stream in its natural state. The logic underlying this suggestion is that any increase over the natural flow of the stream is directly attributable to the storage and stream regulation resulting from project works financed by the people of the entire State and that inhabitants of the watershed of origin would in all fairness be entitled only to their pro rata share of any such augmentation of the natural flow.

# VII. Application of Sections 11460 and 11463 to the United States in the Construction and Operation of the Central Valley Project

The prohibitions contained in Sections 11460-11463 are limited by their terms to the Water Project Authority. Therefore, these sections standing alone would not apply to the United States.

Purely of its own force, state law could not control the United States in its construction and operation of the Central Valley Project. The project was authorized by the Act of Congress of August 26, 1937 (50 U.S. Stat. 850) and is, therefore, free from state regulation except to the extent that Congress may have affirmatively elected to comply with state law (*United States v. Gerlach Live Stock Co.* (1950), 339 U.S. 725, 739; *Mayo v. United States* (1943), 319 U.S. 441, 445, 448; *Kauffman v. Kauffman* (1949), 93 Cal. App. 2d 808, 811, 210 P. 2d 29, 32. The law thus firmly established is not altered by the adoption of the amendment to Article XIV, Section 4, of the California Constitution at the 1954 general election.

However, an affirmative election by Congress to comply with certain aspects of state law is contained in Section 8 of the Federal Reclamation Act of 1902 which provides that:

"\* \* \* Nothing in this act shall be construed as affecting nor intended to affect or is in any way to interfere with the laws of any state or territory relating to the control, appropriation, use or distribution or water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with such laws \* \* \*" (32 U.S. Stat. 390, 43 U.S.C. Sec. 383).

This provision was made applicable to the Central Valley Project by the federal statute which "reauthorized" the project (Sec. 2, Act of August 26, 1937, 50 U.S. Stat. 850). In our opinion, Sections 11460 and 11463 are so inseparably concerned with irrigation in their application to the Central Valley Project as to fall within the purview of Section 8 of the Federal Reclamation Act, *supra*. The significant thing is that Sections 11460 and 11463 state the law of California concerning the use and distribution of water involved in the construction and operation of the Central Valley Project. It is true that these sections are specifically addressed to the Water Project Authority and are stated in terms of limitations on its powers. However, this fact is predicated upon the further fact that, so far as state law is concerned, the Water Project Authority is the one and only agency of the State authorized to construct, maintain and operate the project. Consequently, from the viewpoint of the Secretary of the Interior, seeking to ascertain the law of California concerning the distribution and use of Central Valley Project water in order that he may obey the mandate of Section 8 of the Reclamation Act that he "shall proceed in conformity with such laws," the law of California is to be found in Sections 11460 and 11463. And, insofar as the United States appropriates water for the purposes of the project and seeks to avail itself of the priorities established by the state applications filed under Section 10500, it is bound to comply with the county of origin preferences established as a condition of any assignment of such applications by virtue of Section 10505.

It must be recognized, however, that the general election to conform to state law contained in Section 8 of the Federal Reclamation Act is not controlling upon the United States to the extent that state law may be inconsistent with other and more specific provisions of federal law. That is, a specific federal provision, if it existed, would govern the general. However, no federal statute of which we are aware prohibits or prevents federal compliance with the declaration of state law contained in Sections 11460 and 11463.

This conclusion is apparently shared by the United States Department of the Interior. Over a period of years, federal officials have consistently taken the position that the United States is bound to observe the provisions of Sections 11460 and 11463 in its operation of the project. A number of their official utterances are collected in a letter to Congressman Clair Engle from the Regional Director, United States Bureau of Reclamation, dated November 15, 1948 (printed in Cong. Rec. Feb. 21, 1949, Eighty-first Cong., vol. 95, p. A-961). Likewise, the "Comprehensive Departmental Report on the Development of the Water and Related Resources of the Central Valley Basin," submitted to Congress by the Department of the Interior (Aug. 1949, Senate Doc. 113, Eighty-first Cong., 1st Sess., pp. 39, 64-65, 104, 121-122, 125), makes numerous references to protection of counties and watersheds of origin. Conformity with state law in this regard was further assured in an official statement of federal policy set forth in the report to the Legislature by the Joint Committee on Rivers and Flood Control, entitled "proposed Klamath and Trinity River Diversions and Other Projects of the Central Valley" (May, 1945, pp. 49-51; printed in Senate Journal June 4, 1945, p. 3393).

In 1951 the Legislature added Section 11128 to the Water Code, providing that:

"The limitations prescribed in Section 11460 and 11463 shall also apply to any agency of the State or Federal Government which shall undertake

the construction or operation of the project, or any unit thereof, including, besides those specifically described, additional units which are consistent with and which may be constructed, maintained, and operated as a part of the project and in furtherance of the single object contemplated by this part." (Calif. Stats. 1951, Ch. 1325, p. 3216).

It seems obvious that the intent of this section was to make it clear that the interpretation of federal officials was consistent with the purpose of the Legislature in 1933 in enacting Sections 11460 and 11463. It removes any doubt but that, so far as state law is concerned, these sections do declare the law of the State for purposes of federal compliance therewith pursuant to Section 8 of the Reclamation Act.

In concluding on this subject, it should be pointed out that nothing contained in state law restricts the power of the United States to acquire by exercise of its power of eminent domain either water rights already vested in individual ownership or the unappropriated waters of the State. The reason is that the same federal statute which reauthorized the Central Valley Project and made Section 8 of the Federal Reclamation Act applicable thereto also expressly empowered the Secretary of the Interior to acquire all property, including water rights, necessary for the authorized purposes of the project by proceedings in eminent domain or otherwise (50 U. S. Stat. 850).

VIII. *Power of State Engineer to Impose in Appropriation Permits Conditions to effectuate the Protection Contemplated by Sections 10505, 11460 and 11463*  
Section 1253 provides:

"The department [acting through the State Engineer, Sec. 10505] shall allow the appropriation for beneficial purposes of unappropriated water under such terms and conditions as in its judgment will best develop, conserve, and utilize in the public interest the water sought to be appropriated."

We have been asked whether, in the proper exercise of his power under this section, the State Engineer may effectuate the protection of areas of origin provided for in Sections 10505, 11460 and 11463.

Section 1253 is a codification of part of Section 15 of the Water Commission Act (Calif. Stats. 1913, Ch. 586, p. 1021) as amended in 1921 (Calif. Stats. 1921, Ch. 329, p. 443). Sections 1254 and 1255 are codifications of the remainder of Section 15 of the act. They provide as follows:

1254. "In acting upon applications to appropriate water the department shall be guided by the policy that domestic use is the highest use and irrigation is the next highest use of water."

1255. "The department shall reject an application when in its judgment the proposed appropriation would not best conserve the public interest."

The exercise of the authority to grant permits under Section 15 of the Water Commission Act has been held to be an administrative, not a judicial, function. (*East Bay M. U. Dist. v. Department of Public Works* (1934), 1 Cal. 2d 476, 35 P. 2d 1027; *Tulare Water Co. v. State Water Commission*, supra; *Mojave River Irr. Dist. v. Superior Court* (1927), 202 Cal. 717, 721-722, 262 Pac. 724, 725). The delegation of discretion by the Legislature to administrative agencies and officers is permissible and is not an unconstitutional delegation of legislative power, if the delegating statute establishes "an ascertainable standard to guide the administrative body." (*State Board v. Thrift-D-Lux Cleaners*, (1953) 40 Cal. 2d 436, 448, 254 P. 2d 29, 36).

Section 1253 is a statute generally applicable to the granting of water appropriations. In conjunction with Section 1255 it contemplates that the State Engineer act on permit applications in the light of what is, in his judgment, the public interest. In the delegation of legislative authority, the standard prescribed for the guidance of the agency or official in whom discretionary power is vested is inseparable from the particular agency or official in whom such trust is reposed. Conversely, where separate trusts are reposed in two agencies or officials, one may not presume to exercise the discretion vested in the other.

Section 10505 has a specific, as compared to a general, applicability to the appropriation of water. Strictly speaking, it is not concerned with the granting of permits to appropriate water at all. It deals solely with the terms and conditions upon which applications already filed by the Department of Finance on behalf of the State itself shall be assigned or the priority thereof released to others. The determination of these terms and conditions the Legislature has specifically entrusted to the Department of Finance. The question is whether "in the judgment of the Department of Finance" the requested release or assignment will deprive the county of origin of water needed for its development. Only the Department of Finance can exercise such judgment.



In a letter dated September 21, 1939, to the Director of Finance, the Attorney General ruled that in view of Section 10505 the Department of Finance must either (a) make a bona fide finding of fact that the assignment in question will not deprive the county of origin of water for future development or (b) include a reservation for adequate supplies of water for the future development of the county. In either case, the granting of an assignment by the Department of Finance is, in effect, a certification by the responsible head of that department that the purpose underlying Section 10505 has been served and that the full measure of protection has been granted to the county of origin. When the assignee seeks to process the assigned application to permit before the State Engineer, the question of the need for and the extent of protection to the county of origin has already been determined by the one agency expressly authorized and directed by the Legislature to make this determination. Nothing in Section 1253, or any other provision of applicable law, authorizes or even permits the State Engineer to re-evaluate and redetermine the issue already resolved by the Department of Finance. Needless to say, the State Engineer may, and probably should, incorporate into any permit issued such provisions and reservations as may have been stipulated by the Department of Finance as a condition of assigning the application underlying the permit. However, this is quite a different thing from the exercise by the State Engineer of his own judgment concerning the need for protecting the county of origin; for the latter there is no warrant.

A different situation exists with respect to Sections 11460 and 11463. These sections, unlike 10505, do not require the exercise of discretion by an administrative official in order to make them operative. Instead, they express a limitation on the power of the public agencies, state and federal, to which they are directed. The law of the State so established is a matter of which the State Engineer is bound to take cognizance in passing on applications for water permits.

Such action by the State Engineer may involve the issuing of permits to (1) an inhabitant of a watershed of origin, seeking to obtain additional water to meet his increased needs, or (2) an assignee of an application filed by the State under Section 10500.

As to the first category, in passing upon the application of a person qualifying for the priority granted by Section 11460, the State Engineer is to be guided by the provisions of Sections 11460-11463 in addition to the other standards provided by law for his guidance in issuing water permits (Sections 1200-1800). That is to say that an application, otherwise meritorious, made by a person who qualifies for the preference granted by these sections, is not to be denied or modified or conditioned as the result of any agreement, policy or practice on the part of the public agency constructing or operating the Central Valley Project which would deprive the applicant of any water from the watershed in question to which he would otherwise be lawfully entitled. In these circumstances the action of the State Engineer would be limited to the granting of the permit in proper form, but such action on his part would be a necessary prerequisite to the judicial enforcement of the mandates of Sections 11460-11463.

As to any assignee under Section 10504 of an application filed by the State, reference has already been made to the exclusive functions of the Department of Finance with respect thereto pursuant to Section 10505. As noted, the State Engineer may incorporate into his permit all pertinent terms and reservations which were made a condition of the assignment by the Department of Finance.

If the assignee is an agency of the State engaged in the construction or operation of the Central Valley Project it is firmly bound, as a matter of law, by the provisions of Sections 11460-11463 taken in conjunction with Section 11128. And if the assignee is an agency of the Federal Government similarly engaged, it also is bound to comply with Sections 11460 and 11463, not by operation of California law alone, however, but as a result of the operation of Section 8 of the Federal Reclamation Act considered in conjunction with the law of California (see discussion, *supra*, VII). Therefore, as to either state or federal agencies engaged in construction and operation of the Central Valley Project, the State Engineer may incorporate into his permit as conditions thereof the limitations on the powers of such assignees established by Sections 11460 and 11463. However, it should be noted that the statute imposes the limitations in any event, regardless of their inclusion or omission from the permit.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 127:** By Senators Breed, Richards, Thompson, and Murdy—An act to add Article 9 to Chapter 2, Part 1, Division 1 of the Health and Safety Code, relating to air sanitation.

Referred to Committee on Public Health and Safety.



**Senate Bill No. 128:** By Senator Gibson—An act to amend Section 69891 of the Government Code, relating to compensation of court stenographers or secretaries.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 129:** By Senator Gibson—An act to amend Section 69688 of the Government Code, relating to compensation of judges of the Superior Court of Solano County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 130:** By Senator Teale—An act to amend Section 28154 of the Government Code, relating to compensation for public service in counties of the fifty-fourth class.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 131:** By Senator Teale—An act to amend Section 28150 of the Government Code, relating to compensation for public service in counties of the fiftieth class.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 132:** By Senator Teale—An act to amend Section 28146 of the Government Code, relating to compensation for public services in counties of the forty-sixth class.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 133:** By Senator Teale—An act to amend Sections 10112 and 10200 of the Health and Safety Code, relating to vital statistics and birth certificates.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 134:** By Senator Busch—An act to amend Section 487 of the Penal Code, relating to grand theft.

Referred to Committee on Judiciary.

**Senate Bill No. 135:** By Senator Collier—An act to add Chapter 5.5, comprising Sections 218.01 to 218.22, inclusive, to Division 3 of the Vehicle Code, relating to interstate highway user fee apportionment.

Referred to Committee on Transportation.

**Senate Bill No. 136:** By Senator Collier—An act to amend Sections 422 and 423 of the Probate Code, relating to administration of estates.

Referred to Committee on Judiciary.

**Senate Bill No. 137:** By Senator Collier—An act to amend Section 69687 of the Government Code, relating to the Superior Court of the County of Siskiyou.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 138:** By Senator Collier—An act to amend Section 69648 of the Government Code, relating to the Superior Court of the County of Del Norte.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 139:** By Senator Way—An act to add Section 1233 to the Fish and Game Code, relating to bears.

Referred to Committee on Fish and Game.

**Senate Bill No. 140:** By Senator Sutton—An act to amend Section 25632 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 141:** By Senator Sutton—An act to repeal Sections 23038 and 23039 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 142:** By Senator Dorsey—An act to add Section 70045.6 to the Government Code, relating to court reporters.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 143:** By Senators Dorsey, Thompson, Way, Teale, and Sutton—An act to amend Section 592 of the Vehicle Code, relating to parked vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 144:** By Senator Brown—An act to repeal Sections 215, 216, and 217 of, amend Sections 210 and 214, and to add Division 2B and Sections 62.2, 215, and 217 to, the Vehicle Code, relating to reciprocity, and declaring the urgency hereof.

Referred to Committee on Transportation.

**Senate Bill No. 145:** By Senator Coombs—An act to amend Section 433 of the Education Code, relating to the compensation of public officers.

Referred to Committee on Local Government.

**Senate Bill No. 146:** By Senator Coombs—An act to amend Section 430 of the Education Code, relating to the compensation of public officers.

Referred to Committee on Local Government.

**Senate Bill No. 147:** By Senator John F. McCarthy—An act to amend Sections 73771, 73772, and 73773 of the Government Code, relating to the municipal court established in a district designated as the Central Judicial District of Marin County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 148:** By Senator John F. McCarthy—An act to amend Section 28122 of the Government Code, relating to compensation for public service in counties of the twenty-second class.

Referred to Committee on Local Government.

**Senate Bill No. 149:** By Senator Brown—An act to amend Sections 69642, 69654, and 69666 of the Government Code, relating to compensation of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 150:** By Senator John F. McCarthy—An act to amend Section 422 of the Education Code, relating to county superintendents of schools of counties of the twenty-second class.

Referred to Committee on Education.

**Senate Bill No. 151:** By Senator John F. McCarthy—An act to amend Section 69661 of the Government Code, relating to the Superior Court of the County of Marin.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 152:** By Senator Dilworth—An act to amend Section 828.83 of the Agricultural Code, relating to citrus fruit, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

**Senate Bill No. 153:** By Senator Dilworth—An act to amend Sections 796.6 and 796.8 of the Agricultural Code, relating to citrus fruit.

Referred to Committee on Agriculture.

**Senate Bill No. 154:** By Senator Dilworth—An act to amend Sections 796.1, 796.2, and 796.9 of the Agricultural Code, relating to citrus fruit.

Referred to Committee on Agriculture.

**Senate Bill No. 155:** By Senator Dilworth—An act to amend Section 23010 of the Government Code, relating to loans by counties.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 156:** By Senator Dilworth—An act to add Section 203 to the Streets and Highways Code, relating to streets and roads required in connection with state aided school construction.

Referred to Committee on Transportation.

**Senate Bill No. 157:** By Senator Harold T. Johnson—An act to amend Section 431 of the Education Code, relating to the county superintendent of schools in a county of the thirty-first class.

Referred to Committee on Education.

**Senate Bill No. 158:** By Senator Harold T. Johnson—An act to amend Section 28156 of the Government Code, relating to compensation for public service in counties of the fifty-sixth class.

Referred to Committee on Local Government.

**Senate Bill No. 159:** By Senator Harold T. Johnson—An act to amend Section 28139 of the Government Code, relating to compensation for public service in counties of the thirty-ninth class.

Referred to Committee on Local Government.

**Senate Bill No. 160:** By Senator Harold T. Johnson—An act to amend Section 28131 of the Government Code, relating to compensation for public service in counties of the thirty-first class.

Referred to Committee on Local Government.

**Senate Bill No. 161:** By Senator Harold T. Johnson—An act to amend Section 69686 of the Government Code, relating to the Superior Court of the County of Sierra.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 162:** By Senator Harold T. Johnson—An act to amend Section 69669 of the Government Code, relating to the Superior Court of the County of Nevada.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 163:** By Senator Harold T. Johnson—An act to amend Section 69671 of the Government Code, relating to the Superior Court of the County of Placer.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 164:** By Senator Harold T. Johnson—An act to amend Section 456 of the Education Code, relating to the county superintendent of schools of a county of the fifty-sixth class.

Referred to Committee on Education.

**Senate Bill No. 165:** By Senator Harold T. Johnson—An act to amend Section 439 of the Education Code, relating to the county superintendent of schools in a county of the thirty-ninth class.

Referred to Committee on Education.

**Senate Bill No. 166:** By Senator Gibson—An act to add Section 1017 to the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 167:** By Senators McBride, Gibson, Harold T. Johnson, Miller, Cunningham, Erhart, Collier, Burns, Parkman, and J. Howard Williams—An act to amend Sections 25, 26, 951, 953, 2792, 2799, 2807, 2842, 3946, and 10050 of the Elections Code, relating to elections.

Referred to Committee on Elections.

**Senate Bill No. 168:** By Senators McBride, Cunningham, and Teale—An act to amend Sections 7103.1 and 7103.2 of the Education Code, relating to the excess cost of educating severely mentally retarded minors.

Referred to Committee on Education.

**Senate Bill No. 169:** By Senators McBride, Cunningham, and Teale—An act to amend Section 7800 of the Education Code, relating to school district public works.

Referred to Committee on Education.

**Senate Bill No. 170:** By Senator McBride—An act to amend Section 330.24 of the Civil Code and Sections 2702 and 2705 of the Public Utilities Code, relating to mutual water companies.

Referred to Committee on Water Resources.



**Senate Bill No. 171:** By Senator Dorsey—An act to add Section 28007.6 to, and to amend Section 28015 of, the Health and Safety Code, relating to meat and by-products derived from carcasses of burros.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 172:** By Senators Dorsey, Brown, Kraft, Hulse, Dilworth, and Cunningham—An act to amend Section 1403 of the Fish and Game Code, relating to burros.

Referred to Committee on Fish and Game.

**Senate Bill No. 173:** By Senator Teale—An act to amend Section 69645 of the Government Code, relating to the Superior Court of the County of Calaveras.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 174:** By Senator Teale—An act to amend Section 69662 of the Government Code, relating to the Superior Court of the County of Mariposa.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 175:** By Senator Teale—An act to amend Section 69695 of the Government Code, relating to the Superior Court of the County of Tuolumne.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 176:** By Senator Teale—An act to amend Section 454 of the Education Code, relating to the superintendent of schools of a county of the fifty-fourth class.

Referred to Committee on Education.

**Senate Bill No. 177:** By Senator Teale—An act to amend Section 446 of the Education Code, relating to the school superintendent of a county of the forty-sixth class.

Referred to Committee on Education.

**Senate Bill No. 178:** By Senator Teale—An act to amend Section 450 of the Education Code, relating to the superintendent of schools of a county of the fiftieth class.

Referred to Committee on Education.

**Senate Bill No. 179:** By Senator Berry—An act to amend Section 28142 of the Government Code, relating to compensation for public service in counties of the forty-second class.

Referred to Committee on Local Government.

**Senate Constitutional Amendment No. 7:** By Senator Dilworth—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XVI thereof, relating to state indebtedness.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 13:** By Senator J. Howard Williams—Relative to the continuance of the Joint Committee on Water Problems.

Referred to Committee on Water Resources.

**Senate Concurrent Resolution No. 14:** By Senator J. Howard Williams—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 15:** By Senator Grunsky—Relative to revision of the Labor Code provisions relating to the employment of women.

Referred to Committee on Labor.

### RESOLUTIONS

The following resolutions were offered:

By Senators Robert I. McCarthy, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Weybret, Dale C. Williams, and J. Howard Williams:

#### Senate Resolution No. 23

Relative to the Honorable Gerald J. O'Gara

WHEREAS, The Honorable Gerald J. O'Gara, having served with distinction for eight consecutive years, from 1946 through 1954, as the representative of the people of the Fourteenth Senatorial District in the Senate of the State of California, chose not to seek re-election; and

WHEREAS, The exemplary record of faithful service compiled by Senator O'Gara during his term of office clearly shows that he did not fail the trust imposed in him by the people of San Francisco, and

WHEREAS, Senator O'Gara was noted for his forthright honesty, for his personal integrity, and for his wisdom and sagacity on legislative matters; and

WHEREAS, Constantly he strove to support, by his actions, the best interests of not only his own constituents but of all of the people of the State; and

WHEREAS, He has, by his able and devoted service to the people of the State, well earned the right to rest upon hard won laurels of success; now, therefore, be it

*Resolved by the Senate of the State of California,* That this body does hereby commend the Honorable Gerald J. O'Gara for his distinguished service as a Member of the Senate and does hereby extend to him best wishes for outstanding success in the practice of law; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to prepare and transmit a suitable copy of this resolution to the Honorable Gerald J. O'Gara.

Resolution read, and, on motion Senator Robert I. McCarthy, unanimously adopted.

By Senator Ward:

#### Senate Resolution No. 24

Relative to contests as to the qualifications, elections, and returns of Members of the Senate

*Resolved by the Senate of the State of California,* As follows:

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the

Senate is received by the Senate, the Committee on Rules may retain such statement, or return it to the Senate for reference to a standing or special committee of the Senate. If the committee before which the contest is pending determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigation of the facts as it deems necessary. In so doing, the committee shall be governed by the rules and shall be vested with and exercise the powers contained in this resolution.

2. Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Senate, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner.

5. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant.

7. In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material.

8. In addition to witnesses that are called or subpoenaed on behalf of the committee, the chairman shall issue subpoenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence so proposed to be obtained is relevant and necessary to determine the contest.

9. At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10. Each witness shall be examined in the following order:

- (a) By the party calling him.
- (b) By the opposite party on cross-examination.
- (c) By the party calling him on redirect examination.



(d) By the opposite party on recross-examination.

(e) By the chairman of the committee.

(f) By any member of the committee.

(g) By either party as directed by the chairman of the committee.

11. All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee.

12. Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees.

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so.

14. The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpoenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars (\$5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and Pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and Pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Senate. If the committee is not unanimous, a minority report may be submitted with the report of the majority.

18. Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Senate at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Senate entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

20. When the contest involves a recount, the contestant is, in the first instance, liable for the expense of the recount. He shall pay or advance each day to the committee, subcommittee, or commissioner conducting the recount such sums as the committee, subcommittee or commissioner finds necessary to pay all expenses as will have accrued by the end of the day. Such sums shall be part of the costs. From such sums the clerical assistants necessary for the recount shall be paid.



Otherwise, each party is primarily liable for the payment of costs created by himself to the witnesses or other persons entitled thereto.

21. The successful party to the contest shall be repaid from the Contingent Fund of the Senate any amount legally expended by him as the expenses of such contest, including his costs, and the committee shall file such claims as may be necessary to secure the payment of such expenses.

Resolution read, and, upon request of Senator Ward ordered printed in the Journal.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Ward asked for, and was granted, unanimous consent to have the Opinion of the Legislative Counsel regarding the rules relative to election contests printed in the Journal.

#### OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, January 6, 1955

*Hon. Clarence C. Ward*  
*Senate Chamber*

#### *Rules Relative to Election Contests—No. 4464*

DEAR SENATOR WARD: We are enclosing the proposed rules for adoption by the Senate to govern the proceedings in election contests. We believe there are two points which should be called to your attention in connection with these.

First, the rules as drafted provide for the recovery of expenses by the successful contestant. No provision is made for the payment of the expenses of the member whose seat is contested.

Second, there may be some doubt as to the validity of a provision for payment of expenses of the contestant. In the case of *Wessling v. Nye* (1909), 156 Cal. 472, the plaintiff was a duly elected Member of the Assembly whose seat had been contested. He filed a claim with the Controller for the payment of his expenses from the Contingent Fund of the Assembly. The court held that in the absence of a statute or other provision of law authorizing the payment of such expenses the payment thereof would constitute a gift of public moneys and was prohibited by Section 31 of Article IV of the Constitution.

The case may not be controlling in the present instance as there was, in fact, no proceeding before the Assembly on the contest. The expenses were those preliminary to a contest. In the present instance the proposed rule deals with a situation in which the proceedings have been determined by the Senate in favor of the contest and in which there was a resolution authorizing such payment before the proceedings were had.

There is another method by which reimbursement could be made for the expenses of the member. If the houses agreed upon it, the expenses could be reimbursed by an item in the General Claim Bill.

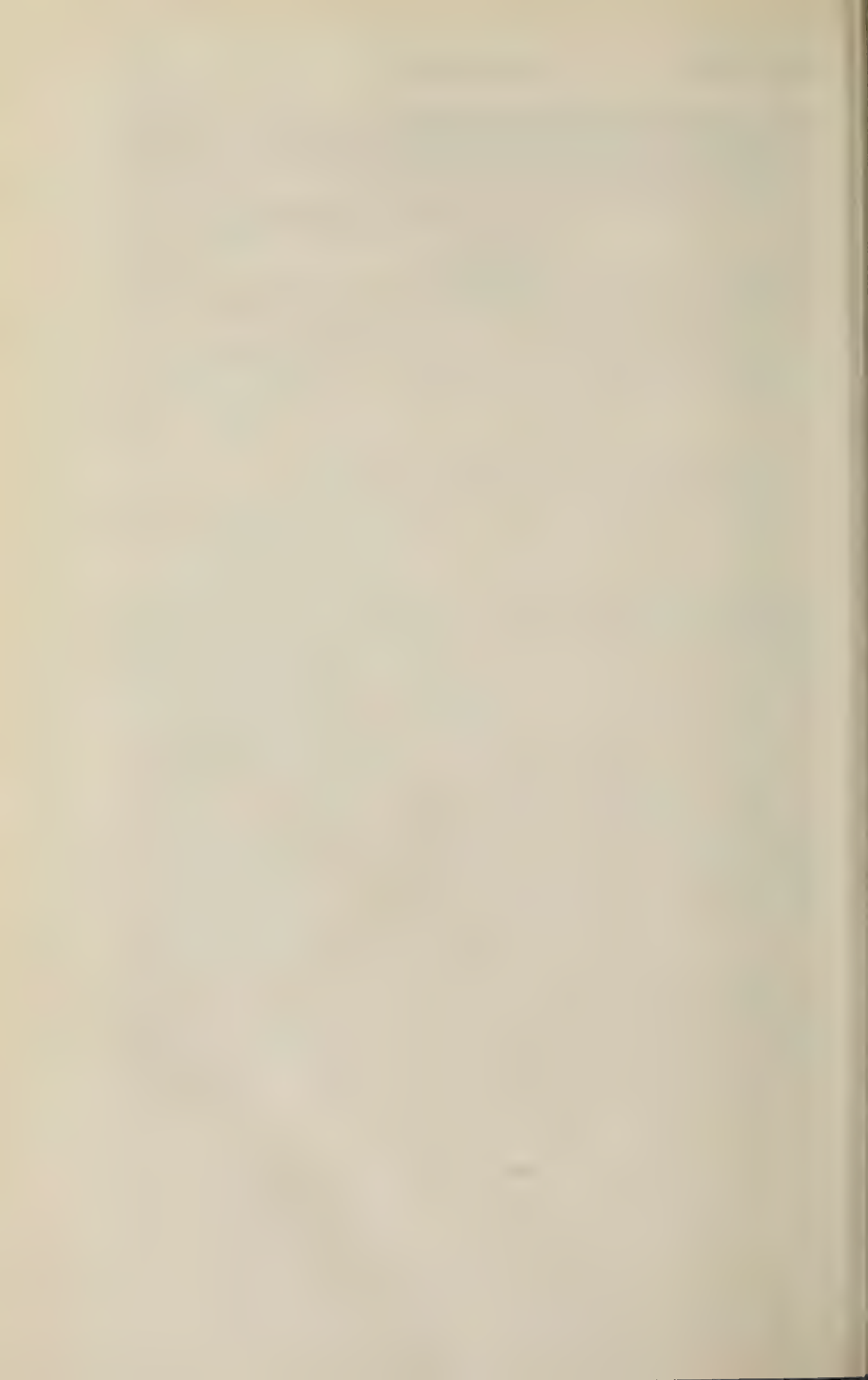
Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By CHAS. W. JOHNSON, Chief Deputy

#### ADJOURNMENT

At 11.59 a.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Monday, January 10, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

FIFTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, January 10, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—38.

Quorum present.

### PLEDGE OF ALLEGIANCE

Senator Collier led the Senate in pledging allegiance to the Flag.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Weybret, on motion of Senator Grunsky, due to illness.

Senator Miller, on motion of Senator Montgomery, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul Henry Goss from Chula Vista; Mrs. Hilding Goss, and Gerald and Lindalee Goss from Sacramento.



On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Lek Von Kaesborg from Redlands.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Hubbard of San Jose.

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Archie Stevenot of Sonora.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Norman E. Geib, president, and Mr. W. G. Colbern, secretary, Riverside City Chamber of Commerce.

On request of Senators Murdy and Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. L. K. Maddux and Miss Bonnie Maddux of Modesto.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Winona McGuire of Los Angeles.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 10, 1955

##### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

FRED R. DICKSON, a resident of Chino; has 35 years of experience in institutional management; eight years of which has been at the California Institution for Men; from 1944 to 1946 he was Associate Warden in charge of classification and treatment at the California State Prison, San Quentin; he is a member of the American Correctional Association and the National Conference of Juvenile Agencies;

Warden, California Institution for Men, vice Kenyon J. Scudder, retiring, for the term prescribed by law, ending at the pleasure of the Director of Corrections.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 10, 1955

##### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

ERNEST B. WEBB, a resident of Long Beach since 1923; between 1943 and 1945 he served as secretary-treasurer of the Long Beach Central Labor Council and for 26 years has been a member of the Painters' Local Union 256, A. F. L. in Long Beach; from 1940 to 1943 Mr. Webb handled labor relations between the Navy, labor unions and contractors during construction of Roosevelt Naval Base at Terminal Island, Port Hueneeme Advanced Naval Depot and Norco Hospital. He received an award for Civilian Meritorious Service from the Navy for his work in labor relations during World War II; a Member of the Industrial Accident Commission since September 24, 1945;

to Director of Industrial Relations, Department of Industrial Relations, vice Paul Scharrenberg, resigned, for the term prescribed by law, ending at the pleasure of the Governor.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

## CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA

President

EARL C. BEHRENS  
San Francisco Chronicle

Vice President

MORRIE LANDSBERG  
Secretary-Treasurer  
RICHARD RODDA

Standing Committee

MORRIE LANDSBERG  
JAMES ANDERSON  
FREDERIC RUPP

STATE CAPITOL, SACRAMENTO, January 7, 1955

*Hon. Clarence C. Ward**Chairman, Senate Rules Committee**Senate Chamber, State Capitol  
Sacramento, Calif.*

DEAR SIR: In compliance with the Rules of the Legislature, the standing committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

## Approved for Press Cards

*Associated Press*—Morrie Landsberg, Wayne Harbert, Joseph J. Lipper, Alan Cline, John H. Averill, Brian M. Duff, Roger Barr, Al Barton, Wilbur Jones.

*United Press Associations*—James C. Anderson, Walter L. Barkdull, Edwin S. Capps, Wayne Sargent, Jerry Reynolds, R. D. Wagner, Thomas D. Boyd, John McDonald.

*International News Service*—Frederic J. Rupp.

*Sacramento Bee*—Herbert L. Phillips, Richard Rodda, Alfred E. Lyons, Tom Arden, Robert J. Markson, Walter P. Jones, Myron V. Depew, George E. Helmer, Hamilton L. Hintz, Rudy Hickey, Robert Handsaker.

*Sacramento Union*—Tom Evans, J. L. Rosenberg, E. E. Nichols, Joe Benetti, Warren L. Reichert.

*San Francisco Chronicle*—Earl C. Behrens, Jackson Doyle.

*San Francisco Examiner*—Clint Mosher, Jack Welter.

*San Francisco Call-Bulletin*—C. Lyn Fox.

*San Francisco News*—Vernon L. O'Reilly.

*Oakland Tribune*—Don Thomas.

*Los Angeles Examiner*—Carl Greenberg.

*Los Angeles Times*—Chester G. Hanson.

*Los Angeles Mirror and Daily News*—Richard C. Bergholz.

*San Jose Mercury-News*—Harry Farrell.

*San Diego Union*—Jack Cooper.

*Capitol News Service*—Henry C. MacArthur, Raymond V. Toman, Dallas Calmes, Verne Cartwright.

*McClatchy Broadcasting Company*—Tony Koester, Victor Blanks.

*Radio Station KCRB*—E. C. Kelly, Howard J. Smiley, Robert E. Kelly, John R. Kuhlman.

*Radio KROY-CBS*—Henry (Hank) Thornley.

Sincerely,

EARL C. BEHRENS, President

## MOTION TO APPROVE JOURNALS

Senator Ward moved that the Journals for Tuesday, January 4, 1955; Wednesday, January 5, 1955; and Thursday, January 6, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

## MOTION TO PRINT STATEMENT OF SENATOR RICHARDS

Senator Richards moved that the following statement regarding the Opinion of the Attorney General on the scope and effect of Water Code sections, be printed in the Journal.

Motion carried.

**Statement by Senator Richards**

The Opinion of the Attorney General dated January 5, 1955, issued in response to the request of Senator Regan, interpreting certain Water Code sections and involving potentially a great portion of the entire water problem in California, is an opinion which cannot be lightly received. It points up the water crisis already facing large and important areas of our State—its effect portends future crises of even greater magnitude—with disastrous consequences particularly to Southern California, unless broad corrective actions be rapidly undertaken.

This opinion, the portent of which will not be tranquilly accepted by Los Angeles County, serves to emphasize the vividly apparent need for immediate and continuing high-level conferences looking to a composing of existing differences, in area interests and in legal theories—a broader understanding of the conflicting points of view firmly held by the residents and representatives of each of the many vitally concerned areas within our State—conferences which would recognize the undeniable rights and needs of the areas of water origin, and at the same time recognize the growing necessities of the areas of increased water requirement and use—conferences which would thus undertake to provide now, before it becomes too late, the equitable and realistic solutions which are required—achieved through laws which we must enact, and physical undertakings we must provide.

The needs of our centers of population must be heeded—and at the same time the rights of the areas involved must be preserved. That this is no easy assignment, is emphasized by the connotations of the Attorney General's Opinion. Unilateral legislation, unfair to any group involved, could, if attempted (or even if enacted) only lead to endless wrangles and result in hardship upon all of the people of this State.

Proper solutions should be sought by our working together—on the broad, to the exclusion of the narrow, aspects of this whole problem—silhouetted by the recent Attorney General's Opinion.

**RICHARD RICHARDS**

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 6	Assembly Concurrent Resolution No. 10
Assembly Concurrent Resolution No. 7	Assembly Concurrent Resolution No. 12
Assembly Concurrent Resolution No. 8	Assembly Concurrent Resolution No. 14
Assembly Concurrent Resolution No. 9	Assembly Concurrent Resolution No. 15

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 6**—Approving a certain amendment to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the fourth day of November, 1952.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6**

**Assembly Concurrent Resolution No. 6**—Approving a certain amendment to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 7**—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said city and county of San Francisco at a state general election and consolidated special municipal election held therein on the second day of November, 1954.

##### Request for Unanimous Consent

Senator Robert I. McCarthy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

**Assembly Concurrent Resolution No. 7**—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said city and county of San Francisco at a state general election and consolidated special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 8**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a direct primary election and consolidated special municipal election held therein on the eighth day of June, 1954.

##### Request for Unanimous Consent

Senator Robert I. McCarthy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, for consideration.



**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8**

**Assembly Concurrent Resolution No. 8**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a direct primary election and consolidated special municipal election held therein on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—36

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 9**—Approving a certain amendment to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9**

**Assembly Concurrent Resolution No. 9**—Approving a certain amendment to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 10**—Approving a certain amendment to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10**

**Assembly Concurrent Resolution No. 10**—Approving a certain amendment to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 12**—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at municipal elections held therein May 11th, June 1st, and November 2d, 1954.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12**

**Assembly Concurrent Resolution No. 12**—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at municipal elections held therein May 11th, June 1st, and November 2d, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### **FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 14**—Approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the second day of November, 1954.

##### **Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 14, at this time, for consideration.

#### **CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14**

**Assembly Concurrent Resolution No. 14**—Approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Sutton, Thompson, Way, Dale C. Williams, and J. Howard Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### **FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Assembly Concurrent Resolution No. 15**—Relative to the death of Captain Willis W. Bradley.

##### **Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 15, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 15**

**Assembly Concurrent Resolution No. 15**—Relative to the death of Captain Willis W. Bradley.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—38.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 10, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 1**—Relative to the passing of the Honorable Clyde A. Watson;

**Senate Concurrent Resolution No. 2**—Relative to approving an amendment to the charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the second day of November, 1954;

**Senate Concurrent Resolution No. 3**—Approving certain amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified voters of said City of Watsonville at a special election held therein on the twenty-second day of June, 1954;

**Senate Concurrent Resolution No. 4**—Approving an amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the second day of November, 1954;

**Senate Concurrent Resolution No. 5**—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the eighth day of June, 1954;

**Senate Concurrent Resolution No. 6**—Approving the charter of the City of Roseville, County of Placer, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the tenth day of January, 1955, at 11.30 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 1**—Relative to proposed restriction of civil aircraft flights in southeastern California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of January, 1955, at 11.30 a.m.

WARD, Chairman

**RESOLUTIONS**

The following resolutions were offered:

By Senator Weybret:

**Senate Resolution No. 25**

Relative to the continuance of the Senate Interim Committee on Social Welfare

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Social Welfare created by Senate Resolution No. 142, as amended, of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties



possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment. The committee shall file the final report of the studies made by it prior to the adoption of this resolution by the date specified for such final report in Senate Resolution No. 142, as amended, of the 1953 Session, but may file supplemental reports of studies made pursuant to this resolution at any time until the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members. Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution, together with the sum of ----- dollars (\$ -----) from the Contingent Fund of the Senate, is hereby made available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Abshire:

**Senate Resolution No. 26**

Relating to Reports of Standing Committees of the 1953 Session constituted as investigating committees under Senate Rule 12.1

*Resolved by the Senate of the State of California, As follows:*

1. All standing committees of the Senate of the 1953 Session, constituted as investigating committees by Senate Rule 12.1 and authorized to exercise the powers conferred by that rule in the manner provided therein, may file their final reports no later than March 15, 1955.

Resolution read, and referred to Committee on Rules.

By Senator Regan:

**Senate Resolution No. 27**

Relative to the continuance of the Senate Interim Committee on Public Lands

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Public Lands, created by Senate Resolution No. 166 of the 1953 session, is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 166, 1953 session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Gibson:

**Senate Resolution No. 28**

Relative to the illness of Senator Fred Weybret

WHEREAS, The Members of the Senate have learned with profound regret of the illness of a respected friend and devoted public servant, Senator Fred Weybret; and

WHEREAS, The Honorable Fred Weybret has ably represented the Twenty-fifth Senatorial District since 1944 and during that time has contributed much to the deliberations and work of this body; and

WHEREAS, During his 10 years in the Senate, the Honorable Fred Weybret has demonstrated a wise and statesmanlike understanding of all matters of legislation, and is respected by all for his ability, integrity, and record of public patriotic service; and

WHEREAS, The Honorable Fred Weybret now serves with distinction as the chairman of the Senate Committee on Agriculture and the Senate Interim Committee on Social Welfare, and as a member of many important Senate committees including the Senate Committee on Labor, the Senate Committee on Finance, and the Senate Committee on Legislative Representation; now, therefore, be it

*Resolved by the Senate of the State of California*, That the members of the Senate take this opportunity to extend their sympathies to Senator Weybret on his present illness and to express their desire for his speedy recovery and return to his duties; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to Senator Fred Weybret.

Resolution read, and referred to Committee on Rules.

By Senators Sutton, Erhart, and Teale:

#### Senate Resolution No. 29

Relating to the continuance of the Senate Interim Committee on a State-wide System of Beaches and Parks

*Resolved by the Senate of the State of California*, As follows:

1. The Senate Interim Committee on a State-wide System of Beaches and Parks, created by Senate Resolution No. 118 of the 1953 Session, is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 118, 1953 Session, and this resolution, and in addition to any money heretofore made available, the sum of five hundred dollars (\$500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for such expenses, charges, and claims, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Cunningham:

#### Senate Resolution No. 30

Relative to purchasing Attorney General's Opinions

*Resolved by the Senate of the State of California*, That the Secretary of the Senate be and he is hereby directed to purchase from the publisher thereof:

1. Sufficient subscriptions to the "Opinions of the Attorney General of California" to continue for 1955-56 the subscriptions of the Members of the Senate heretofore receiving said "Opinions."

2. Sufficient subscriptions to said "Opinions" to supply one such subscription to each newly elected Member of the Senate.

3. Sufficient sets of the back volumes of the "Opinions," each set comprising Volumes 1-24 and two Index volumes, to supply one set to each newly elected Member of the Senate.

Resolution read, and referred to Committee on Rules.

By Senator Burns:

**Senate Resolution No. 31**

Relating to an investigation and report relative to the continuance of the Senate Fact-finding Committee on Un-American Activities

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Fact-finding Committee on Un-American Activities, created by Senate Resolution No. 127 of the 1953 Session, is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses or claims it may incur under Senate Resolution No. 127, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 10, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 13

Senate Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Resolution No. 18, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 18**

**Senate Resolution No. 18**

Relative to the continuance of the Senate Interim Committee on Vehicles and Aircraft

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Vehicles and Aircraft, created by Senate Resolution No. 121 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.



4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 121, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

#### MOTION TO EXCUSE SENATORS DESMOND, McBRIDE, AND GRUNSKY

At 2.50 p.m., Senator Desmond moved that Senators Desmond, McBride, and Grunsky, members of a special committee, be excused at this time to attend a meeting in Room 4040.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 10, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

##### Request for Unanimous Consent

Senator Regan asked for, and was granted, unanimous consent to take up Senate Resolution No. 27, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 27

##### Senate Resolution No. 27

Relative to the continuance of the Senate Interim Committee on Public Lands

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Public Lands, created by Senate Resolution No. 166 of the 1953 Session, is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 166, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

#### **INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 16:** By Senator Dorsey—Relative to approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on the eighth day of June, 1954.

##### **Request for Unanimous Consent**

Senator Dorsey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 16, at this time, for consideration.

#### **CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 16**

**Senate Concurrent Resolution No. 16**—Relative to approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and Dale C. Williams—34.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### **INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 17:** By Senator Thompson—Approving amendment to the charter of the City of Sunnyvale, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special consolidated municipal election held therein on the second day of November, 1954.

##### **Request for Unanimous Consent**

Senator Thompson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 17, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 17**

**Senate Concurrent Resolution No. 17**—Approving amendment to the charter of the City of Sunnyvale, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special consolidated municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 21**: By Senator Ward—Relative to Joint Rules of the Senate and Assembly.

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 21, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 21**

**Senate Concurrent Resolution No. 21**—Relative to Joint Rules of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Senate Resolution No. 24, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 24**

**Senate Resolution No. 24**—Relative to contests as to the qualifications, elections, and returns of Members of the Senate.

**Motion to Amend**

Senator Ward moved the adoption of the following amendment to Senate Resolution No. 24:

**Amendment No. 1**

In the resolution as printed in the Senate Journal for January 6, 1955, pages 111 to 116, inclusive, strike out the last 3 lines of the paragraph numbered "21" on

page 114 and insert "the expenses of such contest, including his costs. The committee shall determine whether the amount claimed is reasonable, and shall file such claims as may be necessary to secure the payment of the amount so determined."

Amendment read, and adopted.

Senate Resolution No. 24 ordered amended.

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Senate Resolution No. 24, at this time, for consideration as amended.

**CONSIDERATION OF SENATE RESOLUTION NO. 24 (AS AMENDED)**

**Senate Resolution No. 24**

Relative to contests as to the qualifications, elections, and  
returns of Members of the Senate

*Resolved by the Senate of the State of California, As follows:*

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the Senate is received by the Senate, the Committee on Rules may retain such statement, or return it to the Senate for reference to a standing or special committee of the Senate. If the committee before which the contest is pending determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigation of the facts as it deems necessary. In so doing, the committee shall be governed by the rules and shall be vested with and exercise the powers contained in this resolution.

2. Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Senate, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner.

5. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of

civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant.

7. In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material.

8. In addition to witnesses that are called or subpoenaed on behalf of the committee, the chairman shall issue subpoenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence so proposed to be obtained is relevant and necessary to determine the contest.

9. At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10. Each witness shall be examined in the following order :

(a) By the party calling him.

(b) By the opposite party on cross-examination.

(c) By the party calling him on redirect examination.

(d) By the opposite party on recross-examination.

(e) By the chairman of the committee.

(f) By any member of the committee.

(g) By either party as directed by the chairman of the committee.

11. All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee.

12. Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees.

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so.

14. The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpoenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars (\$5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and Pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and Pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Senate. If the committee is not unanimous, a minority report may be submitted with the report of the majority.



18. Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Senate at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Senate entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

20. When the contest involves a recount, the contestant is, in the first instance, liable for the expense of the recount. He shall pay or advance each day to the committee, subcommittee, or commissioner conducting the recount such sums as the committee, subcommittee or commissioner finds necessary to pay all expenses as will have accrued by the end of the day. Such sums shall be part of the costs. From such sums the clerical assistants necessary for the recount shall be paid. Otherwise, each party is primarily liable for the payment of costs created by himself to the witnesses or other persons entitled thereto.

21. The successful party to the contest shall be repaid from the Contingent Fund of the Senate any amount legally expended by him as *the expenses of such contest, including his costs. The committee shall determine whether the amount claimed is reasonable, and shall file such claims as may be necessary to secure the payment of the amount so determined.*

**Resolution read, as amended.**

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

**NOES**—None.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1**

Senator Harold T. Johnson moved that Senate Bill No. 1 be withdrawn from Committee on Rules for purpose of amendment, and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1**—An act relating to the holding of winter Olympic games in California, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor.

Bill read second time.

#### **Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

#### **Amendment No. 1**

On page 2, line 9, of the printed bill, after "expend", insert "such money as it may receive and".

#### **Amendment No. 2**

On page 3, line 41, strike out "; provided, however, that if the"; and strike out all of lines 42 to 44, inclusive; in line 45, strike out "to said fund from the General Fund".

**Amendment No. 3**

On page 4, line 2, strike out "General Fund" and insert "State Park Fund".

**Amendment No. 4**

On page 4, line 8, strike out "county" and insert "place".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 180:** By Senators Ward and Burns—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 181:** By Senator Dale C. Williams—An act to amend Section 424 of the Fish and Game Code, relating to hunting licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 182:** By Senator Thompson—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil and water conservation, creating the Division of Soil Conservation in the Department of Natural Resources and prescribing its duties and functions prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, government, operations, finances, and functions of soil conservation districts and making an appropriation.

Referred to Committee on Natural Resources.

**Senate Bill No. 183:** By Senator Dorsey—An act to amend Section 597 of the Welfare and Institutions Code, relating to probation committees.

Referred to Committee on Social Welfare.

**Senate Bill No. 184:** By Senator Ed. C. Johnson—An act to amend Section 359.6, Article 13, of the Agricultural Code, relating to licensed slaughterers.

Referred to Committee on Agriculture.

**Senate Bill No. 185:** By Senators Collier, Cunningham, and Dale C. Williams—An act to add Section 1202.5 to the Public Utilities Code, relating to crossings and intersections of railroads and highways.

Referred to Committee on Transportation.

**Senate Bill No. 186:** By Senator Abshire—An act to add Article 29.5 to Chapter 10, Title 8 of the Government Code, relating to the municipal court established in Santa Rosa Judicial District.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 187:** By Senator Abshire—An act to add Section 1773 to the Welfare and Institutions Code, relating to contracts of the Director of the Youth Authority.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 188:** By Senator Abshire—An act to amend Section 420 of the Education Code, relating to public officers of a county of the twentieth class.

Referred to Committee on Education.

**Senate Bill No. 189:** By Senator Abshire—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 190:** By Senator Abshire—An act to amend Section 3046 of the Penal Code, relating to parole of prisoners.

Referred to Committee on Judiciary.

**Senate Bill No. 191:** By Senator Abshire—An act to amend Sections 7310, 7311, 7372, and 7394.1 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 192:** By Senator Abshire—An act to amend Section 7208 of, and to add Section 7211.9 to, the Business and Professions Code, relating to guide dogs for the blind.

Referred to Committee on Business and Professions.

**Senate Bill No. 193:** By Senator Abshire—An act to amend Section 160.5 of the Agricultural Code, relating to the adoption of regulations governing the conduct of the business of pest control.

Referred to Committee on Agriculture.

**Senate Bill No. 194:** By Senator Abshire—An act to amend Section 19151 of the Health and Safety Code, relating to building requirements.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 195:** By Senator Abshire—An act to amend Section 525 of the Vehicle Code, relating to driving upon divided highways.

Referred to Committee on Transportation.

**Senate Bill No. 196:** By Senator Abshire—An act to amend Sections 164 and 5106 of the Welfare and Institutions Code, relating to the Department of Mental Hygiene.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 197:** By Senator Abshire—An act to amend Section 7514 of, and to add Section 7521.5 to, the Business and Professions Code, relating to private investigators.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 198:** By Senators Abshire, J. Howard Williams, and Murdy—An act to amend Section 4453 and 4460 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 199:** By Senator Coombs—An act to amend Section 13 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to district taxes and assessments.

Referred to Committee on Local Government.

**Senate Bill No. 200:** By Senators Abshire, Byrne, Kraft, and J. Howard Williams—An act to amend Section 1142 of the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

**Senate Bill No. 201:** By Senator Coombs—An act making an appropriation to pay the claim of Oscar and Martin Anderson.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 202:** By Senator Weybret—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 203:** By Senator Sutton—An act to amend Section 610 of the Agricultural Code, relating to cheese.

Referred to Committee on Agriculture.

**Senate Bill No. 204:** By Senator Sutton—An act to repeal Section 612.5 of the Agricultural Code, relating to hoop cheese.

Referred to Committee on Agriculture.

**Senate Bill No. 205:** By Senator Sutton—An act to amend Section 613 of the Agricultural Code, relating to cheese.

Referred to Committee on Agriculture.

**Senate Bill No. 206:** By Senator Sutton—An act to amend Section 614 of the Agricultural Code, relating to cheese.

Referred to Committee on Agriculture.

**Senate Bill No. 207:** By Senator Sutton—An act to add Section 614.1 to the Agricultural Code, relating to cheese.

Referred to Committee on Agriculture.

**Senate Bill No. 208:** By Senator Grunsky—An act to amend Section 1691 of the Insurance Code, relating to limited travel insurance agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 209:** By Senator Grunsky—An act to amend Sections 1704, 1705.2, 1705.7 and 1708 of the Insurance Code, relating to insurance life agents.

Referred to Committee on Financial Institutions.



**Senate Bill No. 210:** By Senator Grunsky—An act to amend Section 5050 of, to add Sections 5050.1, 5062 and 5063 to, and to repeal Section 6046 of, the Insurance Code, relating to county mutual fire insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 211:** By Senator Grunsky—An act to add Sections 10301.4 and 10301.5 to the Education Code, relating to the financial support of elementary schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 212:** By Senator Brown—An act to amend Sections 35119, 35121 and 35122 of the Government Code, relating to cities.

Referred to Committee on Local Government.

**Senate Bill No. 213:** By Senator Brown—An act to repeal Section 35006 of the Government Code.

Referred to Committee on Local Government.

**Senate Bill No. 214:** By Senator Brown—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 215:** By Senator Brown—An act to amend Section 28147 of the Government Code, relating to compensation for public service in counties of the forty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 216:** By Senator Brown—An act to add Section 257.5 of the Probate Code, relating to succession from members of Indian tribes, bands, and groups.

Referred to Committee on Judiciary.

**Senate Bill No. 217:** By Senator Brown—An act to amend Section 28158 of the Government Code, relating to compensation for public service in counties of the fifty-eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 218:** By Senators Burns, Collier, Montgomery, Donnelly, Ed. C. Johnson, Short, Dorsey, Cobey, Coombs, and Desmond—An act to add Section 554 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 219:** By Senator Brown—An act to amend Section 458 of the Education Code, relating to compensation for public service in counties of the fifty-eighth class.

Referred to Committee on Education.

**Senate Bill No. 220:** By Senator Brown—An act to amend Sections 470, 471, and 472 of the Fish and Game Code, relating to the licensing of guides.

Referred to Committee on Fish and Game.

**Senate Bill No. 221:** By Senator Busch—An act to add Section 1110a of the Penal Code, relating to crimes involving stolen property.  
Referred to Committee on Judiciary.

**Senate Bill No. 222:** By Senator Harold T. Johnson—An act to amend Section 170 of the Vehicle Code, relating to special license plates.  
Referred to Committee on Transportation.

**Senate Bill No. 223:** By Senator Ed. C. Johnson—An act to repeal Section 1096 of the Fish and Game Code, relating to commercial fishing reports.  
Referred to Committee on Fish and Game.

**Senate Bill No. 224:** By Senator Cunningham—An act to amend Section 407 of the Education Code, relating to the salary of the superintendent of schools of a county of the seventh class.  
Referred to Committee on Education.

**Senate Bill No. 225:** By Senator Cunningham—An act to amend Section 28107 of the Government Code, relating to compensation for public services in counties of the seventh class.  
Referred to Committee on Local Government.

**Senate Bill No. 226:** By Senator Cunningham—An act to add Sections 128.2 and 254.8 to, and to amend Sections 254.5, 254.6, 370, and 381, of, the Vehicle Code, relating to the instruction and licensing of motor vehicle operators, fees in connection with such licensing and motor vehicle registration, making an appropriation, and prescribing the dates upon which certain provisions hereof take effect.  
Referred to Committee on Transportation.

**Senate Bill No. 227:** By Senator Erhart—An act to add Section 2 to Chapter 1076 of the Statutes of 1947, relating to tidelands and submerged lands granted to the County of San Luis Obispo.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 228:** By Senator Harold T. Johnson—An act to amend Section 7612 of the Public Utilities Code, relating to rail track motor cars.  
Referred to Committee on Transportation.

**Senate Bill No. 229:** By Senator Gibson—An act to amend Section 419 of the Education Code, relating to the superintendent of schools of a county of the nineteenth class.  
Referred to Committee on Education.

**Senate Bill No. 230:** By Senator John F. McCarthy—An act to add Article 10.5 to Chapter 5, Title 8 of the Government Code, relating to superior courts.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 231:** By Senator John F. McCarthy—An act to amend Section 27000 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 232:** By Senator John F. McCarthy—An act to amend Section 27001 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 233:** By Senator Thompson—An act to amend Section 14.5 of the Water Conservation Act of 1931, relating to water conservation districts.

Referred to Committee on Elections.

**Senate Bill No. 234:** By Senator Cunningham—An act to amend Section 6873 of the Public Resources Code, relating to oil and gas leases of state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 235:** By Senator Cunningham—An act to add Section 6873.1 to the Public Resources Code, relating to oil and gas leases of state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 236:** By Senator Cunningham—An act to add Section 6872.1 to the Public Resources Code, relating to oil and gas leases of state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 237:** By Senator Cunningham—An act to amend Section 6872 of the Public Resources Code, relating to oil and gas leases on state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 238:** By Senator Dorsey—An act to amend Section 664 of the Code of Civil Procedure, relating to entry of judgment.

Referred to Committee on Judiciary.

**Senate Bill No. 239:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act to amend Sections 14276, 15751, 15752, 15770, 15771, 15772, 15790, 15791, 15792, 15794, 15795, 15796, 15797, 15798, 15851, 15852, 15853, 15854, 15855, 15857, 15858, 15859, 15861, 15864, 15865, and 15866 of, and to amend the title of Chapter 2 of Part 10, Division 3, Title 2 of, to amend and renumber Section 13115, as added by Chapter 16 of the Statutes of 1951, to be Section 13114.5 of, and to add Sections 14105, 15770.1, 15770.2, 15770.3, 15770.4, 15790.5, 15791.5, and 15796.5 to, the Government Code, and to amend Section 1468 of the Fish and Game Code, relating to public works.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 240:** By Senators John F. McCarthy, Erhart, and Ed. C. Johnson—An act to amend Section 18197 of the Education Code, relating to the approval of plans for school building construction. Referred to Committee on Education.

**Senate Bill No. 241:** By Senators John F. McCarthy and Dilworth—An act to add Article 8 to Chapter 7 of Division 9 of the Education Code, relating to school libraries and the placement of books therein. Referred to Committee on Education.

**Senate Bill No. 242:** By Senator Donnelly—An act to add Section 928a to the Penal Code, relating to grand juries. Referred to Committee on Judiciary.

**Senate Bill No. 243:** By Senators John F. McCarthy and Erhart—An act to add Chapter 10 to Part 3, Division 3, Title 2 of the Government Code, relating to the organization and cost control of State Government functions. Referred to Committee on Governmental Efficiency.

**Senate Bill No. 244:** By Senators Collier and McBride—An act to amend Sections 27361 and 27361.5 of, to add Section 27361.6 to, and to repeal Sections 27362 and 27363 of, the Government Code, relating to the recordation of instruments. Referred to Committee on Local Government.

**Senate Bill No. 245:** By Senator John F. McCarthy—An act to add Section 145.6 to the Welfare and Institutions Code, relating to transfers of property by applicants for or recipients of public assistance. Referred to Committee on Social Welfare.

**Senate Bill No. 246:** By Senator John F. McCarthy—An act to amend Section 118 of the Welfare and Institutions Code, relating to the requirement that information from applicants for or recipients of public assistance be kept confidential. Referred to Committee on Social Welfare.

**Senate Bill No. 247:** By Senators John F. McCarthy, Regan, Harold T. Johnson, Collier, Way, Montgomery, Cunningham, Dale C. Williams, Short, Burns, Teale, Brown, Busch, Robert I. McCarthy, Gibson, Richards, Erhart, and Thompson—An act to amend Section 4792 of, and to add Section 4702.5 to, the Labor Code, relating to workmen's compensation. Referred to Committee on Labor.

**Senate Bill No. 248:** By Senator Thompson—An act to amend Sections 2665 and 2668 of the Business and Professions Code, relating to physical therapy. Referred to Committee on Business and Professions.



**Senate Bill No. 249:** By Senators Collier and McBride—An act to amend Section 3708.5 of the Revenue and Taxation Code relating to recording fees.

Referred to Committee on Revenue and Taxation.

**Senate Concurrent Resolution No. 18:** By Senators Thompson and Erhart—Relative to the observance of Flag Day.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 19:** By Senators Collier, Brown, Regan, Teale, and Dale C. Williams—Relative to the creation of the Joint Legislative Committee on Mineral Resources.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 20:** By Senator Hulse—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

Referred to Committee on Rules.

**Senate Joint Resolution No. 2:** By Senator Erhart—Relative to repair of Morro Bay Breakwater.

Referred to Committee on Rules.

**Senate Joint Resolution No. 3:** By Senators Teale, Brown, and Ed. C. Johnson—Relative to memorializing the Secretary of the Interior of the United States and other officials and agencies authorized to act in the matter in relation to the regulation of fishing in Yosemite National Park.

Referred to Committee on Fish and Game.

#### ADJOURNMENT

At 3.25 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Tuesday, January 11, 1955, out of respect to the memory of the late Captain Willis W. Bradley.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SIXTH LEGISLATIVE DAY

NINTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, January 11, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrence Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Gibson, on motion of Senator Byrne, due to legislative business.

Senator Weybret, on motion of Senator Grunsky, due to illness.

Senator Miller, on motion of Senator Montgomery, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students of Napa Junior College: Henry M. Gibson, Thomas J. Hie, Mary J. Bell, Dayle A. Berberich, Dale Atwood, Jean Crabtree, Zee A. Lauderdale, and John F. Smith.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. John Vieg and the following students from Pomona College: William Keiser,

H. Brooks Clyde, Jr., Richard Sellers, Mrs. Lewis Jacobsen, and Mrs. Carla Purcell; Cotton Lee, song writer, and member of Sons of the Pioneers, of Santa Monica.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Albert McNamer; and Mrs. John Lea, wife of Minute Clerk, both of Sacramento.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Polly Mosby, Lewis Morris, Emilie C. Brouillet, faculty; and the following students from Abraham Lincoln High School, San Francisco: Paul Aehnlich, Emilie Amann, Bill Baker, Bob Balek, Janice Benninger, Lorraine Brand, Claude Brock, Richard Checchi, Robert Dahlstrom, Robert D'Angelo, Bob Davies, Jim Day, Paul Derankau, Diane Duncker, Gail Garrett, Paul Gillespie, Jim Gleeson, Jerry Goldman, Lois Gramlow, Phil Ingle, Greg Kelly, Carol Lehmkuhl, Carolyn Lewis, Carolyn Linn, Julie Lundberg, Pat Lynden, Alfred Marty, Barbara Matthews, Bob Mattson, Robert Moncharsh, Veronica Mosher, Lenore Nicholson, Betty Lou Nosman, Letitia Ortega, Donna Puccinelli, Phil Read, Georgeann Riordan, Judy Schacherl, Bob Schroth, Marsha Schulz, Peter Schwarz, Barbara Sleath, Elvera Steiner, Phil Symonds, Sandra Taylor, Fran Wanless, Warren Weisman, Barbara Weiss, Marie White, Don Worrall, Albert Zais, and Steve Zantow.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Doris M. Gerrish, Grand President, Native Daughters of the Golden West; Miss Henrietta Toothaker of Woodland; and Mrs. Genevieve H. Didion of Sacramento; and Mrs. Myrtle L. Noble of Sacramento.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stephen K. Tamura of Santa Ana.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don Allen, member of City Council, City of Los Angeles.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 11, 1955

##### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

GEORGE C. FAULKNER, a resident of Novato; attended Stanford University and Hastings College of Law; admitted to the California State Bar in 1913; admitted to practice before the U. S. Supreme Court in 1928; has been a practicing attorney for 35 years; served as attorney for the Industrial Accident Commission from 1923 to 1929;

to the Industrial Accident Commission, vice Dan Murphy, Jr., term expired, for the term prescribed by law, ending January 15, 1959.

LEO A. VIE, a resident of Los Angeles; marine veteran of World War I; has been active in the industrial field since 1920; a former business agent of the Tile

Layers Union; presently Secretary-Treasurer of the Los Angeles Building and Construction Trades Council;

to the Industrial Accident Commission, vice Ernest B. Webb, term expired, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 11, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

DAVID L. STRATHEARN, a resident of Simi; was the first soil conservation district director appointed in California and he has served as chairman ever since, with outstanding service to help protect California's soil and water resources; is a large cattleman in the area;

to the State Soil Conservation Commission, vice self, term expired, for the term prescribed by law, ending March 25, 1958.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

CALIFORNIA STATE PERSONNEL BOARD  
SACRAMENTO, January 10, 1955

*Mr. J. A. Beek, Secretary of Senate  
The State Senate  
Sacramento, California*

DEAR MR. BEEK: In conformance with Section 18712 of the Government Code, there is transmitted herewith the Twenty-first Biennial Report of the State Personnel Board.

Very truly yours,

JOHN F. FISHER, Secretary

Enclosure

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 11**—Relative to the display of the California State Flag.

Resolution read, and referred to Committee on Rules.



**RESOLUTIONS**

The following resolution was offered :

By Senator Ward :

**Senate Resolution No. 32**

*Resolved, by the Senate of the State of California, That the following be, and the same are, hereby adopted as the Permanent Rules of the Senate for the 1955 Regular Session.*

**STANDING RULES OF THE SENATE****Convening and Sessions****Hour of Meeting**

1. The Senate shall meet at 11 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

**Calling to Order**

2. The President, President pro Tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present shall proceed with the order of business.

**Attendance of Members**

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

**Order of Business**

4. The order of business shall be as follows :

1. Roll Call.
2. Prayer by the Chaplain.
3. Leaves of Absence.
4. Privileges of the Floor.
5. Communications and Petitions.
6. Messages from the Governor.
7. Messages from the Assembly.
8. Reports of Committees.
9. Motions, Resolutions and Notices.
10. Introduction and First Reading of Bills.
11. Special Orders.
12. Unfinished Business.
13. Consideration of Daily File.
14. Announcement of Committee Meetings.
15. Adjournment.

**Executive Sessions**

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

**Officers of the Senate****The President**

6. The Lieutenant Governor shall be the President of the Senate. He shall have a casting vote when the vote is equally divided and his vote will decide the issue.

The president shall maintain order in the Senate Chamber and in case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

**The President pro Tempore**

7. The President pro Tempore shall, in the absence of the President, take the chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

The Vice Chairman of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority of the President pro Tempore.

**Presiding by Senators**

8. The President pro Tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President. The Senator so named shall be vested, during such time, with all the powers of the President.

**Secretary of the Senate**

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing and clerical work to be done for the Senate and shall have supervision over all attaches and employees of the Senate. He shall assign, reassign or transfer all attaches or employees to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such

bills, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

All employees on the pay roll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Secretary of the Senate. Any insubordination or inefficiency on the part of any employee shall be reported by the Secretary to the Committee on Rules or if a Committee on Attaches be appointed, then to that committee.

#### **Expenditures of Secretary**

9.5. All proposed expenditures by the Secretary of the Senate shall be subject to approval by the Senate Committee on Rules or its authorized representative pursuant to Standing Rule No. 13.1, including expenses for telephone service, telegraph service, supplies, rental of typewriters, illuminating resolutions, traveling expenses and any other incidental expenses in connection with conducting the business of the Senate and performing any duties imposed by law or by the rules or the resolutions of the Senate. Claims for any such expenses and claims for incidental expenses of the Senate heretofore incurred but for which payment has not been provided by any other resolution shall be submitted by the Secretary of the Senate to the Senate Committee on Rules or its authorized representative and such claims, if approved, shall be transmitted to the Controller for payment pursuant to this resolution.

9.7. Pursuant to subdivision (d) of Section 9900 of the Government Code, the Legislative Auditor is hereby designated as the person embraced by the definition of "Secretary" set forth in that section.

#### **Sergeant-at-Arms of the Senate**

10. The Sergeant-at-Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of session.

#### **Additional Duties**

10.5. The Sergeant-at-Arms is authorized to procure such boxes, packing and other materials as are necessary to ship to the Members of the Senate at their various places of residence their bill files, books, stationery and other printed matter at the close of each session. All proposed expenditures by the Sergeant-at-Arms incurred pursuant to this rule or in performing any duties imposed by law or by the rules or resolutions of the Senate shall be subject to approval by the Senate



Committee on Rules or its authorized representative pursuant to Standing Rule No. 13.1. All claims incurred by the Sergeant-at-Arms shall be submitted to said committee or its authorized representative and, if approved, shall be transmitted to the Controller for payment pursuant to this resolution.

10.6. The Controller is hereby authorized and directed to draw his warrants in favor of the Secretary of the Senate, the Sergeant-at-Arms, and other officers and employees who render services to the Senate as certified weekly by the Senate Committee on Rules or by its authorized representative, from the fund set aside for the pay of officers and employees of the Senate at the rate of compensation certified by the committee or its representative, and the Treasurer is hereby directed to pay the same.

The Secretary of the Senate and the Sergeant-at-Arms shall approve and transmit to the Committee on Rules the claims for their compensation and for the compensation of their respective employees.

10.7. After final adjournment expenditures by the Secretary of the Senate or the Sergeant-at-Arms of the Senate for postage, express, freight charges, or other purposes for which cash payments are necessary, shall be paid from funds allocated to the Senate Committee on Rules for such purpose, subject to approval by the Senate Committee on Rules or its authorized representative. The Controller shall draw warrants on the Contingent Fund of the Senate in favor of the Secretary of the Senate or the Sergeant-at-Arms for such expenditures only in the amount authorized by the Senate Committee on Rules or its authorized representative.

The Secretary of the Senate and the Sergeant-at-Arms shall file with the Committee on Rules or its authorized representative receipts or vouchers covering all expenditures made for such purposes, which shall be transmitted to the Controller by the committee or its authorized representative.

#### **Committees of the Senate**

##### **Appointment of Committees**

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chairman of the committee, and four other Members of the Senate to be elected by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience; provided, however, that in making committee appointments, the Rules Committee shall, so far as practical, give equal representation to all parts of the State.

The Senate Committee on Finance shall consist of four Senate Members of the Legislative Budget Committee and seven additional Members of the Senate appointed by the Committee on Rules.

Ten days before the commencement of any regular session of the Legislature, the Secretary of the Senate shall mail to each member a blank, in a form approved by the Rules Committee, on which the member may indicate his committee preferences and with such blank



shall be mailed a stamped envelope addressed to the Rules Committee, care of the Secretary, for the convenience of the member in returning such form with his preferences thereon. All such communications shall be retained by the Secretary unopened and shall be delivered to the Rules Committee immediately upon the organization of the Senate.

11.1. Until the Budget Bill is finally enacted no standing committee shall report any appropriation bill to the Senate for passage except bills making appropriations for the salaries, mileage, and expenses of the Senate and Assembly, and emergency bills recommended by the Governor, whose letter of recommendation shall be produced before the committee before action is taken by the committee.

#### **Standing Committees**

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 13 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects, except bills relating to horse racing or intoxicating liquors.

3. Education, 11 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 7 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Finance Committee before being placed on Third Reading.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and Financial Code, and all bills amending the Corporate Securities Act, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees
- f. Horse racing or alcoholic beverages
- g. All judges' salaries.

9. Institutions, 9 members. All bills relating to the State Department of Mental Hygiene, or to institutions under its jurisdiction including:

- a. State hospitals
  - b. Home for the Feeble-minded
  - c. Inebriate colonies
  - d. Institutions for delinquents
  - e. Home for the Blind
  - f. Industrial workshops
  - g. Any other institutions of a similar nature; and
- All bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 11 members. All bills amending the following codes:

- a. Civil Code
- b. Code of Civil Procedure
- c. Corporations Code, except for Corporate Securities Act
- d. Probate Code
- e. Penal Code, and
- f. All statutes of a penal nature not related closely to a subject embraced in some other code.

11. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.

12. Local Government, 9 members. All bills relating to:

- a. County government
- b. Municipal corporations
- c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.

13. Military and Veterans Affairs, 11 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.

14. Natural Resources, 11 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.

15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.

16. Public Utilities, 7 members. All bills amending the Public Utilities Code and other uncodified legislation relating to the same subject.

17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to state and county taxes.

18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.

19. Social Welfare, 7 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.

20. Transportation, 13 members. All bills amending the
- a. Vehicle Code
  - b. Streets and Highways Code.
  - c. Harbors and Navigation Code, and
  - d. Uncodified legislation relating to the same subjects or to aviation.

21. Water Resources, 11 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any general session shall be the standing committees of succeeding budget, special or extraordinary sessions unless otherwise ordered by the Senate.

12.5. Each standing committee of the Senate created at a general session is hereby authorized to study and analyze all facts relating to the subjects which would fall within its jurisdiction as indicated by Rule 12 of the Standing Rules of the Senate, including, but not limited to, a needed revision of the laws relating to that subject, and for such purpose shall constitute an investigating committee with power to act during the sessions of the Legislature, including any recess, and after final adjournment, and until the commencement of the next regular general session, with authority to file its report not later than the thirtieth day of said general session.

Each such committee shall have all of the powers conferred upon investigating committees by the Joint Rules of the Senate and Assembly, the provisions of which are incorporated herein and made a part hereof.

No such committee shall exercise the authority herein conferred except when, and to the extent, it is authorized so to do in writing by the Committee on Rules. The Committee on Rules may allocate any money made available to said committee for expenditures on behalf of the committees herein created, and the members thereof, in such manner as the Committee on Rules shall prescribe.

#### **Committee on Rules**

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall have general charge of the books, documents and other papers and property of the Senate and shall see that the same are properly kept, cared for, filed, or otherwise disposed of in accordance with law and the rules applicable thereto. The committee shall also have the duty of making studies and recommendations designed to promote, improve, and expedite the business and procedure of the Senate and of the committees thereof, including investigating committees consisting wholly or in part of Members of the Senate, and of proposing any amendments to the rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Senate is in session. The committee shall have authority to fill vacancies in any Senate committee or in the Senate membership of any joint committee.



In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The committee may make available to any Senate or joint committee or any Member of the Senate such assistance in connection with the duties of the committee or other legislative matters as the personnel under the direction of the committee or its other facilities permit.

The committee shall make available to and shall furnish to the Senate investigating committees created at this regular session and to each of the members thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Committee on Rules may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe the amounts, times and methods of payment of their compensation, and provide for the auditing of any and all records and accounts in respect thereto.

The Committee on Rules shall constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate and legislative printing except insofar as these functions are delegated to the Secretary of the Senate. The Senate Committee on Rules shall have charge of the attaches unless a Committee on Attaches is appointed.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for confirmation shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

13.1. All claims for expenses incurred by interim investigating committees of the Senate shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representatives before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this Rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this Rule.

The Committee on Rules may adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Senate interim investigating committees and regulating the terms and conditions of employment of such employees. Copies of



all rules and regulations adopted pursuant to this Rule shall be distributed to the chairman of every such investigating committee.

13.2. Pursuant to the powers vested in the Senate Committee on Rules, and during such time as the Senate is not in session, the committee is authorized and directed to incur and pay such expenses of the Senate not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement and equipping of the Senate Chamber and the offices provided for the Senate in the State Capitol.

In order to avoid unanticipated reversions of appropriations for contingent expenses, the Senate Committee on Rules may designate the appropriation from which payment shall be made pursuant to allocations to interim committees or for other purposes. If there should be insufficient money available in any such appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which such allocations shall be paid.

13.3. The Senate Committee on Rules is responsible for the safekeeping of Senate property after adjournment of each session until the Senate shall reconvene again. The Chief of the Bureau of Buildings and Grounds is directed to leave the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in such condition that they will be available for use of the Senate at any time; and it is further directed that no persons other than the Members, officers, and attaches of the Senate be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Senate without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Senate be at the disposal of the Senate Committee on Rules upon adjournment of each session and until the Senate shall reconvene, and that no person except Members of the Senate be permitted to occupy any of the Senate's offices or make use of Senate equipment without permission of the committee or its authorized representative.

13.4. The Senate Committee on Rules is authorized and directed through its authorized representative, to make and maintain a complete inventory of all property of the Senate, including all such property in the possession or control of any Senate interim committee. The Committee on Rules shall have custody and control of all such property of the Senate and shall adopt such rules or orders as it may determine are necessary relating to the purchase, care, custody and use or disposal thereof.

No furniture, equipment, or other property, other than supplies, shall be purchased by any Senate interim committee unless prior approval is obtained from the Senate Committee on Rules or its authorized representative.

#### **Status of Standing Rules for Preceding General Session**

13.5. The adoption of the Standing Rules for any budget session or special session shall not be construed as modifying or rescinding the Standing Rules of the Senate for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those rules.

**Schedule of Committee Meetings**

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings or upon certain days of the week or to meet any special condition which may arise.

**Quorum of Standing Committees—Vote**

15. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it, but at least a majority of all members constituting such committee shall be required to report a bill out of committee.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal.

**Powers of Standing Committees**

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly enact thereon.

In the exercise of the power granted by this Rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon the subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Chapter 4 of Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate, or other person designated by the Sergeant-at-Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this State, including the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, the Legislative Counsel, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and

documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have first made available therefor.

#### **Special Investigating Committees**

17. Except as provided by these rules, no committee for the investigation of any special subject shall be appointed except pursuant to a resolution which shall be entered in the Journal and referred to the Committee on Rules, and which shall be approved by a vote of a majority of the members elected to the Senate. The subject and purpose of the investigation shall be expressed in the title of the resolution and the scope of the investigations shall be consistent with the subject and purposes so expressed. No such committee shall have authority to extend its investigations to subjects not so expressed, nor beyond the scope indicated in the resolution. Unless otherwise directed by the resolution any committee so authorized shall be appointed within 20 days after the adoption of the resolution.

#### **Funerals**

17.5. The chairman or vice chairman of the Senate Committee on Rules may designate any one or more of the Members of the Senate as a Senate interim committee to attend funerals in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or in lieu of such expenses the same allowances for accommodations and meals, and mileage as is provided by the Joint Rules for members of investigating committees.

The chairman or vice chairman of said Committee on Rules or any Member of the Senate designated by either of said officers may incur such expense as may be necessary for the purchase on behalf of the Senate of suitable floral pieces for any such funeral.

All expenses incurred pursuant to this resolution are hereby ordered to be paid out of the money allocated from the Contingent Fund of the Senate to the said Senate Committee on Rules and disbursed, after certification by the chairman or vice chairman of the committee, or by the committee's disbursing officer appointed and designated therefor by the committee, upon warrants drawn by the State Controller upon the State Treasurer.

#### **No Committee Expenditures Permitted**

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

#### **Procedure and Rules**

##### **Joint and Concurrent Resolutions and Constitutional Amendments**

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; except, that they shall have but one



official reading, which reading shall occur after they have been reported by committee.

#### **Parliamentary Rules**

20. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of Senate and Assembly the authority shall be Mason's Manual.

#### **Suspension or Amendment of Rules**

21. No standing rule of the Senate may be repealed or amended except upon an affirmative vote of a majority of the Members of the Senate, one day's notice being given, but any rule not requiring more than a majority vote may be temporarily suspended by a vote of a majority of the Members of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, and a rule requiring a two-thirds vote may be temporarily suspended only by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

#### **Introduction and Reference of Bills**

##### **Introduction, First Reading, and Reference of Bills**

22. Any Senator desiring to introduce a bill shall send it to the Senate desk.

The Committee on Rules shall check all Senate bills prior to introduction and all Assembly bills before reference to committee and shall designate the committees to which they shall be referred. The provisions of Rule 12 referring to the assignment of bills are intended as a guide to the committee but are not binding upon the committee.

Under the order of Introduction of Bills, the Secretary shall assign a number to each Senate bill, shall read it the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and after printing the Secretary shall deliver the bills to the committee so designated.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and the Secretary shall deliver the bill to the committee so designated.

##### **Introduction of Bills by a Committee**

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

##### **Introduction of Bills at Special Sessions**

24. Whenever at any special session a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at the session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a



number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

#### **Senate Resolutions**

25. All Senate resolutions upon being presented shall be given a number by the Secretary. Such resolutions shall be printed in the Journal and indexed in the History and Journal.

#### **Bills in Committee**

##### **Committee Hearings**

26. During the constitutional recess or as soon thereafter as practicable the chairman of each committee shall prepare a schedule of hearings concerning bills referred to the committee. The schedule shall be arranged according to subjects insofar as may be convenient.

The schedules and any changes therein shall be delivered to the Senate as soon as convenient in order that due notice may be given to persons interested in the legislation.

##### **Substitute Committee Bills**

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line "Introduced by" and the name of the author and substituting therefor "Substitute committee bill of the Committee on" and the name of the committee.

##### **Recalling a Bill From Committee**

28. The Senate may at any time by 21 votes recall a bill from committee.

#### **Consideration of Bills**

##### **Order of Making Files**

29. When bills are reported from committee they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second reading Senate or Assembly file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly third reading file, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate second reading file, Assembly second reading file and Senate third reading file, Assembly third reading file. The bills upon third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

An inactive file shall be kept to which bills may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on third reading file without action three successive times. Bills may be carried on the inactive file by author and bill number without setting forth the title.

Bills may be transferred from the inactive file to the second reading file on motion, and after being read the second time such bills will take their place regularly on third reading file and be available for consideration and passage.

Notices of committee hearings shall be published in the File whenever presented by chairman of committees to the Secretary for that purpose. For such purpose bills will be identified by subject or by number.

**Special Order**

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

**Messages From the Governor or Assembly**

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

**Engrossing Bills**

32. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted on the File for the original bill.

**Enrolling Bills**

33. All Senate bill shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signatures of the President or President pro Tempore of the Senate and the Secretary or an Assistant Secretary of the Senate and by the corresponding officers of the Assembly and transmitted without delay to the Governor.

**Debate****Statement of Motion**

34. No motion shall be debated until the same be distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

**Regulations as to Speaking**

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he shall proceed to speak through the public address system.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

**Order in Debate**

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

**Right to Address the Senate**

37. No person other than a Member of the Senate or the President thereof, shall address the Senate while it is in session but the Senate may resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

**Questions and Motions****Amendments to Bills**

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in quadruplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

**Motion to Lay on the Table**

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

**Division of a Question**

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

**The Previous Question**

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

**Call of the Senate**

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon, no members shall be permitted to leave the Senate Chamber except by written permission of the President pro Tempore or in his absence of the presiding officer. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote.



No recess can be taken during a call of the Senate. During a call, the Senate may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had during a call of the Senate, except that during a call which was ordered for the purpose of procuring sufficient attendance for the conduct of business of the Senate in general and not for any other purpose, such call may be made to apply also to not more than one item of business by motion made and adopted by a majority vote of the members present after the roll has been called and prior to the announcement of the vote on such item of business. Under such circumstances, when the call of the Senate is dispensed with as to the item of business to which it is so applied it shall be deemed dispensed with as to the purpose for which it was originally made. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

#### **Reconsideration**

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 27 members.

No vote on a Senate bill may be reconsidered on or after the last day fixed for the consideration of Senate bills prior to adjournment and no vote may be reconsidered on the last day of the session.

When reconsideration of the vote by which any bill was passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. This motion shall be put to a vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

#### **Voting by Senate**

43.5. No action whereby a bill has been passed or defeated may be rescinded without the concurrence of 27 members.

#### **Voting on Roll Call**

44. Whenever a roll call is required by the Constitution or Rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer "Aye" or "No" when his name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his vote after the announcement of the vote by the presiding officer.



**Excused From Voting**

45. When a Senator declines or fails to vote on call of his name he may, after completion of the roll call, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

**Voting by Presiding Senator**

46. When the President pro Tempore or any other Member of the Senate is presiding over the Senate he shall vote on roll call the same as though he were not presiding.

**Vote Required**

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these Rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To introduce bills after the constitutional recess—(Constitution, Art. IV, Sec. 2).

The following actions require 27 votes:

2. To pass urgency measures—(Constitution, Art. IV, Sec. 1).
3. To suspend constitutional provisions requiring reading bills on three several days—(Constitution, Art. IV, Sec. 15).
4. To pass bills over the Governor's veto—(Constitution, Art. IV, Sec. 16).
5. To increase or diminish the number of superior court judges or to remove judges—(Constitution, Art. VI, Secs. 9, 10).
6. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).
7. To change rate of taxation for state purposes—(Constitution, Art. XIII, Secs. 14, 16).
8. To authorize deposit of public money in banks—(Constitution, Art. XI, Sec. 16½).
9. To remove a member of the Public Utilities Commission—(Constitution, Art. XII, Sec. 22).
10. To change rates or conditions under the State Employees' Retirement System—(Constitution, Art. IV, Sec. 22a).
11. To propose change in location of state capital—(Constitution, Art. XX, Sec. 1).
12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.
13. To rescind the action whereby a bill has been passed or defeated.
14. To suspend the Rule against lobbying in the Senate Chamber.
15. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.
16. To concur in any Assembly amendments to, or any conference report affecting, any Senate bill which contains an item or items

of appropriation subject to reduction or elimination under the provisions of Section 34A of Article IV of the Constitution.

The following actions require 21 votes:

17. To amend or suspend the Rules.
18. To pass bills, unless under some other Rule a larger vote is required—(Constitution, Art. IV, Sec. 15).
19. To adopt a concurrent resolution approving a county or city charter or amendment thereto—(Constitution, Art. XI, Secs. 7½ and 8).
20. To adopt joint and concurrent resolutions.
21. To reconsider bills, joint and concurrent resolutions.
22. To confirm appointments by the Governor or to reconsider the same.
23. To recall a bill from committee.
24. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.

Actions requiring 14 votes:

25. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

#### **Vote Required for Amendments**

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

#### **Contents of Senate Journal**

##### **Proceedings to Be Printed**

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal. The committee vote on each bill reported back by a committee, and if a bill is signed out that fact also shall be recorded in the Journal.

##### **Titles of Bills to Be Printed**

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

##### **Other Matter to Be Printed**

51. Messages from the Governor (other than biennial messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Letters of transmittal presenting reports of interim committees and reports of such state departments and agencies as shall be made to the Senate pursuant to law or resolutions adopted by the Senate, shall be printed in the Journal, but the reports shall be printed in the Appendix to Journals unless otherwise directed by the Senate.

**Legislative Printing****Duty of Secretary to Order Printing**

52. It shall be the duty of the Secretary of the Senate and he is hereby directed during and between sessions of the Legislature to order for the Senate the necessary printing including stationery for the members, and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

**Printing Only on Written Orders; Rush Orders**

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing ordered by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

**Form of Printing Amendments**

54. When any bill of either house is amended it shall be immediately reprinted; new matter shall be printed in italics in the printed bill; and matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strikeout" type. When a bill is enrolled, all such italics and "strikeout" type shall be omitted and the bill shall be printed in the usual roman type.

**The Senate Chamber****Admission Within Bar to Senate**

55. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Senators, ex-Senators, Members of the Assembly, state officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them from coming within the bar of the Senate unless upon the invitation of the President or a Senator. No visitor shall be allowed upon the floor while the Senate is in session.

56. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro Tempore are charged with the enforcement of this rule, and this rule cannot be suspended except by a two-thirds vote of the entire Senate.

This rule shall not apply to members of either house of the Legislature, officers of the State or other public agencies.

57. In addition to any other committee provided for by these rules, there shall be a committee to be known as and called the Special Senate Committee on Legislative Representation, which is hereby declared to

be a continuing body authorized to act both during and between sessions of the Legislature.

The committee shall have the rights, powers and duties prescribed in Section 9909 of the Government Code, specifically including but not limited to the authority to grant certificates of registration as legislative advocates, and all the rights and powers of legislative investigating committees as provided by the Joint Rules of the Senate and Assembly.

The committees shall study and analyze all facts relating to legislative representation and the regulation thereof, and shall report thereon to the Legislature at each general session and from time to time as the committee deems necessary, including in the reports its recommendations for appropriate legislation.

The committee shall consist of five Members of the Senate to be selected by majority vote of the Senate at each general session of the Legislature. No more than three members of the committee shall be from any one political party. The committee shall select its own chairman.

Any vacancy occurring between general sessions shall be filled by the Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—28.

NOES—None.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 11, 1955

MR. PRESIDENT: The Committee on Rules has appointed the following Senators chairmen, vice chairmen, and members of the various standing committees of the Senate.

WARD, Chairman

#### Agriculture (13)

Weybret (Chairman)	Donnelly
Murby (Vice Chairman)	Erhart
Abshire	Hulse
Byrne	Ed. C. Johnson
Cobey	Thompson
Coombs	J. Howard Williams
Desmond	

#### Education (11)

Donnelly (Chairman)	Grunsky
Short (Vice Chairman)	Harold T. Johnson
Byrne	Miller
Coombs	Murby
Dilworth	Way
Dorsey	



**Business and Professions (9)**

Desmond (Chairman)	Kraft
Thompson (Vice Chairman)	John F. McCarthy
Breed	Miller
Burns	Teale
Gibson	

**Elections (7)**

Dilworth (Chairman)	Kraft
Berry (Vice Chairman)	Robert I. McCarthy
Byrne	Way
Cobey	

**Finance (11)**

Hulse (Chairman)	McBride
Brown (Vice Chairman)	Parkman
Breed	Weybret
Collier	Ward
Dilworth	J. Howard Williams
Donnelly	

**Financial Institutions (9)**

Miller (Chairman)	Kraft
Byrne (Vice Chairman)	McBride
Burns	Robert I. McCarthy
Collier	Parkman
Grunsky	

**Fish and Game (11)**

Ed. C. Johnson (Chairman)	Erhart
Cobey (Vice Chairman)	Harold T. Johnson
Abshire	Short
Berry	Way
Brown	J. Howard Williams
Busch	

**Governmental Efficiency (11)**

Parkman (Chairman)	Desmond
Ward (Vice Chairman)	Ed. C. Johnson
Brown	McBride
Burns	John F. McCarthy
Busch	Regan
Collier	

**Institutions (9)**

Coombs (Chairman)	Montgomery
Dale C. Williams (Vice Chairman)	Richards
	Short
Busch	Teale
Kraft	Thompson

**Judiciary (11)**

Regan (Chairman)	Desmond
Grunsky (Vice Chairman)	Dorsey
Busch	Robert I. McCarthy
Cobey	Richards
Coombs	Short
Cunningham	

**Labor (7)**

Abshire (Chairman)	Sutton
Montgomery (Vice Chairman)	Weybret
Harold T. Johnson	J. Howard Williams
Murdy	

**Local Government (9)**

Gibson (Chairman)	Grunsky
John F. McCarthy (Vice Chairman)	Harold T. Johnson
Cunningham	Montgomery
Erhart	Regan
	Teale

**Military and Veterans Affairs (11)**

Sutton (Chairman)	Dorsey
Erhart (Vice Chairman)	Robert I. McCarthy
Berry	Richards
Cobey	Short
Cunningham	Dale C. Williams
Dilworth	

**Natural Resources (11)**

Harold T. Johnson (Chairman)	Grunsky
Teale (Vice Chairman)	McBride
Berry	Miller
Brown	Sutton
Byrne	Dale C. Williams
Erhart	

**Public Health and Safety (9)**

Kraft (Chairman)	Ed. C. Johnson
Robert I. McCarthy (Vice Chairman)	John F. McCarthy
Berry	Richards
Breed	Thompson
	Dale C. Williams

**Public Utilities (7)**

Way (Chairman)	Miller
Busch (Vice Chairman)	Teale
Cunningham	Dale C. Williams
Parkman	

**Revenue and Taxation (11)**

McBride (Chairman)	Gibson
Breed (Vice Chairman)	Hulse
Burns	Kraft
Collier	Parkman
Dilworth	Ward
Dorsey	

**Social Welfare (7)**

Dorsey (Chairman)	Montgomery
Murdy (Vice Chairman)	Sutton
Abshire	Weybret
Desmond	

**Transportation (13)**

Collier (Chairman)	Gibson
Richards (Vice Chairman)	Hulse
Berry	John F. McCarthy
Breed	Regan
Coombs	Sutton
Dilworth	Way
Donnelly	

**Water Resources (11)**

J. Howard Williams	Hulse
(Chairman)	Ed. C. Johnson
Cunningham (Vice Chairman)	Montgomery
Abshire	Murdy
Donnelly	Regan
Gibson	Thompson

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Bill No. 20**—An act to amend Section 18 of the Orange County Flood Control Act and to add Section 18.5 to said act, relating to the issuance of bonds and elections therefor and the disposition of the balance of proceeds of prior bond issue; and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33

**NOES**—None.

The roll was called, and bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 11, 1955

**MR. PRESIDENT:** The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**Request for Unanimous Consent**

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 20, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 20

**Senate Concurrent Resolution No. 20**—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Brown asked for, and was granted, unanimous consent to take up Senate Resolution No. 13, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 13

**Senate Resolution No. 13**

Relating to the continuance of the Senate Interim Committee on California Indian Affairs

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on California Indian Affairs, created by Senate Resolution No. 115 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 115, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

**RESOLUTIONS**

The following resolution was offered:

By Senator Brown:

**Senate Resolution No. 33**

*Resolved*, That the following named persons elected to the positions hereinafter set forth as provided by law shall receive compensation beginning Monday, January 3, 1955, payable from the appropriation for pay of officers, clerks and employees



of the Senate, at the respective rates fixed for them by the Senate Committee on Rules:

J. A. Beek, *Secretary of the Senate*  
Joseph F. Nolan, *Sergeant-at-Arms of the Senate*  
John F. Lea, *Minute Clerk*  
Dr. Torrance Phelps, *Chaplain of the Senate*

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

NOES—None.

#### RECESS

At 2.49 p.m., on motion of Senator Desmond, the Senate recessed to permit Senator Desmond to introduce distinguished guests.

The President appointed Senators Desmond and Busch to escort Miss Doris M. Gerrish, Grand President, Native Daughters of the Golden West; Miss Henrietta Toothaker, and Mrs. Genevieve H. Didion to the rostrum.

Senator Desmond introduced Miss Gerrish to the Senate, who then addressed the Senate briefly.

#### REASSEMBLED

At 2.55 p.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 250:** By Senator Breed—An act to amend Section 23050 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 251:** By Senator Breed—An act to amend Section 23112 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 252:** By Senator Breed—An act to amend Section 17302 of, Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 253:** By Senator Breed—An act to amend Sections 24466, 24541, 24561, and 24562 of, and to add Sections 24356, 24357, 24358, 24359, 24406, 24407, 24408, 24430, 24532, 24533, 24662, 24663, 24664, 24665, 24666, 24682, 24683, 24684, 24685, 24686, 24687, 24831, 24832, 24838, 24839, 24840, 24841, 24842, 24843, 24844, 24916, 24917, 24920, 24942, 24948, and 24949 to, and to repeal Sections 24357, 24358,

24359, 24533, 24831, 24832, 24835, 24837, 24916, and 24917 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 254:** By Senator Breed—An act to amend Section 18201 of, Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 255:** By Senator Breed—An act to amend Sections 24349, 24422, 24503, 24537, 24538, 24836, 24837, 24901 and 24912 of, and to add Sections 24346, 24350, 24351, 24352, 24353, 24354, 24365, 24366, 24367, 24368, 24452, 24454, 24536, 24833, and 24834 to, and to repeal Sections 24832, 24833 and 24834 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 256:** By Senator Breed—An act to add Sections 23051, 23052, 23053, 23054, 23055, 23056, 23057 and 23058 to, and to amend Sections 23186a, 23225 and 23333 of, and to add Section 23504 to, and to amend Sections 23701a, 23731a, 23732, 23732h, 23735 and 23736.1 of, and to repeal Chapters 5 to 9, inclusive, comprising Sections 23851 to 25295a, inclusive, of, and to add Chapters 5 to 18, inclusive, comprising Sections 24251 to 25207, inclusive, to, and to renumber Chapters 10 to 15, inclusive, of, and to amend Sections 25403, 25675, 25201c, 25902, 25931, 26073a, 26073b and 26134 of Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 257:** By Senator Breed—An act to amend Sections 17027, 17042, 17045, 17072, 17138, 17202, 17203, 17212, 17214, 17215, 17216, 17253, 17254, 17255, 17256, 17264, 17265, 17434, 17631, 17632, 17635, 17636, 17637, 17638, 17639, 17651, 17652, 17653, 17654, 17655, 17681, 17682, 17685, 17686, 17687, 17688, 17689, 17711, 17734, 17783, 17785, 17812, 17818, 17852, 17865, 18052, 18091, 18096, and 18097 of, and to add Sections 17046, 17047, 17063, 17139, 17152, 17257, 17258, 17262, 17290, 17292, 17367, 17433, 17572, 17573, 17574, 17575, 17576, 17592, 17593, 17594, 17595, 17656, 17657, 17658, 17659, 17660, 17686, 17687, 18089, 18090, 18092, 18452, and 18934 to, and to repeal Sections 17216.1, 17633, 17634, 17640, 17645, 17646, 17647, 17648, and 17649 of Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 258:** By Senator Breed—An act to amend Sections 17132, 17503, 17504, 17506, 17511, 17512, 18045, 17101, 17102, 17103, 17104, 17105, 17106, 17107, and 17108 of, and to add Sections 17109, 17110, 17111, 17112, 17838, and 18057 to, and to amend Sections 17072, 17224, 17681, 17689, 17690, 17736, 18161, 18182, 18200, 17208, and 17209 of, and to add Sections 17210, 17211, and 17212 to, and to amend Sections 17204, 18031, and 18042 of, and to add Sections 17205 and 17592 to, and to amend Section 17283 of, and to add Section 17223 to, and to amend Sections 17402, 17686, and 17687 of, Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 259:** By Senator Breed—An act to repeal Chapters 1 to 9, inclusive, comprising Sections 17001 to 18305, inclusive, of, and to add Chapters 1 to 16, inclusive, comprising Sections 17001 to 18361, inclusive, to, and to renumber Chapter 10 to 18, inclusive, of, and to amend Sections 18402, 18408, 18410.7, and 18410.9 of, and to add Section 18411 to, and to amend Sections 18433, 18434, and 18451 of, and to add Section 18452 to, and to amend Section 18470 of, and to repeal Sections 18471 and 18472 of, and to amend Sections 18473, 18476, and 18477 of, and to repeal Section 18479 of, and to amend Sections 18581, 18586.1, 18586.4, 18586.5, 18588, and 18810 of, and to add Sections 18886 and 18887 to, and to amend Section 19053.7 of, and to repeal Article 1.5 of Chapter 13, comprising Sections 19071 to 19073, inclusive, of, and to add Sections 19261, 19262, 19263, 19264, 19265, and 19266 to, and to amend Section 19281 of, Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 260:** By Senators Parkman, Ward, Burns, Thompson, and Dale C. Williams—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Referred to Committee on Business and Professions.

**Senate Bill No. 261:** By Senators Burns, Byrne, Cunningham, and Thompson—An act to add Sections 4109, 4110, 4111, 4112, and 4113 to the Government Code, relating to subletting and subcontracting in connection with contracts of public agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 262:** By Senators Burns, Byrne, and Thompson—An act to add Sections 4114 and 4115 to the Government Code, relating to subletting and subcontracting in connection with contracts of public agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 263:** By Senators Burns, Byrne, and Thompson—An act to repeal Section 4106 of, and to add Section 4116 to, the Government Code, and to add Section 7110.5 to the Business and Professions Code, relating to contracts of public agencies.

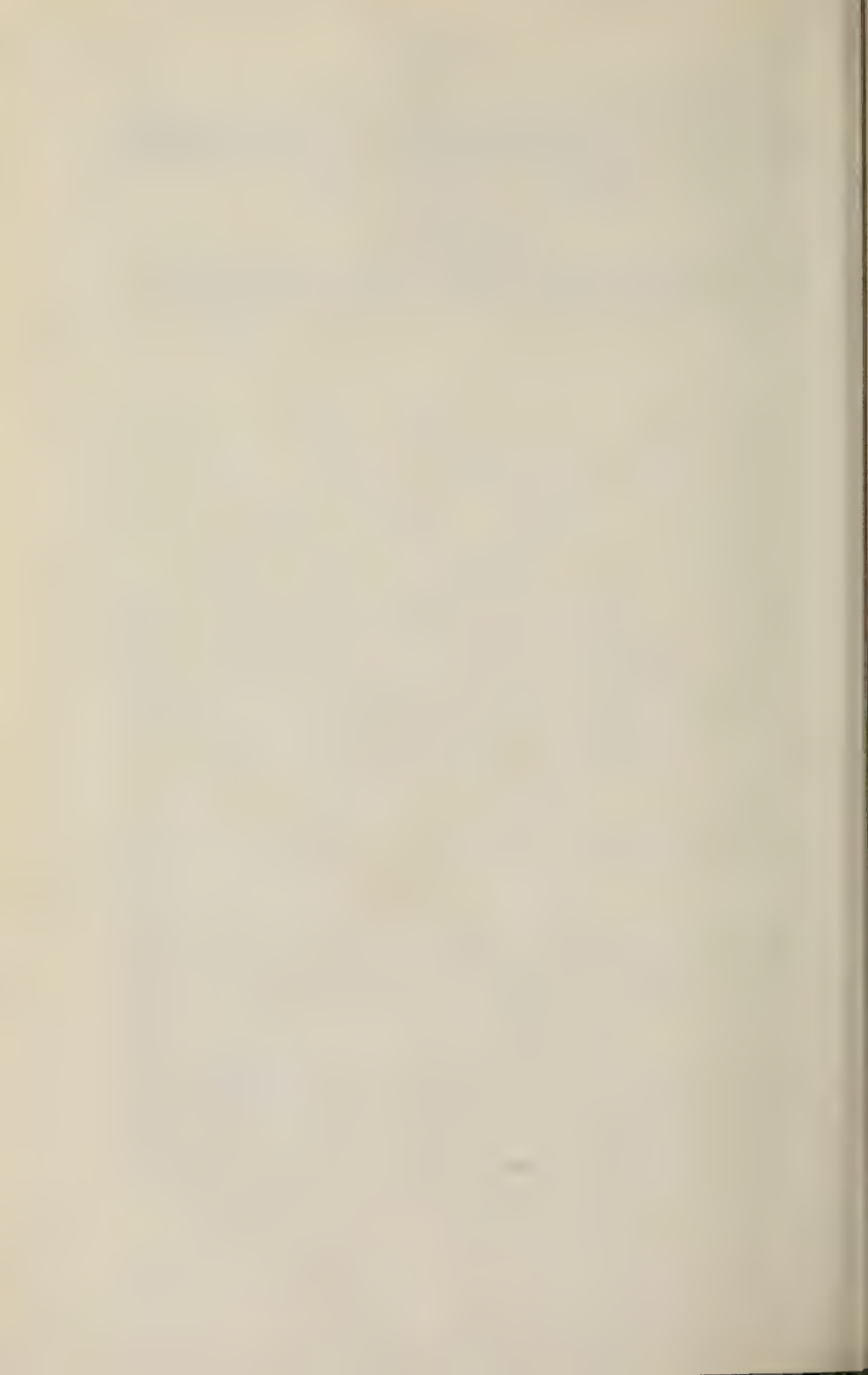
Referred to Committee on Governmental Efficiency.

#### ADJOURNMENT

At 3 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Wednesday, January 12, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SEVENTH LEGISLATIVE DAY

TENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, January 12, 1955

The Senate met at 2 p.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert L. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and Dale C. Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### Motion to Print Prayer

Senator Sutton moved that the prayer offered by the Chaplain, Dr. Torrance Phelps, be printed in the Journal.

Motion carried.

### PRAYER

*Infinite God:* We stand in awe beneath the majestic dome of this Capitol, surrounded by myriad historic associations, and hear many voices addressing us.

Here are the sacred mementos of pioneers which ever arouse our reverence, and here are the battle-worn Flags of many bloody conflicts.

Upon the stately walls and corridors are the resplendent figures of many noble servants of the people.

We remember that this chamber was once graced by famous men, and that this chamber echoed with their patriot voices.

Let the venerable past ever stir our sentiments of devotion.

Let the great dome that soars above us add a loftiness to our minds and a spacious vista to our outlook on public affairs—AMEN.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Weybret, on motion of Senator Grunsky, due to illness.

Senator J. Howard Williams, on motion of Senator Hulse, due to legislative business.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Breed, Richards, Hulse, and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator James W. McKinley of Los Angeles.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alex Cushing of Squaw Valley, Lake Tahoe.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Councilman Gordon Hahn of Los Angeles; Mrs. Jean Wood Fuller, Director of Women's Activities, Federal Civil Defense Administration, from Los Angeles and Battle Creek, Mich.; Dr. John Vieg of Pomona College, and students Miss Gloria Gonzales and Miss Sally Ayres.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lowell Nelson, vice president, California State Federation of Labor, Twelfth District, business representative, Solano County Consolidated Labor Councils; Stanley Lathen, Retail Clerks Union No. 373; William Green, Electricians Union No. 180; Emmett Rodifer, Plasterers and Cement Masons Union No. 631; Loretta Burke, Secretary, Bartenders and Culinary Workers Union No. 560; James Pollard, Plumbers and Steamfitters Union, No. 343; Wayne Wilt, Retail Clerks Union No. 373; Ole Twedt, business agent, Local 560; William Leshe, business representative of Carpenters Union No. 180; Percy Womack, business agent, Local No. 560; and Ray White, business representative, Sheet Metal Workers Union No. 75.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Scoutmaster Merriek M. Rees, George I. Pederson, and the following scouts from Troop 11 of Oakland: Allen Pederson, Michael Murphy, Ray Randall, Lowell Ellis, Terry Kaffun, Bruce MacPherson, Stephen Rees, Peter Swentzell, Richard Whitney, and Thomas Gerner.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from senior classes of Emery High School: Claudia Anderson, Robert Bardwell, Carolyn Dawson, James Gilmore, Patrick Kelly, Barbara Lewis, Robert Rogers, Harold Mistler, Richard Mastrantonio, Rosella Sutter, Letha Teague, Edward Hudson, Donald Teague, Charles Overton, Salvador Castillo, Joseph Davis, Raymond Capusotti, Alfred Lacoste, Robert Brawley, William Luna, Paul Rodgers, Donald DeMaria, Robert Rogers, Jack Caporiceci, and Alfred Carrillo.

On request of Senators Murdy and Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. B. Wilbur and Mrs. D. T. Schaeffer of Stockton.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Councilman Ernest Debs of Los Angeles.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to chaperones Ben F. King, C. S. Tandy, and the following members of the Esparto Union High School senior class: Bonnie Bourland, Barry Bowles, Joann Brandt, Jana Brouillard, James Campos, Mike Cristler, Darlene Defuentes, Jack Farnham, Lee Farnham, Joe Garcia, Celia Gersalia, Mona Hamblet, Shirley Hayes, Phyllis Hill, Betty Ann Jager, Arthurene Johnson, Erlyne Johnson, Wayne Johnson, Virginia Karlstad, Robert Keever, Bruce Lange, Marie Martinez, Kathlene Mata, Tom Matsumoto, Lola McKenzie, James Molson, Jeannette Molson, Patricia Parker, Quetta Peak, Duane Tandy, and Penny Welch.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senator Milton Mueller, Chairman, Representative J. Lisle Laufer, and Representative John Morris, members of the Grade A Milk Commission, Illinois Legislature.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to L. D. DeForest of Modesto.

On request of Senator Dale C. Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jack Coleman and John Lucas of Westwood and E. S. Seammon of Fort Bidwell.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following four superintendents of schools: Charles Sullivan, Fairfield; Kenneth Glines, Vacaville; Joseph Henderson, Benicia; and Dan O. Root, Suisun City.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

DEPARTMENT OF COMMERCE, CIVIL AERONAUTICS ADMINISTRATION  
LOS ANGELES 45, CALIFORNIA, January 11, 1955

Mr. J. A. Beck  
*Secretary of the Senate*  
*State of California*  
*Sacramento, California*

DEAR MR. BECK: We wish to acknowledge receipt of your telegram of January 5 transmitting to us a joint resolution of the State Legislature concerning a Department of Defense proposed Restricted Area in the Owens, Antelope, and Death Valleys. We are enclosing for your information a press release which we have just issued on the subject. If there should be any further questions please let us know.

Sincerely yours,

J. S. MARRIOTT, Regional Administrator

Enclosure

DEPARTMENT OF COMMERCE, CIVIL AERONAUTICS ADMINISTRATION  
LOS ANGELES 45, CALIFORNIA, January 11, 1955

On January 6, 1955, the Los Angeles Regional Airspace Subcommittee amicably resolved conflicting civil and military aviation interests which were involved in a Department of Defense proposal to establish a Restricted Area Complex in the Owens, Antelope, and Death Valley areas of California. Under the Defense Department proposal which first came before the subcommittee on November 18, 1954, all civil flights in this area would have been prohibited unless specific prior military approval were obtained. However, the Defense Department's spokesman indicated at the time of the original submission that the military would be willing to make arrangements for ingress and egress in some parts of the area for civil aviation. The matter was deferred until January 6th with the interim period being set aside for working out a satisfactory solution for the use of this airspace.



In more specific geographical terms the proposed Restricted Area Complex would be bounded (1) on the north by an east-west line at a point about 11 miles south of Bishop, and extending from Death Valley to the crest of the Sierra Nevadas; (2) on the south, by a line extending roughly from the Tehachapis to Daggett to Silver Lake; (3) on the east, by a line roughly paralleling the eastern slope of Death Valley; and (4) on the west by the crest of the Sierra Nevadas. This area extends 165 miles north-south and 127 miles east-west at its widest points, and contains within it the following "Danger" Areas which are presently established:

D-276	Camp Irwin-----	Air Force—Army
D-277	Trona-----	Navy
D-278	China Lake-----	Navy
D-279	Muroc Lake-----	Air Force
D-306	Mojave-----	Marine Corps
D-447	Cuddeback Dry Lake-----	Air Force

A companion proposal and an integral part of the Complex provided for the establishment of a new "Danger" Area (Saline Valley—Navy), to be situated north of the China Lake Danger Area.

The Los Angeles Regional Airspace Subcommittee at its January 6th meeting heard testimony from 16 persons who represented civil aviation interests. All stressed the need for civil flights in the area for such purposes as the following: Power line patrols, water resource evaluation, rapid business transportation to Los Angeles, San Joaquin, and Bay area points, especially in the winter season. An extremely interesting use of airspace brought out at the meeting was meteorological research of the world-renowned Sierra Wave, part of which was being conducted by glider flights reaching altitudes upwards of 40,000 feet in the northwest portions of the Restricted Area Complex. After hearing testimony, the subcommittee undertook to reconcile civil needs with urgent military requirement for adequate airspace for flight testing research aircraft and missiles flying at extremely high speeds.

The solution worked out by the subcommittee allows civil flights up to an altitude of 20,000 feet mean sea level except within the boundaries of the existing and proposed "Danger" Areas within the Restricted Area Complex. As a result, civilian flights will be permitted, as at present, along the following approximate routes:

#### *North-South*

1. Bishop, California, to Los Angeles—via the Owens Valley to Mojave to Palmdale to Los Angeles.
2. Death Valley.

#### *East-West*

1. Fresno, California, to Las Vegas, Nevada—via Darwin, California.
2. Bakersfield to Death Valley—via Tehachapi Pass to Johannesburg to Trona to Furnace Creek.
3. Bakersfield to Daggett—via Tehachapi Pass to Mojave to Palmdale to Daggett.

Special arrangements will be worked out with appropriate military agencies to continue the glider operation during the soaring season.

The solution worked out by the Los Angeles Regional Airspace Subcommittee will soon be transmitted to the parent Washington Airspace Subcommittee for approval prior to implementation. The Regional Airspace Subcommittee consists of representatives of the Departments of the Air Force, Army, Navy, Commerce, the Civil Aeronautics Board, and the Federal Communications Commission. Associate but non-voting membership on the subcommittee represents the National Association of State Aviation Officials (NASAO), Air Transport Association (ATA), and the Air Line Pilots Association (ALPA). Chairman of the subcommittee is the Commerce member who is also the Regional Administrator for Region IV of the Civil Aeronautics Administration.

This case demonstrates the excellent cooperation between the civil and military agencies of government and civil aviation industry groups in solving a complex problem for the general welfare of all concerned.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 16

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 17	Assembly Concurrent Resolution No. 22
Assembly Concurrent Resolution No. 18	Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 19	Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No. 21	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read the first time:

**Assembly Concurrent Resolution No. 16**—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read, and referred to Committee on Rules.

**Assembly Concurrent Resolution No. 17**—Approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on the eighth day of June, 1954.

Resolution read, and referred to Committee on Local Government.

**Assembly Concurrent Resolution No. 18**—Approving certain amendments to the charter of the County of Fresno, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 2, 1954.

## Request for Unanimous Consent

Senator Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18

**Assembly Concurrent Resolution No. 18**—Approving certain amendments to the charter of the County of Fresno, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 2, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and Dale C. Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

## Senator Cunningham Presiding

At 2.34 p.m., Senator James E. Cunningham of the Thirty-sixth Senatorial District, presiding.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 19**—Approving a certain amendment to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special municipal election consolidated with the primary state election held therein on the eighth day of June, 1954.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 19**

**Assembly Concurrent Resolution No. 19**—Approving a certain amendment to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special municipal election consolidated with the primary state election held therein on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and Dale C. Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 21**—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 21, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 21**

**Assembly Concurrent Resolution No. 21**—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Way, and Dale C. Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 22**—Relative to the approval of that certain amendment to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the eighth day of June, 1954.

##### Request for Unanimous Consent

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

**Assembly Concurrent Resolution No. 22**—Relative to the approval of that certain amendment to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 24**—Approving amendments to the charter of the City of Redwood City, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on April 13, 1954.

##### Request for Unanimous Consent

Senator Parkman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 24, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 24

**Assembly Concurrent Resolution No. 24**—Approving amendments to the charter of the City of Redwood City, a municipal corporation in the County of San Mateo, State of California, voted for and ratified



by the qualified electors of said city at a regular municipal election held therein on April 13, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, J. F. McCarthy, Miller, Murdy, Parkman, Sutton, Teale, Thompson, Ward, Way, and Dale C. Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 26**—Relative to approving amendments to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

#### Request for Unanimous Consent

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 26, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 26

**Assembly Concurrent Resolution No. 26**—Relative to approving amendments to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### RESOLUTIONS

The following resolution was offered:

By Senator Ward:

#### Senate Resolution No. 34

Relative to the creation of the Special Senate Committee on Election Contests

*Resolved by the Senate of the State of California, As follows:*

1. The Special Senate Committee on Election Contests is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the contest filed by Verne W. Hoffman relative to the election of Alan Short to the office of Senator from the Twentieth Senatorial District and to report thereon to the Senate, including in the reports its recommendations for appropriate action.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than March 30, 1955.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings to the Senate from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

7. Until the adoption of Joint Rules at this session, the Joint Rules of the 1953 Regular Session are incorporated herein and made applicable to the Committee and its members.

Resolution read, and referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 17

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 16

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 12**—Relative to approving amendments to the charter of the City of San Leandro, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1954;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of January, 1955, at 2 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 1

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 26

Senate Concurrent Resolution No. 8

Senate Resolution No. 28

Senate Concurrent Resolution No. 10

Senate Resolution No. 30

Senate Concurrent Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Transportation.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolution re-referred to Committee on Transportation.

## RESOLUTIONS

The following resolutions were offered:

By Senator Regan:

**Senate Resolution No. 35**

Relating to the continuance of the Senate Interim Judiciary Committee

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Judiciary Committee, created by Senate Resolution No. 135 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than March 15, 1955.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 135, 1953 Session, and this resolution, and in addition to any money heretofore made available, the sum of ----- dollars (\$-----), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for such expenses, charges, and claims, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Brown:

**Senate Resolution No. 36**

Relating to the continuance of the Senate Fact-finding Committee on Port Development Agencies and Marine Activities for San Francisco Bay and State Waterways

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Fact-finding Committee on Port Development Agencies and Marine Activities for San Francisco Bay and State Waterways, created by Senate Resolution No. 146 of the 1953 Session, as amended, is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file a preliminary report on or before March 15, 1955, and its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 146, 1953 Session, as amended, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Dilworth:

**Senate Resolution No. 37**

Relative to the continuance of the Senate Investigating Committee on Education

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Investigating Committee on Education, created by Senate Resolution No. 168 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 168, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.



By Senator Parkman:

**Senate Resolution No. 38**

Relating to the continuance of the Senate Interim Committee on Horse Racing

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Horse Racing created by Senate Resolution No. 187 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 187, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

Assistant Secretary Lachlan Richards at the Desk

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 264:** By Senator Cunningham—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans and their dependents.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 265:** By Senator Dorsey—An act to add Chapter 15, comprising Sections 8290, 8291, and 8292, to Part 2 of Division 9 of the Streets and Highways Code, relating to the annexation of territory to separation of grade districts.

Referred to Committee on Transportation.

**Senate Bill No. 266:** By Senator Dorsey—An act to repeal Article 4, Chapter 5, Part 1, Division 2, of Title 4, comprising Sections 54090 to 54116 inclusive, of the Government Code, relating to the reconstruction of buildings belonging to a local agency which have been wholly or partially destroyed by earthquakes after January, 1933, and providing for the transfer of moneys to the General Fund.

Referred to Committee on Local Government.

**Senate Bill No. 267:** By Senator Dorsey—An act to amend Sections 73433 and 73433.5 of, and to add Sections 73433.6 and 73433.7 to, the Government Code, relating to the municipal court in a district embracing the City of Bakersfield.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 268:** By Senator Dorsey—An act to amend Sections 73434 and 73435 of the Government Code, relating to the municipal court in a district embracing the City of Bakersfield.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 269:** By Senator Brown—An act to amend Section 25615 of the Business and Professions Code, relating to the alcoholic content of beer.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 270:** By Senator Erhart—An act to amend Section 6093.4 of the Harbors and Navigation Code, relating to harbor districts.

Referred to Committee on Local Government.

**Senate Bill No. 271:** By Senators Berry, Way, Teale, Dale C. Williams, and Busch—An act to add Section 710.5 to the Vehicle Code, relating to transporting on highways of loads in excess of maximum weight limits.

Referred to Committee on Transportation.

**Senate Bill No. 272:** By Senator Donnelly—An act to amend Sections 8703.1 and 8819.1 of the Education Code, relating to summer schools.

Referred to Committee on Education.

**Senate Bill No. 273:** By Senator Donnelly—An act to amend Section 9756 of the Education Code, relating to special day and evening classes for adults.

Referred to Committee on Education.

**Senate Bill No. 274:** By Senator Robert I. McCarthy—An act to add Sections 69505 and 69506 to the Government Code, relating to expenses of judges of the superior court.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 275:** By Senator Robert I. McCarthy—An act to amend Sections 1800, 1801, 1803, 1804, 1805, 1807, 1809, 1810, and 12100 of, the Financial Code, relating to the transmission of money.

Referred to Committee on Financial Institutions.

**Senate Bill No. 276:** By Senator Richards—An act making an appropriation for the support of the State Air Pollution Control Board.

Referred to Committee on Finance.

**Senate Bill No. 277:** By Senators Breed, and Gibson—An act to amend Section 11590 of the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 278:** By Senators Breed and Gibson—An act to amend Sections 11543 and 11544 of the Business and Professions Code, relating to sewers and other facilities in real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 279:** By Senators Breed and Gibson—An act to add Section 11528.1 to the Business and Professions Code, relating to proposed subdivisions of real estate.

Referred to Committee on Business and Professions.

**Senate Bill No. 280:** By Senators Breed and Gibson—An act to amend Sections 11511, 11526, 11529, 11531, 11537, 11538, 11543, 11554, 11555 and 11565, and to repeal Section 11505 and Article 6 of Chapter 2 of Part 2 of Division 4, of the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 281:** By Senators Breed and Gibson—An act to amend Section 11510 of the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 282:** By Senators Breed and Gibson—An act to amend Section 11014 of the Business and Professions Code, relating to the investigation of real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 283:** By Senators Breed and Gibson—An act to amend Section 11000 and 11535 of the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 284:** By Senator Montgomery—An act to add Section 13203.5 to the Education Code, relating to automobile allowances to school district employees.

Referred to Committee on Education.

**Senate Bill No. 285:** By Senator Richards—An act to add Chapter 1.7 to Division 20 of the Health and Safety Code, relating to control of air pollution.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 286:** By Senator Burns—An act to amend Section 803.5 of the Agricultural Code, relating to nectarines.

Referred to Committee on Agriculture.

**Senate Bill No. 287:** By Senator Burns—An act to amend Section 10202.7 of the Insurance Code, relating to group life insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 288:** By Senator Burns—An act to amend Section 409 of the Education Code, relating to compensation for public service in counties of the ninth class.

Referred to Committee on Education.

**Senate Bill No. 289:** By Senator Burns—An act to amend Section 4621 of the Education Code, relating to governing boards of unified school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 290:** By Senator J. Howard Williams—An act to add Section 1256 to the Water Code, relative to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 291:** By Senator J. Howard Williams—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Referred to Committee on Education.

**Senate Bill No. 292:** By Senator J. Howard Williams—An act to amend Section 8358 of the Revenue and Taxation Code, relating to aircraft fuel taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 293:** By Senator J. Howard Williams—An act to amend Section 1191 of the Military and Veterans Code, relating to the powers of memorial districts.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 294:** By Senator J. Howard Williams—An act to amend Section 561.1 of, and to add Section 561.2 to, the Fish and Game Code, relating to permits to deal in fresh-water fish for bait.

Referred to Committee on Fish and Game.

**Senate Bill No. 295:** By Senator J. Howard Williams—An act to amend Sections 498, 501, 502, 503, 504, and 1044 and to repeal Sections 499, 500, and 505 of the Fish and Game Code, relating to private fish ponds.

Referred to Committee on Fish and Game.

**Senate Bill No. 296:** By Senator J. Howard Williams—An act to add Section 1256 to the Water Code, relating to the reservation of water for fish and wild life.

Referred to Committee on Water Resources.

**Senate Bill No. 297:** By Senator J. Howard Williams—An act to add Section 561.3 to the Fish and Game Code, relating to fresh-water fish taken for use as bait.

Referred to Committee on Fish and Game.

**Senate Bill No. 298:** By Senator J. Howard Williams—An act to amend Section 461 of the Fish and Game Code, relating to fish and game contests or derbies.

Referred to Committee on Fish and Game.



**Senate Bill No. 299:** By Senator J. Howard Williams—An act to repeal Sections 1350, 1352, 1353 and 1354, to amend Section 1351, and to amend and renumber Section 1352.5 of, and to add Section 1353 to, the Fish and Game Code, relating to frogs.

Referred to Committee on Fish and Game.

**Senate Bill No. 300:** By Senator Hulse—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 301:** By Senator J. Howard Williams—An act to add Section 859 to, and amend Section 860 of, the Agricultural Code, relating to olives.

Referred to Committee on Agriculture.

**Senate Bill No. 302:** By Senator J. Howard Williams—An act to amend Sections 803, 803.5, 828.4, and 829.2 of the Agricultural Code, relating to agricultural containers.

Referred to Committee on Agriculture.

**Senate Bill No. 303:** By Senator J. Howard Williams—An act to amend Section 828.53 of the Agricultural Code, relating to grape containers.

Referred to Committee on Agriculture.

**Senate Bill No. 304:** By Senator J. Howard Williams—An act to amend Sections 60750, 60752, 60754, and 60755.5 of the Government Code, and to add Chapter 4 (consisting of Sections 60900 to 60926, inclusive), to Part 7 of Division 3 of Title 5 of said code, relating to community service districts.

Referred to Committee on Local Government.

**Senate Bill No. 305:** By Senator McBride—An act to amend Section 1647 of, to renumber Section 1648 as Section 1647.1 of, and to add Sections 1647.3, 1647.4, 1647.5, 1647.6, 1647.7, 1647.8, 1703.97, 1703.98, 1703.99, 1703.991, 1703.992, and 1703.993 to, the Insurance Code, all relating to copartnership insurance production licenses.

Referred to Committee on Financial Institutions.

**Senate Bill No. 306:** By Senator McBride—An act to add Section 10270.98 to the Insurance Code, relating to disability insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 307:** By Senator McBride—An act to amend Section 112 of the Revenue and Taxation Code, relating to the definition of credits.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 308:** By Senator McBride—An act to amend Section 212 of the Revenue and Taxation Code relating to the exemption of notes, debentures, shares of capital stock, bonds, mortgages and money from taxation.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 309:** By Senator McBride—An act to amend Sections 10270.8, 10270.95, and 10375 of the Insurance Code, relating to disability insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 310:** By Senator McBride—An act to amend Sections 1650 and 1731 of the Insurance Code, relating to insurance producers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 311:** By Senator J. Howard Williams—An act to amend Section 60600 of the Government Code, relating to the purposes and powers of community service districts.

Referred to Committee on Local Government.

**Senate Bill No. 312:** By Senator J. Howard Williams—An act to amend Section 60752 of the Government Code, relating to community service district taxes.

Referred to Committee on Local Government.

**Senate Bill No. 313:** By Senator Thompson—An act to amend Sections 13353, 13354, 13362, 13364, 13375, and 13396 of the Health and Safety Code, relating to clothes cleaning establishments.

Referred to Committee on Business and Professions.

**Senate Bill No. 314:** By Senator Thompson—An act to amend Section 5043 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 315:** By Senator Thompson—An act to amend Section 4602 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 316:** By Senator Thompson—An act to amend Section 7141 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 317:** By Senator Thompson—An act to add Section 71602.5 to the Government Code, relating to the appointment of constable.

Referred to Committee on Local Government.

**Senate Bill No. 318:** By Senator Ed. C. Johnson—An act to amend Section 507 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 319:** By Senator Coombs—An act to add Section 41.1 to the Probate Code, relating to testamentary dispositions by will to charity.

Referred to Committee on Judiciary.

**Senate Bill No. 320:** By Senator Coombs—An act to amend Section 901 of the Probate Code, relating to compensation of executors and administrators.

Referred to Committee on Judiciary.

**Senate Bill No. 321:** By Senator Coombs—An act to provide for the realignment and reconstruction of State Highway Route 8 and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 322:** By Senator Coombs—An act to amend Section 27020 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 323:** By Senator Coombs—An act to amend Section 27000 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 324:** By Senators Dorsey and Collier—An act to add Section 730.5 to the Welfare and Institutions Code, relating to fingerprints and photographs of juveniles.

Referred to Committee on Social Welfare.

**Senate Bill No. 325:** By Senators John F. McCarthy, Montgomery, Short, and Harold T. Johnson—An act to amend Sections 465 and 525 and repeal Section 525.1 of the Vehicle Code, relating to driving upon highways in the extreme right lane.

Referred to Committee on Transportation.

**Senate Bill No. 326:** By Senators Sutton, Dorsey, Way, and Teale—An act to add Chapter 7A to Title 9 of Part 1 of the Penal Code, relating to crime comic books.

Referred to Committee on Judiciary.

**Senate Bill No. 327:** By Senator Sutton—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Referred to Committee on Business and Professions.

**Senate Bill No. 328:** By Senator Dorsey—An act to amend Section 21396 of the Education Code, relating to the California Academies.

Referred to Committee on Education.

**Senate Bill No. 329:** By Senator Dale C. Williams—An act to add Section 1202.5 to the Fish and Game Code, relating to migratory waterfowl and declaring the policy of the State with respect to open seasons for the taking thereof.

Referred to Committee on Fish and Game.

**Senate Bill No. 330:** By Senator Donnelly—An act to add Chapter 3 to Part 3, Division 7 of the Business and Professions Code, relating to the photographic industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 331:** By Senator Erhart—An act conveying certain tidelands, lands lying under inland navigable waters, swamp and overflow lands, situate at San Luis Bay and San Luis Creek, to the Port San Luis Harbor District, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 332:** By Senators John F. McCarthy, Way, Montgomery, Gibson, Busch, and Collier—An act to add Chapter 18 to Part 3 of Division 16, and Chapter 4 to Division 17, of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District, creating a debt or debts, liability, or liabilities, through the assumption of bonds of the Golden Gate Bridge and Highway District, defining the powers and duties of state officers in respect to the administration of the provisions hereof, providing ways and means for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, and providing that no tax shall be levied under Chapters 11 and 16 of Part 3 of Division 16 of the Streets and Highways Code for the payment of the interest or principal of the outstanding Golden Gate Bridge and Highway District bonds, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1956.

Referred to Committee on Transportation.

**Senate Bill No. 333:** By Senators John F. McCarthy, Way, Montgomery, Busch, Collier, and Gibson—An act to amend Section 27352 and 27354 of the Streets and Highways Code, and Section 6 of Chapter \_\_\_\_ of the Statutes of 1955, relating to the assumption by the State of debt or debts, liability or liabilities of the Golden Gate Bridge and Highway District.

Referred to Committee on Transportation.



**Senate Bill No. 334:** By Senator Desmond—An act to add Section 11537 to the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Local Government.

**Senate Bill No. 335:** By Senator Desmond—An act to amend Section 31030 of the Water Code, relating to the authorization of revenue bonds by county water districts.

Referred to Committee on Local Government.

**Senate Bill No. 336:** By Senator Ward—An act to add Section 6871.5 to the Public Resources Code, relating to oil or gas operations in tide and submerged lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 337:** By Senator Ward—An act to amend Section 6871 of the Public Resources Code, relating to oil and gas leases of state lands.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 8:** By Senator Robert I. McCarthy—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article VI thereof, relating to eligibility of judges for nonjudicial offices during their terms of office.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 9:** By Senator Burns—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (a) of Section 2 of Article IV thereof, relating to legislative sessions.

Referred to Committee on Elections.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Secretary J. A. Beek at the Desk

##### Request for Unanimous Consent

Senator Ward asked for, and was granted, unanimous consent to take up Senate Resolution No. 34, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 34

**Senate Resolution No. 34**—Relative to the creation of the Special Senate Committee on Election Contests.

Resolution read.

**Motion to Postpone**

Senator Ward moved that further consideration of Senate Resolution No. 34 be continued until the next legislative day.

Motion carried.

**RECESS**

At 3.30 p.m., on motion of Senator Byrne, the Senate recessed to permit Senator Byrne to introduce a distinguished guest.

The President appointed Senator Byrne to escort Senator Milton Mueller, Chairman of the Grade A Milk Commission, Illinois Legislature, who addressed the Senate regarding the study to be made by this commission of the California brucellosis program.

**REASSEMBLED**

At 3.35 p.m., the Senate reconvened.

Hon. James E. Cunningham, of the Thirty-sixth Senatorial District, presiding.

Assistant Secretary Lachlan Richards at the desk.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 28

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 28**—Relative to the untimely passing of the Honorable William Clifton Berry.

**Request for Unanimous Consent**

Senator Robert I. McCarthy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 28, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 28**

**Assembly Concurrent Resolution No. 28**—Relative to the untimely passing of the Honorable William Clifton Berry.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and Dale C. Williams—38.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 27

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 27**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read, and ordered placed on file.

**REPORTS OF STANDING COMMITTEES****Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 21

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

REGAN, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 3.42 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Thursday, January 13, 1955, out of respect to the memory of the late Honorable William Clifton Berry.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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EIGHTH LEGISLATIVE DAY  
ELEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, January 13, 1955

The Senate met at 2 p.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cohey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Coombs, on motion of Senator Ed. C. Johnson, due to legislative business.

Senator Weybret, on motion of Senator Grunsky, due to illness.

Senator Gibson, on motion of Senator Grunsky, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Richard W. Blackburn, former secretary of the American Farm Bureau Federation, of Thermal.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Eugene J. Portugal of Santa Rosa.



On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John G. Ross, Assistant County Superintendent of Schools of Kern County.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from Albany High School: Bob Ackelbain, Martha Arnold, Alan Aschow, Leo Barrella, Dick Bauer, Janet Benjamin, Gladys Berke, Dave Boydston, Bob Bua, Allie Burnett, Sherry Burnett, Manual Cabral, Mike Camacho, Louie Capaluto, Louie Catalano, Annette Christiana, Nancy Cleveland, Dean Combs, Diane Dahl, Dick Day, Frances Diani, James Dunham, Bill Durrin, Dianne Easter, Bob Eckstein, Pat Edwards, Carole Flynn, Marvin Geistlinger, James Ginty, Edith Goodman, Judy Goss, Marilyn Gray, Calvin Grisham, Ruth Hagen, Ron Hansen, Carol Hayden, Glen Heath, Bill Heinrich, Elaine Hildebrand, Louise Holstein, Diana Homewood, Mae Dell Hopkins, Roland Howard, Joseph James, Michael Kerr, Kay Kivela, Oscar Jespersen, Beverly Joost, Neil MacQuarrie, Gloria Marchetti, Pat Marrama, Walter Matthews, Louie May, Carol Meyer, Virginia Moore, Evelyn Morris, Delores Murray, Mike Murrillo, Daryl McGrail, Dick McHone, James McKinney, Jane Niemi, Sue Niemi, John Parks, Warren Patton, Don Pihl, Evelyn Pine, Barbara Piper, Katherine Priddy, Jessie Ramires, Maria Reginato, Jerry Richardson, Dave Robins, Alan Ruthenbeck, Ken Santos, Janice Scheline, Eugene Serex, Peggy Sieg, Joan Skoverski, Kay Smith, Jon Spry, Don Swain, Jean Thomas, Melba Thompson, Al Weikert, Edith Welander, Bill Werner, Frank Westphal, Estelle Williams, Jacqueline Witlacil, and Brian Young.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Pearce, Lake County Supervisor, District No. 2.

On request of Senator Regan and Lieutenant Governor Harold J. Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Liveran, United Nations delegate from Israel.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles T. Shafrock, Executive Director, Jewish Community Council, Sacramento and Superior California; Harry Tonkin, Sacramento Jewish Community Council; and Dorothy LaBarr and Nancy Massey of Sacramento.

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. M. Robertson of Sonora and Mrs. M. E. Rice of Davis.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Irvin Chapman of Fullerton and R. E. Rule of Los Angeles.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. F. Forbes of San Francisco.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph A. Janelli of Visalia.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. J. Lyons of San Fernando.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following: Mr. and Mrs. Adrian Gamble, Merced; Sam Hamburg, Los Banos; Howard Lindstrom, Dos Palos; Murdo Campbell, Hollis Eiland, Wesley Faust, and Walter Hansen, of Chowchilla.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolution ordered enrolled.

### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA DEPARTMENT OF FINANCE  
SACRAMENTO 14, January 12, 1955

Mr. J. A. Beek  
Secretary of the Senate  
State Capitol  
Sacramento, California

DEAR MR. BEEK: Transmitted herewith is a joint report on the Hospital Survey and Construction Program prepared by the Department of Public Health and the Department of Finance pursuant to Assembly Concurrent Resolution No. 21, 1954 First Extraordinary Session.

A copy of this report is also being transmitted to Mr. Arthur Ohnimus, Chief Clerk of the Assembly.

Sincerely,

JOHN M. PEIRCE, Director of Finance

#### Report on Hospital Survey and Construction Program

*Submitted Jointly by Departments of Public Health and Finance Pursuant to Assembly Concurrent Resolution No. 21 of April 1, 1954*

Assembly Concurrent Resolution No. 21 of April 1, 1954, requests the Assembly Interim Committee on Public Health, State Department of Finance, and State Department of Public Health to make recommendations to the Legislature on two important questions relating to the California Hospital Survey and Construction Program. These are:

- (1) Should California participate in the 1954 expansion of this activity authorized by the Federal Government in Public Law 482 of the Eighty-third Congress?
- (2) Should state funds be provided for nonprofit hospitals which qualify for grants of federal funds?

The State Department of Public Health has administered the Hospital Survey and Construction Program since 1946. The program originally authorized for five years has been extended twice and currently is authorized to June 30, 1957. The federal program originated from recommendations of a national Commission on Hospital Care. Californians on this commission were Herbert Hoover, Rt. Rev. Monsignor Thomas J. O'Dwyer, and Wilton L. Halverson, M.D. The federal program since 1946 has provided federal funds to the states to assist in planning for necessary hospital expansion and for grants to assist in constructing individual hospitals. Each state has had the responsibility of planning for necessary hospital expansion and for making grants within the limits of available funds to assist in the construction of needed hospital facilities.

In the federal program established in 1946 the types of facilities for which planning was authorized and for which construction funds were authorized included general hospitals, tuberculosis hospitals, chronic disease hospitals, mental hospitals, and public health centers. At the President's request, Congress in 1954 amended the program by including diagnostic and treatment centers, rehabilitation centers, and nursing homes.

The chief purpose of the 1954 program expansion authorized by the Federal Government is to emphasize the development of facilities to provide rehabilitation and care for patients having chronic diseases. The 1954 federal amendments now authorize specific funds for facilities of this type in addition to the general funds available for the categories authorized in the original program.

The Hospital Survey and Construction Program in California has made a significant contribution to the total hospital expansion throughout the State. Ninety projects have been approved, involving 17 public health centers and 73 hospitals accommodating 4,737 beds. Grants have involved \$23,279,000 in federal, and \$13,076,916 in state funds. The program has assisted in approximately one-fourth of all hospital projects in California built since 1946, excluding federal and state hospital construction.

Rapid population growth in California has largely offset the very rapid hospital expansion which has occurred since 1946 and it appears likely this situation will continue. Because of the substantial increase in life expectancy it is anticipated in the future there will be increasing need for facilities to treat patients requiring long-time care and rehabilitation.

The Department of Public Health furnished to the Assembly Interim Committee on Public Health detailed information on hospital needs in California and data on the Hospital Survey and Construction Program. Assembly Bill No. 146 has been introduced to permit participation in the amended federal program, and its enactment is recommended.

This report, however, does not constitute a recommendation for additional funds. The Budget for 1955-56 does not include state funds to assist projects which become eligible in the amended federal program.

Enactment of Assembly Bill No. 146 will require legislative consideration of whether:

- (1) Present policy of state assistance be extended to the new categories. This policy would require an increase in the 1955-56 Budget.
- (2) State policy be established to exclude state assistance to these new categories.

Sections 435 to 435.7, inclusive, of the California Health and Safety Code establish the circumstances under which state funds are allocated to assist projects. Section 435.1 defines nonprofit corporations as "public agencies," and Section 435.3 requires that the Department of Public Health shall provide assistance, pursuant to this article, to public agencies. Until the Fiscal Year 1953-54 the State Constitution prohibited the allocation of state funds to nonprofit corporations; consequently in administering the program the Department of Public Health allocated both state and federal funds to cities, counties, and hospital districts, but only federal funds to nonprofit corporations. In November, 1952, the State Constitution was amended to permit the allocation of state funds to nonprofit corporations. Budgets for 1953-54 and 1954-55, however, contained the following:

"\* \* \* The amount proposed is limited to the estimated matching requirements for construction of publicly owned hospitals and health center facilities."

In legislative consideration of future state policy, it is believed that the need for rapid and substantial expansion of hospital and health facilities to serve the State's rapidly increasing population should be recognized, including expansion of both nonprofit and governmental hospitals. Available data does not prove conclusively, however, that past policy of withholding state funds from nonprofit hospitals has retarded their development throughout the State.

In view of the existing statutes, it is suggested that the Legislature reconsider Section 7. Hospital Survey and Construction Act, and other applicable sections and determine whether the policy so expressed should be continued or modified. Courses of possible legislative action include:

1. If the State desires to continue the policy now in effect the state act should be amended so that allocation of state funds is limited to hospital and health facilities sponsored by units of government.
2. If the State desires to make allocations to nonprofit hospitals on the same basis of one-third in state funds, as is authorized for the hospitals sponsored by units of government, sufficient funds for this purpose should be budgeted.



3. If the State desires to establish some other percentage basis for state assistance the state law should be amended to establish some percentage other than 33 $\frac{1}{3}$  for all projects, for those sponsored by nonprofit corporations, or for certain categories of hospitals which are eligible for consideration in the program.

Respectfully submitted,

MALCOLM H. MERRILL, M.D., Director of Public Health  
JOHN M. PEIRCE, Director of Finance

STATE OF CALIFORNIA, CALIFORNIA LAW REVISION COMMISSION  
January 10, 1954

Mr. J. A. Beek  
Secretary of the Senate  
Sacramento, California

DEAR SIR: In accordance with the provisions of Section 10333 of the Government Code I transmit herewith copies of the Report of the California Law Revision Commission for the Members of the Senate.

Very truly yours,

THOMAS E. STANTON, JR.  
Chairman, California Law Revision Commission

#### MOTION TO PRINT REPORTS

Senator Hulse moved that the reports submitted by the Legislative Auditor which were recommended by the subcommittee of the Joint Legislative Budget Committee, be printed in the Journal of January 14, 1955.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 12, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 8

Senate Concurrent Resolution No. 10

Senate Concurrent Resolution No. 11

And reports the same correctly engrossed.

WARD, Chairman

##### Committee on Transportation

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 27

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 8; noes 2; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

##### Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 84

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

MILLER, Chairman

Above reported bill ordered to second reading.



**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported resolution ordered to third reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: Your Committee on Rules has examined:

**Senate Bill No. 20**—An act to amend Section 18 of the Orange County Flood Control Act and to add Section 18.5 to said act, relating to the issuance of bonds and elections therefor and the disposition of the balance of proceeds of prior bond issue; and declaring the urgency thereof, to take effect immediately;  
And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of January, 1955, at 2:30 p.m.

WARD, Chairman

**Senator Breed Presiding**

At 2:40 p.m., Senator Arthur H. Breed, Jr., of the 16th Senatorial District, presiding.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Teale asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3**

**Senate Joint Resolution No. 3**—Relative to memorializing the Secretary of the Interior of the United States and other officials and agencies authorized to act in the matter in relation to the regulation of fishing in Yosemite National Park.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 176

Assembly Bill No. 404

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 176**—An act to amend Sections 13, 14, 15, 17 and 18 of the Monterey County Flood Control and Water Conservation

District Act (Chapter 699 of the Statutes of 1947), relating to the taxing powers, issuance of bonds, and financing for projects of the Monterey County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 404**—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Desmond:

*Resolved*, That Assembly Bill No. 404 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

**NOES**—None.

Article IV, Section 15, of the Constitution was declared suspended.

**CONSIDERATION OF ASSEMBLY BILL NO. 404**

**Assembly Bill No. 404**—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill No. 404**—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Donnelly, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan Richards at the desk.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 975

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 975**—An act to amend Section 9102 of the Government Code, relating to legislative offices, declaring the urgency thereof, to take effect immediately.

## Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Burns:

*Resolved*, That Assembly Bill No. 975 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

## CONSIDERATION OF ASSEMBLY BILL NO. 975

**Assembly Bill No. 975**—An act to amend Section 9102 of the Government Code, relating to legislative offices, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill No. 975**—An act to amend Section 9102 of the Government Code, relating to legislative offices, declaring the urgency thereof, to take effect immediately.

Bill read third time.

## Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and Dale C. Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### RECESS

At 3 p.m., on motion of Senator Regan, the Senate recessed to permit Senator Regan to introduce a distinguished guest.

The President appointed Senator Regan to escort Mr. Arthur Liveran, United Nations Delegate from Israel, to the rostrum.

Senator Regan introduced Mr. Liveran, who addressed the Senate, extending greetings from Israel and comparing the democratic processes of his country and the State of California.

#### REASSEMBLED

At 3.05 p.m., the Senate reconvened.

Hon. Arthur H. Breed, Jr., of the Sixteenth Senatorial District, presiding.

Assistant Secretary Lachlan Richards at the desk.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 31

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read the first time:

**Assembly Joint Resolution No. 3**—Relative to the observance of the centennials of the opening of the Pacific overland mail.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 31**—Relative to the passing of the Honorable T. Fenton Knight.

Referred to Committee on Rules.

#### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 176

Senator McBride moved that Assembly Bill No. 176 be withdrawn from Committee on Local Government and re-referred to Committee on Revenue and Taxation.

Motion carried.



## RESOLUTIONS

The following resolutions were offered:

By Senator Cunningham:

## Senate Resolution No. 39

Relative to commending James Alan Guthrie for his outstanding accomplishments

WHEREAS, The list of names of the men who have made California great would be incomplete if the name of James Alan Guthrie of San Bernardino County were not included therein; and

WHEREAS, James Alan Guthrie is now observing his Fiftieth anniversary as a member of the staff and now editor and president of the *San Bernardino Sun-Telegram*, having begun his career with that newspaper as its high school correspondent in the year 1905 while he was a student at San Bernardino High School; and

WHEREAS, James Alan Guthrie on January 3, 1913, married Grace Kelley, which marriage was blessed by the arrival of a son, James K. Guthrie, and a daughter, Mrs. Kathleen Louergan, both of whom are associated with him in the conduct of the *Sun-Telegram*; and

WHEREAS, James Alan Guthrie has been a leader in the development of San Bernardino County, being a director of the Acme Colorprint Company, Pioneer Title Insurance & Trust Company; advisory board of Bank of America; chairman of the public information committee of the San Bernardino County and City Defense Councils; has been a leader of many civic campaigns; former director of the National Orange Show; member of the California Highway Commission; recipient of several awards for community service; Laymen's Citation Award, University of Redlands; member of the advisory board of the Automobile Club of Southern California; former member of the board of directors and in 1946 president of the San Bernardino Chamber of Commerce; member of the American Society of Newspaper Editors; Sigma Delta Chi, national professional journalistic fraternity; member of the Native Sons of the Golden West and of the Presbyterian Church; and

WHEREAS, James Alan Guthrie has served as a friend and adviser to numerous young people embarking on business or professional careers and has been one to whom citizens in great numbers have resorted for sage counsel or advice; and

WHEREAS, In addition to all the foregoing, James Alan Guthrie is known far and wide as a man of generosity, conviviality and good will; now, therefore, be it

*Resolved*, By the Senate of the State of California, that it commends James Alan Guthrie for his outstanding accomplishments and congratulates him upon the success of his undertakings; and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to have suitably prepared copies of this resolution forwarded to James Alan Guthrie and to members of his family.

Resolution read, and, on motion of Senator Cunningham, unanimously adopted.

By Senator Ward:

## Senate Resolution No. 40

Relating to the continuance of Senate interim committees

*Resolved by the Senate of the State of California*, As follows:

1. Each interim committee previously created by the Senate of the State of California and in existence on January 2, 1955, is continued as a Senate committee at this session with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of each committee shall be filled by the appointing power.

2. Each such committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and is directed to file a report not later than March 15, 1955, and is authorized to file supplemental reports thereafter and prior to final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Temporary and Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to each committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to each such committee and the members thereof.

4. The unexpended balance of the money heretofore made available to each such committee continued by this resolution shall continue to be available for the expenses

of the committee to which it was heretofore available and the members thereof and for any charges, expenses, or claims each such committee<sup>a</sup> may incur under the resolution by which it was created or this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Donnelly:

**Senate Resolution No. 41**

Relative to the continuance of the Senate Interim Committee on Governmental Organization

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Governmental Organization created by Senate Resolution No. 131 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 131, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 338:** By Senator Coombs—An act to add Section 1a to Chapter 9 of the Statutes of 1954, relating to the sale or transfer of the Napa State Farm.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 339:** By Senator Desmond—An act to amend Section 29747 of the Government Code, relating to claims allowed by county auditor.

Referred to Committee on Local Government.

**Senate Bill No. 340:** By Senator Desmond—An act to amend Section 29746 of the Government Code, relating to the transmittal of claims rejected by the auditor.

Referred to Committee on Local Government.

**Senate Bill No. 341:** By Senator Desmond—An act to amend Section 1504 of the Government Code, relating to personal liability for negligence of deputies or employees.

Referred to Committee on Local Government.

**Senate Bill No. 342:** By Senators Desmond and Busch—An act to add Sections 26907 and 26908 to the Government Code, relating to the destruction of public records.

Referred to Committee on Local Government.

**Senate Bill No. 343:** By Senator Desmond—An act to amend Section 29712 of the Government Code, relating to submission and payment of claims.

Referred to Committee on Local Government.

**Senate Bill No. 344:** By Senator Desmond—An act to amend Section 25350 of the Government Code, relating to the purchase of real property requiring the publication of a notice of intention.

Referred to Committee on Local Government.

**Senate Bill No. 345:** By Senator Desmond—An act to amend Section 29323 of the Government Code, relating to revolving fund bonds.

Referred to Committee on Local Government.

**Senate Bill No. 346:** By Senator Desmond—An act to amend Section 7394.1 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 347:** By Senator Desmond—An act to amend Section 7351 of the Business and Professions Code, relating to manicurists.

Referred to Committee on Business and Professions.

**Senate Bill No. 348:** By Senator Desmond—An act to add Section 7362 to the Business and Professions Code, relating to permanent wavers.

Referred to Committee on Business and Professions.

**Senate Bill No. 349:** By Senator Desmond—An act to amend Sections 7332 and 7420 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 350:** By Senator Desmond—An act to repeal Section 7329, and to amend Sections 7331, 7334, 7383, 7393, and 7412 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 351:** By Senator Dilworth—An act to amend Section 126 of the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 352:** By Senator Desmond—An act to amend Section 69674 of the Government Code, relating to superior court judges' salaries in the County of Sacramento.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 353:** By Senator Desmond—An act to amend Section 73871 of the Government Code, relating to the number and compensation of the judges of the municipal court established in a district embracing the City of North Sacramento.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 354:** By Senator Desmond—An act to amend Section 18025 of the Government Code, relating to holidays.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 355:** By Senator Desmond—An act to amend Sections 73872, 73873, and 73874 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of North Sacramento.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 356:** By Senator Desmond—An act to add Section 1001 to the Code of Civil Procedure, relating to the disclosure of insurance coverage.

Referred to Committee on Judiciary.

**Senate Bill No. 357:** By Senator Desmond—An act to amend Sections 682, 685, 687, 688, 689, 692, 693, and 695 of, and to add Section 696 to, the Streets and Highways Code, relating to franchises in state highways.

Referred to Committee on Transportation.

**Senate Bill No. 358:** By Senator Burns—An act to amend Sections 2801 and 2804 of the California Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Business and Professions.

**Senate Bill No. 359:** By Senator Burns—An act to amend Section 24431 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Business and Professions.

**Senate Bill No. 360:** By Senator Burns—An act to amend Section 24871 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Business and Professions.

**Senate Bill No. 361:** By Senator Burns—An act to add Sections 26516.4, 26516.5, 26516.6, and 26516.7 to the Health and Safety Code, relating to the adulteration, misbranding, and advertising of meat.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 362:** By Senator Dilworth—An act to amend Section 6703 of the Education Code, relating to school apportionments.

Referred to Committee on Education.



**Senate Bill No. 363:** By Senator Dilworth—An act to amend Sections 7041 and 9645 of the Education Code, relating to apportionments for emergency schools maintained by the county superintendent of schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 364:** By Senator Dilworth—An act to add Section 7125.1 to the Education Code, relating to apportionments for junior high schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 365:** By Senator Dilworth—An act to amend Sections 7109.1, 7112, 7113, 7114, 7119, 7121.2, and 7123 of, and to repeal Section 7119.1 of the Education Code, relating to State School Fund apportionments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 366:** By Senator Dilworth—An act to amend Section 7012 of the Education Code, relating to pupil transportation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 367:** By Senator Dilworth—An act to add Section 12205 to the Education Code, relating to the issuance of temporary certificates.

Referred to Committee on Education.

**Senate Bill No. 368:** By Senator Dilworth—An act to repeal Sections 1047, 5010 (as added by Chapter 533, Statutes 1953), 9196, 19310, and 19627 of, and to amend Sections 5010 (as added by Chapter 1028, Statutes 1953), 5902, and 16143 of the Education Code, relating to audits and the Public School System.

Referred to Committee on Education.

**Senate Bill No. 369:** By Senator Dilworth—An act to amend Section 6907 of, and to add Section 7000.5 to the Education Code, relating to school apportionments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 370:** By Senator Dilworth—An act to amend the title of Article 4 of Chapter 8 of Division 3 of, to amend Sections 5961 and 5968 of, to repeal Sections 5962, 5963, 5964, 5965, 5966, and 5967 of, and to add Sections 5962 and 5963 to the Education Code, relating to school funds.

Referred to Committee on Education.

**Senate Bill No. 371:** By Senator Dilworth—An act to amend Section 7701 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 372:** By Senators Dilworth, Donnelly, Montgomery, Breed, J. Howard Williams, Murdy, and Harold T. Johnson—An act to add Chapter 24 to Division 3 of the Education Code, to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

Referred to Committee on Education.

**Senate Bill No. 373:** By Senator Dilworth—An act to amend Sections 4902.5, 4902.7, 4964, and 4964.1 of the Education Code, relating to the property, funds, and obligations of reorganized school districts.

Referred to Committee on Education.

**Senate Bill No. 374:** By Senator Dilworth—An act to amend Sections 12, 15, 16, 17, 22, 23, and 24 of, and to add Section 16.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 375:** By Senator Dilworth—An act to add Section 16.1 to the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 376:** By Senator Donnelly—An act to add Chapter 12.5 to Division 3 of the Business and Professions Code, relating to the regulation of radio and television servicing, creating a Board of Radio and Television Examiners, and prescribing its powers and duties, and making an appropriation.

Referred to Committee on Business and Professions.

**Senate Bill No. 377:** By Senator Harold T. Johnson—An act to amend Sections 930, 985 and 1176 of the California Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 378:** By Senator Harold T. Johnson—An act to amend Section 2626 of the California Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 379:** By Senator Miller—An act to add Sections 5.1, 5.2, 5.3, 5.4, 5.5, and 6.2 to the Contra Costa County Flood Control and Water Conservation District Act, relating to the Contra Costa County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 380:** By Senator Harold T. Johnson—An act to amend Section 2627 of the California Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 381:** By Senator Harold T. Johnson—An act to amend Section 2655 of the California Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 382:** By Senators Gibson and Sutton—An act to add Section 104.10 to the Streets and Highways Code, relating to property acquired for future state highway needs.

Referred to Committee on Transportation.

**Senate Bill No. 383:** By Senator Breed—An act to amend Section 39 of the San Francisco Bay Area Metropolitan Rapid Transit District Act (Chapter 1239 of the Statutes of 1949), and to add Section 2.5 to Chapter 1212 of the Statutes of 1953, relating to the San Francisco Bay Area Rapid Transit Commission.

Referred to Committee on Transportation.

**Senate Bill No. 384:** By Senator Breed—An act to amend Section 650 of the Unemployment Insurance Code, relating to commission salesmen.

Referred to Committee on Social Welfare.

**Senate Bill No. 385:** By Senator Breed—An act to add Section 3302.1 to the Welfare and Institutions Code, relating to purchase for resale of articles not manufactured by California Industries for the Blind.

Referred to Committee on Social Welfare.

**Senate Bill No. 386:** By Senator John F. McCarthy—An act to repeal Section 11092 of, and to add Article 7 to Chapter 3, Part 2, Division 3, Title 2, of, the Government Code, relating to records management, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 387:** By Senator Collier—An act to repeal Section 525.1 of the Vehicle Code, relating to driving vehicles in the right hand lane for traffic.

Referred to Committee on Transportation.

**Senate Bill No. 388:** By Senator Collier—An act to add Sections 100.4, 30009, and 30204.6 to the Streets and Highways Code, relating to toll bridges and other toll highway crossings.

Referred to Committee on Transportation.

**Senate Bill No. 389:** By Senator Collier—An act to amend Section 73 of the Streets and Highways Code, relating to the relinquishment of state highways or portions thereof.

Referred to Committee on Transportation.

**Senate Bill No. 390:** By Senators Teale and Regan—An act to amend Section 8358 of the Revenue and Taxation Code, relating to aircraft fuel taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 391:** By Senator Coombs—An act to amend Section 1829 of the Education Code, relating to the posting of the results of school district elections.

Referred to Committee on Education.

**Senate Bill No. 392:** By Senator Weybret—An act to amend Section 2185 of the Welfare and Institutions Code, relating to aged aid.

Referred to Committee on Social Welfare.

**Senate Bill No. 393:** By Senator Weybret—An act to amend Section 2002 of the Welfare and Institutions Code, relating to aged aid.

Referred to Committee on Social Welfare.

**Senate Bill No. 394:** By Senator Weybret—An act to amend Section 1529 of the Welfare and Institutions Code, relating to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 395:** By Senators Weybret, Murdy, and Abshire—An act to add Sections 2017 and 2229 to and to repeal Section 2007.5 of the Welfare and Institutions Code, relating to aid to the aged in respect to property owned by applicants and recipients thereof, and providing for the repayment of such aid out of the estates of the recipients thereof.

Referred to Committee on Social Welfare.

**Senate Bill No. 396:** By Senator Weybret—An act to amend Section 1562 of the Welfare and Institutions Code, relating to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 397:** By Senators Weybret, Murdy, Abshire, Berry, and Donnelly—An act to add Section 1506.5 to, and to amend Section 1504 of, the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 398:** By Senators Weybret, Murdy, Abshire, Berry, and Donnelly—An act to amend Section 1552.4 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 399:** By Senators Weybret, Murdy, Abshire, Berry, and Donnelly—An act to amend Section 1552.6 of the Welfare and Institutions Code, relating to the location and prosecution of parents of needy children.

Referred to Committee on Social Welfare.



**Senate Bill No. 400:** By Senator Brown—An act to amend Section 19.6 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 401:** By Senator Ed. C. Johnson—An act to amend Section 624 of the Fish and Game Code, relating to shipment of trout from this State.

Referred to Committee on Fish and Game.

**Senate Bill No. 402:** By Senator Ed. C. Johnson (By Request)—An act to amend Section 1159 of the Fish and Game Code, relating to cooperative hunting areas.

Referred to Committee on Fish and Game.

**Senate Bill No. 403:** By Senator Ed. C. Johnson (By Request)—An act to amend Sections 14.2, 15, 15.2, 15.3, and 18 of, and to add Sections 16, 16.1, and 16.2 to, the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 404:** By Senator Ed. C. Johnson (By Request)—An act to add Section 692 to, and to repeal Sections 610, 611, 611.5, 611.6, 611.7, 612, 613, 614, 615, 615.1, 615.2, 615.3, 615.4, 615.5, 615.6, 615.7, 615.8, 616, 617, 618, 619.5, 620, 621, 621.5, 652, 653, 654, 655, 656, 657, 658, 691, 693, 694, 695, 698, 698.5, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 721, 722, 724.5, 727, 728, 1200, 1201, 1270, 1271, 1272, and 1341 of, the Fish and Game Code, relating to seasons and bag limits for fish and game and the sale of fish.

Referred to Committee on Fish and Game.

**Senate Bill No. 405:** By Senator Erhart—An act to add Section 20360 to the Education Code, relating to commencement exercises and other public ceremonies.

Referred to Committee on Education.

**Senate Bill No. 406:** By Senator Erhart—An act to amend Sections 20391 and 20392 of Article 3.5 of Chapter 2 of Division 10 of the Education Code, relating to appointment of state college employees.

Referred to Committee on Education.

**Senate Bill No. 407:** By Senator Erhart—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Referred to Committee on Education.

**Senate Bill No. 408:** By Senator Erhart—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for regulating the appropriation and expenditure of money in said fund.

Referred to Committee on Business and Professions.

**Senate Bill No. 409:** By Senator Erhart—An act making an appropriation for permanent improvements at the California State Polytechnic College.

Referred to Committee on Education.

**Senate Bill No. 410:** By Senator Erhart—An act making an appropriation for the support of the California State Polytechnic College.

Referred to Committee on Education.

**Senate Bill No. 411:** By Senator Thompson—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 412:** By Senator Busch—An act to add Title 11 to Part 2 of the Code of Civil Procedure, relating to contribution among joint tort-feasors.

Referred to Committee on Judiciary.

**Senate Bill No. 413:** By Senator Donnelly—An act to repeal Section 351 of the Education Code, relating to school superintendents.

Referred to Committee on Education.

**Senate Bill No. 414:** By Senator Donnelly—An act to amend Section 13841.1 of the Education Code, relating to sick leave of school district employees.

Referred to Committee on Education.

**Senate Bill No. 415:** By Senator Donnelly—An act to provide for a study of an educational program for gifted pupils in the public schools of California, and making an appropriation therefore.

Referred to Committee on Education.

**Senate Bill No. 416:** By Senator Donnelly—An act to add Section 187 to the Education Code, relating to a study of an educational program for gifted pupils in the public schools, and making an appropriation therefore.

Referred to Committee on Education.

**Senate Bill No. 417:** By Senators Richards, Collier, Burns, Parkman, and Regan—An act to amend Section 9653 of the Revenue and Taxation Code, relating to taxes on motor vehicles.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 418:** By Senator Parkman (By Request)—An act to amend Sections 3212, 4850, and 4851 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 419:** By Senator Thompson—An act to add Sections 4857.5 and 4858.5 to, and to amend Sections 4858 and 4859 of, the Health and Safety Code, relating to reorganization of county sanitation districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 420:** By Senators Thompson and Erhart—An act to add Chapter 6.6 to Division 2 of the Business and Professions Code, relating to psychiatric technicians.

Referred to Committee on Business and Professions.

**Senate Bill No. 421:** By Senator Thompson—An act to amend Section 12.5 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the Santa Clara County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 422:** By Senator Thompson—An act to amend Sections 4830, 4831, and 4832 of, and to add Sections 4831.5, 4832.5 and 4833 to, the Health and Safety Code, relating to annexation of territory to county sanitation districts.

Referred to Committee on Local Government.

**Senate Bill No. 423:** By Senators Thompson, Erhart, Murdy, Byrne, Cunningham, Desmond, Dilworth, Burns, John F. McCarthy, Ed C. Johnson, Sutton, Dorsey, Kraft, Gibson, Breed, Robert I. McCarthy, Coombs, Grunsky, Busch, Berry, Collier, Way, Hulse, and Donnelly—An act to add Section 2842.5 to the Elections Code, relating to loyalty oaths.

Referred to Committee on Elections.

**Senate Bill No. 424:** By Senator Donnelly—An act to repeal Sections 1813, 1819, 1820, 3129, 3130, 3131, 3132, 4124, 4125, 4126, and 4127 of, to amend Sections 1671, 1801, 1804, 1805, 1806, 1808, 1809, 1818, 1822, 1825, 1826, 1828, 1829, 6358, 7402, 7404, and 7407 of, to amend and renumber Sections 3133 and 4128 of, and to add Sections 1819 and 1820 of, the Education Code, relating to school district elections.

Referred to Committee on Education.

**Senate Bill No. 425:** By Senator Donnelly—An act to amend Section 28117 of the Government Code, relating to fees of trial jurors in counties of the seventeenth class.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 426:** By Senator Berry—An act to add Chapter 3.7 to Division 10 of the Education Code, relating to the expansion of publicly supported higher education by the establishment of a state college in Amador County.

Referred to Committee on Education.

**Senate Bill No. 427:** By Senator Erhart—An act to amend Sections 20351 to 20356 inclusive, of Article 2 of Chapter 2 of Division 10 of the Education Code, relating to the leasing of state college facilities.

Referred to Committee on Education.

**Senate Bill No. 428:** By Senator Thompson—An act to amend Sections 6710, 6711, 6712, 6751, 6753, 6775, and 6787 of the Business and Professions Code, relating to professional engineers.

Referred to Committee on Business and Professions.

**Senate Bill No. 429:** By Senator Busch—An act to amend Sections 14396, 14397, and 14399 of the Government Code, relating to performance of state contracts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 430:** By Senator Murdy—An act authorizing a suit or suits against the State of California to quiet title to interests in certain real property in the County of Orange, State of California, or to reform a certain deed relating thereto, or both, and authorizing reconveyance of certain interests heretofore conveyed to the State of California.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 431:** By Senator Berry—An act to amend Section 24040 of the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 432:** By Senator Berry—An act to amend Section 24070 of the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 433:** By Senators Collier and Dorsey—An act to add Section 730.5 to the Welfare and Institutions Code, relating to fingerprints and photographs of juveniles.

Referred to Committee on Judiciary.

**Senate Bill No. 434:** By Senator Collier—An act to amend Sections 143, 146, 148, 151.1, 165, 175, 182, 184, 185 of, and to add Section 143.1 to, the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 435:** By Senator John F. McCarthy—An act to add Section 12230 to the Government Code, relating to the State Archives Building.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 436:** By Senator John F. McCarthy—An act to add Section 12230 to the Government Code, relating to laminating equipment and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 437:** By Senator John F. McCarthy—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the State Archives and the State Record Depository.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 438:** By Senator John F. McCarthy—An act to amend Section 5805 of the Education Code, relating to general plans for expenditure of Vocational Rehabilitation Federal Fund.

Referred to Committee on Education.

**Senate Bill No. 439:** By Senators Gibson, Desmond, and Kraft—An act to amend Sections 3011, 3013, 3016, 3054, 3055, 3070, and 3152 of, and to add Section 3107 to, the Business and Professions Code, relating to optometry.

Referred to Committee on Business and Professions.

**Senate Bill No. 440:** By Senator Brown—An act to add Sections 5037 and 5038 to the Public Resources Code, relating to the State Park System, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 441:** By Senator Breed—An act to add Sections 9124 and 9125 to the Education Code, relating to Opportunity Centers for the Blind.

Referred to Committee on Education.

**Senate Bill No. 442:** By Senator Brown—An act to amend Sections 7217 and 7301 of the Education Code, relating to pupils attending school in an adjoining state.

Referred to Committee on Education.

**Senate Bill No. 443:** By Senator Dorsey (Revision by California Law Revision Commission)—An act to repeal Sections 353, 1003, 1004, 1005, 1801, 1802, 1803, 1813, 1830, 1831, 1832, 1833, 1834, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1901, 1943, 1944, 2108, 2154, 2155, 2158, 3122, 3123, 3124, 3125, 3126, 3128, 3130, 3131, 3132, 3133, 3152, 3222, 3637, 4121, 4122, 4123, 4124, 4126, 4127, 4128, 4622, 4623, 4624, and 4625 of, to amend Sections 3121, 3151, 4101, 4102, 4103, 4151, 4621, and 4626 of, to add Sections 1800, 1801, 1804, 1821, 1822, 1823, 1824, 1825, 1826, 1829, 1830, 1832, 1844, 1873, 1874, 1893, 1894, 1895, 1896, 1898, 1899, 1900, 1901, 1903, 1904, 1905, 1911, 1912, 2108, 3122, 3124, 4105, 4107, 4622, 4623, 4624, 4625, and 4948 to, to amend and renumber Sections 1002, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1861, 1902, 1921, 1941, 1942, 2151, 2152, 2153, 2156, 2157, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 3127, 3129, and 4125 of, to repeal Article 4 of Chapter 10 of Division 2 of, to repeal Article 5, Chapter 12, Division 2 of, to repeal the article headings of Articles 2, 3, 4 and 5, Chapter 4, Division 2 of, to repeal the chapter headings of Chapter 5.5, Division 2 of, to repeal the article heading of Article 2, Chapter 12, Division 2 of, to amend the chapter heading of Chapter 4, Division 2 of, to amend the article headings of Article 1, Chapter 4, Division 2, Articles 2 and 3, Chapter 10, Division 2, Article 1, Chapter 12, Division 2, Article 3, Chapter 12, Division 2 of, and to add new article headings to, Articles 2, 3, and 4, to Chapter 4, Division 2 of, the Education Code, relating to the Public School System.

Referred to Committee on Judiciary.

**Senate Bill No. 444:** By Senator Dilworth—An act to add Sections 2154, 2203.5, 2304.5, and 2420.1 to, and to amend Sections 3871, 3873, 3878, and 3880 of, the Elections Code, relating to delegates to national conventions of political parties.

Referred to Committee on Elections.

**Senate Bill No. 445:** By Senator Dilworth—An act to add Section 111 to the Government Code, relating to sovereignty and jurisdiction.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 446:** By Senator Dilworth—An act to add Section 375.6 to the Fish and Game Code, relating to federal preserves.

Referred to Committee on Fish and Game.

**Senate Bill No. 447:** By Senator Dilworth—An act to amend Sections 4964 and 4902.7 of, and to repeal Section 4964.2 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 448:** By Senator Dilworth—An act to amend Section 12 of the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 449:** By Senator Dilworth—An act to amend Section 12 of the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 450:** By Senator Dilworth—An act to amend Sections 15, 16, 17, 22, 23, and 24 of the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 451:** By Senator Dilworth—An act to add Section 928a to the Penal Code, relating to grand juries.

Referred to Committee on Judiciary.

**Senate Bill No. 452:** By Senator Dilworth—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption in respect to churches inadvertently failing to claim it, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 453:** By Senator Dilworth—An act to add Sections 15625 and 37101.5 to the Government Code, relating to the collection of city sales and use taxes.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 454:** By Senator Dilworth—An act to add Section 6109.1 to the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 455:** By Senator Dilworth—An act to amend Section 414 of the Education Code, relating to the Superintendent of Schools of a county of the fourteenth class.

Referred to Committee on Education.

**Senate Bill No. 456:** By Senator Dilworth—An act to amend Sections 14262, 14331, 14337, 14490, 14635, and 14636 of, and to add Sections 14480.1 and 14575.2 to, the Education Code, relating to the State Teachers' Retirement System, providing for a benefit upon death after retirement, and for optional annuity deposits by members, and providing for increments in allowance formula, upon service retirement above age 60.

Referred to Committee on Education.

**Senate Bill No. 457:** By Senator Dilworth—An act to add Section 6362 to the Education Code, relating to school district taxes.

Referred to Committee on Education.

**Senate Bill No. 458:** By Senator Donnelly—An act to amend Section 16271 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 459:** By Senator Donnelly—An act to add Sections 79 and 86.5 to the Agricultural Code, relating to medical or hospital service or accident or liability insurance with respect to nonsalaried employees of the California State Fair and Exposition and district agricultural associations.

Referred to Committee on Agriculture.

**Senate Bill No. 460:** By Senators Abshire, Desmond, and Dorsey—An act to amend Sections 1058, 1252, 2552, and 11415 of the Water Code, and to amend Section 18202 of the Education Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 461:** By Senators Abshire, Desmond, and Dorsey—An act to add Section 21216 to the Public Utilities Code, relating to the California Aeronautics Commission.

Referred to Committee on Judiciary.

**Senate Bill No. 462:** By Senators Abshire, Desmond, and Dorsey—An act to amend Sections 5255, 8701, 12300, 15801, 17400, 18800, 22400, and 24400 of the Financial Code; to add Section 10084 to the Business and Professions Code; to amend Sections 10080 and 11001 of the Business and Professions Code; to amend Sections 25308, 27003, and 28200 of the Corporations Code; to add Section 42 to the Insurance Code; and to amend Sections 383.5, 843, 1691.3, 1812, 1851, 10292, 10498.6, 11515, and 11751.5 of the Insurance Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.



**Senate Bill No. 463:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 16, 254, 261, 262, 324, 333.3, 333.4, 351.2, 359.2, 380.50, 441, 617, 747.1, 762.8, 782, 841, 892, 917.5, 1012.6, 1044, 1068, 1082, 1106.1, 1232, 1248, 1260.1, 2649, 3149, and 3502 of, and to add Section 16.1 to, and to repeal Section 896 of, the Agricultural Code, and to amend Sections 8525, 8560, 8972.1, 12027, 12107, 19510, 19561, 19561.5, 19562, and 19590 of the Business and Professions Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 464:** By Senators Abshire, Desmond, and Dorsey—An act to amend Sections 18624, 18682, 5526, 5015, 5021, 5022, 9533, 7606, 2119, 2558, 2630, 2715, 2736, 2854, 2882, 4808, 4849, 4009, 9630, 21243, 3025, 6866, 14231, 14248, 6716, 6717, 6754, 8710, 8745 of the Business and Professions Code; to amend Sections 12262, 11112, 11423, 11424, and 11426 of the Government Code; to amend Section 411 of the Unemployment Insurance Code; and to add Section 6751.5 to the Business and Professions Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 465:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 18577 of the Government Code; Sections 8534 and 19034 of the Business and Professions Code; and Section 128 of the Vehicle Code; and to add Section 13078 to the Government Code; Section 76 of the Labor Code; Section 13144.1 to the Health and Safety Code; Section 85 to the Military and Veterans Code; Section 30 to the Education Code; and Section 309.5 to the Unemployed Insurance Code; and to repeal Section 18576 of the Government Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 466:** By Senator McBride—An act to amend Section 11732 of the Insurance Code, relating to insurance premium rates.

Referred to Committee on Financial Institutions.

**Senate Bill No. 467:** By Senator McBride—An act to amend Section 1156 and to repeal Section 12420 of the Government Code, relating to pay roll deductions for state officers and employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 468:** By Senator McBride—An act to amend Section 1153 of, to add Section 12420.1 to, and to repeal Section 20122 of, the Government Code, relating to pay roll deductions for purchases of United States savings bonds by state officers and employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 469:** By Senator Harold T. Johnson—An act to add Section 13050.1 to the Education Code, relating to credentials of school business managers.

Referred to Committee on Education.



**Senate Bill No. 470:** By Senator Dilworth—An act to amend Section 6904 of the Education Code, relating to school attendance.

Referred to Committee on Education.

**Senate Bill No. 471:** By Senator Dilworth—An act to amend Sections 7000.1, 7000.3, and 7190 of the Education Code, relating to correcting apportionments.

Referred to Committee on Education.

**Senate Bill No. 472:** By Senator Dilworth—An act to amend Section 7098 of the Education Code, relating to apportionments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 473:** By Senator Dilworth—An act to amend Sections 5152, 5202, 5202.1, and 7121 of, and to add Section 7120 to, the Education Code, relating to school apportionments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 21**—An act to amend Sections 9510, 9514, 9516, and 9605 of the Government Code, relating to the operation and effect of statutes, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Desmond:

*Resolved*, That Senate Bill No. 21 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, Dale C. Williams, and J. Howard Williams—31.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

#### CONSIDERATION OF SENATE BILL NO. 21

**Senate Bill No. 21**—An act to amend Sections 9510, 9514, 9516, and 9605 of the Government Code, relating to the operation and effect of statutes, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS****Senate Resolution No. 26**

Relating to Reports of Standing Committees of the 1953 Session constituted as investigating committees under Senate Rule 12.1

*Resolved by the Senate of the State of California, As follows:*

1. All Standing Committees of the Senate of the 1953 Session, constituted as investigating committees by Senate Rule 12.1 and authorized to exercise the powers conferred by that rule in the manner provided therein, may file their final reports no later than March 15, 1955.

Resolution read, and, on motion of Senator Abshire, adopted.

**Senate Resolution No. 30**

Relative to purchasing Attorney General's Opinions

*Resolved by the Senate of the State of California, That the Secretary of the Senate be and he is hereby directed to purchase from the publisher thereof:*

1. Sufficient subscriptions to the "Opinions of the Attorney General of California" to continue for 1955-56 the subscriptions of the Members of the Senate heretofore receiving said "Opinions."

2. Sufficient subscriptions to said "Opinions" to supply one such subscription to each newly-elected Member of the Senate.

3. Sufficient sets of the back volumes of the "Opinions," each set comprising Volumes 1-24 and two Index volumes, to supply one set to each newly-elected Member of the Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and Dale C. Williams—29.

**NOES**—None.

**Senate Resolution No. 34**—Relative to creation of the Special Senate Committee on Election Contests.

Resolution read.

**Motion to Amend**

Senator Ward moved the adoption of the following amendment:

**Amendment No. 1**

After the last line of the measure as printed in the Senate Journal for January 12, 1955, at pages 182 and 183 insert

"8. The Attorney General is hereby requested to provide a deputy to represent the contestee in the contest which is the subject matter of this resolution. If the Attorney General refuses to accede to said request then, notwithstanding any previous action

by the Senate by rule or resolution, the committee may pay from the funds heretofore made available to it the fee, or so much thereof as it determines to be reasonable, of an attorney selected by said contestee."

Amendment read, and adopted.

#### Request for Unanimous Consent

Senator Ward asked for, and was granted, unanimous consent to take up Senate Resolution No. 34 at this time, for consideration as amended.

#### CONSIDERATION OF SENATE RESOLUTION NO. 34, AS AMENDED Senate Resolution No. 34

Relative to the creation of the Special Senate Committee on Election Contests

*Resolved by the Senate of the State of California, As follows:*

1. The Special Senate Committee on Election Contests is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the contest filed by Verne W. Hoffman relative to the election of Alan Short to the office of Senator from the Twentieth Senatorial District and to report thereon to the Senate, including in the reports its recommendations for appropriate action.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than March 30, 1955.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings to the Senate from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

7. Until the adoption of Joint Rules at this session, the Joint Rules of the 1953 Regular Session are incorporated herein and made applicable to the committee and its members.

8. The Attorney General is hereby requested to provide a deputy to represent the contestee in the contest which is the subject matter of this resolution. If the Attorney General refuses to accede to said request then, notwithstanding any previous action by the Senate by rule or resolution, the committee may pay from the funds heretofore made available to it the fee, or so much thereof as it determines to be reasonable, of an attorney selected by said contestee.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and Dale C. Williams—30.

**NOES**—None.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

MR. PRESIDENT: The Committee on Rules has appointed Senator Dilworth, Chairman, Senator Grunsky, Senator Harold T. Johnson, Senator Cobey, and Senator Berry as members of a special committee in accordance with the provisions of Senate Resolution No. 34.

WARD, Chairman

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Concurrent Resolution No. 10**—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Cobey, Collier, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 8**—Relative to the creation of the Joint Legislative Committee for School Visitations.

Resolution read.

**Motion to Re-refer Senate Concurrent Resolution No. 8**

Senator Ward moved that Senate Concurrent Resolution No. 8 be referred to Committee on Rules.

Senator Ward withdrew his motion.

**Motion to Postpone**

Senator Burns moved that further consideration of Senate Concurrent Resolution No. 8 be continued until Monday, January 17, 1955.

**Motion to Re-refer**

Senator Hulse moved that Senate Concurrent Resolution No. 8 be referred to Committee on Rules.

The President ruled the motion out of order.

**Point of Order**

Senator Collier arose to a point of order stating that Senator Dilworth was not speaking to the motion by Senator Burns to postpone consideration of Senate Concurrent Resolution No. 8 until Monday.

The President ruled the point not well taken.

**Previous Question**

Senator Collier moved the previous question.

Motion carried.

The President put the question.

The question being on Senator Burns' motion to continue consideration of Senate Concurrent Resolution No. 8 until Monday, January 17, 1955.

The President directed the Secretary to call the roll.



The roll was called, and the motion carried by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Donnelly, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Teale, Ward, and Way—24.

NOES—Senators Dilworth, Dorsey, Erhart, Murdy, Sutton, and Thompson—6.

**Senate Concurrent Resolution No. 11**—Relative to cooperation between the legislative and executive branches of State Government on pending legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Concurrent Resolution No. 27**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read, and presented by Senator John F. McCarthy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Thompson, Ward, and Way—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 21

And reports the same correctly engrossed.

WARD, Chairman

#### Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred: Assembly Bill No. 176

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

McBRIDE, Chairman

#### Request for Unanimous Consent

Senator McBride asked for, and was granted, unanimous consent to take up Assembly Bill No. 176, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY BILL NO. 176

## Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator McBride:

*Resolved*, That Assembly Bill No. 176 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—28.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

## CONSIDERATION OF ASSEMBLY BILL NO. 176

**Assembly Bill No. 176**—An act to amend Sections 13, 14, 15, 17 and 18 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699 of the Statutes of 1947), relating to the taxing powers, issuance of bonds, and financing for projects of the Monterey County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill No. 176**—An act to amend Sections 13, 14, 15, 17 and 18 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699 of the Statutes of 1947), relating to the taxing powers, issuance of bonds, and financing for projects of the Monterey County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Bill read third time.

## Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 1

Assembly Joint Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read the first time:

**Assembly Joint Resolution No. 1**—Relative to flood control in the Sawtelle-Westwood area, Los Angeles County, California.

Referred to Committee on Water Resources.

**Assembly Joint Resolution No. 2**—Relative to closing the United States-Mexico border to unescorted minors.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 474:** By Senator Way—An act to amend Section 346 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 475:** By Senator Way—An act to amend Section 384 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 476:** By Senators Collier and Way—An act to add Section 803.2 to the Fish and Game Code, relating to clams.

Referred to Committee on Fish and Game.

**Senate Bill No. 477:** By Senator Way—An act to amend Sections 809 and 811 of, and to repeal Sections 810 and 810.5 of, the Fish and Game Code, relating to clams.

Referred to Committee on Fish and Game.

**Senate Bill No. 478:** By Senator Collier—An act to add Section 788.5 to the Fish and Game Code, relating to the taking of crabs.

Referred to Committee on Fish and Game.

**Senate Bill No. 479:** By Senator Donnelly—An act to amend Sections 5705 and 5706 of, to amend and renumber Section 5726 of, to add Section 5707 to, to repeal Sections 5704 and 5727 of, to amend the chapter heading of Chapter 6, Division 3 of, and to repeal the article headings of Articles 1 and 2 of Chapter 6, Division 3 of, the Education Code, relating to vocational education.

Referred to Committee on Education.

**Senate Bill No. 480:** By Senator Robert I. McCarthy—An act to amend Section 541 of the Probate Code, relating to bonding of executors and administrators.

Referred to Committee on Judiciary.

**Senate Bill No. 481:** By Senator Robert I. McCarthy—An act to amend Section 14370 of the Government Code, relating to state public works projects.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 482:** By Senators Breed, Burns, Kraft, Robert I. McCarthy, and Richards—An act to add Part II to Division 3, Title 2 of the Government Code, relating to the creation of a State Building Board with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of interest-bearing certificates to state agencies by the board, and providing for the payment of the certificates and the rights of the holders thereof; and granting the right of eminent domain; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the board to pay expenses incident to its formation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 483:** By Senators Breed, Burns, Kraft, Robert I. McCarthy, and Richards—An act to add Section 15833 to the Government Code, authorizing the State Building Board to construct state office buildings, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 484:** By Senator Busch—An act to amend Section 4103 of the Government Code, relating to public works contracts and the subcontracting and subletting thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 485:** By Senator Busch—An act to add Section 5040 to the Public Resources Code, relating to the State Park System, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 486:** By Senator Breed—An act to amend Sections 23181 and 23183 of the Revenue and Taxation Code, relating to the taxation of financial corporations.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 487:** By Senators Miller, Collier, Harold T. Johnson, John F. McCarthy, and J. Howard Williams—An act to add Chapter 1.5 to Title 8, and to repeal Sections 68805, 69101, and 72601 and Article 4, Chapter 5 of Title 8, and to amend Sections 71006, 73341, 73391, 73431, 73481, 73521, 73561, 73601, 73641, 73681, 73731, 73771, 73821, 73871, 73911, 73951, 73991, 74011, 74041, 74081, 74131, 74181,



74221, 74261, 74301, 74341, 74501, 74601, 74641, 74691, 74741, 74781, 74801, 74841, and 74881, of the Government Code, relating to the compensation of judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 488:** By Senator Thompson—An act to add Section 5060 to the Penal Code and Section 1727 to the Welfare and Institutions Code, relating to the administration of the State Correctional System.

Referred to Committee on Social Welfare.

**Senate Bill No. 489:** By Senator Thompson—An act to amend Sections 166.1, 166.2, 1016, and 1017 of the Welfare and Institutions Code, and Sections 5062 and 5063 of the Penal Code, relating to the property of escaped, discharged, or paroled inmates of state institutions.

Referred to Committee on Social Welfare.

**Senate Bill No. 490:** By Senator Teale—An act to amend Section 403 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 491:** By Senator Teale—An act to amend Section 1047 of the Fish and Game Code, relating to private stocking of domestically reared fish.

Referred to Committee on Fish and Game.

**Senate Bill No. 492:** By Senator Coombs—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Referred to Committee on Local Government.

**Senate Bill No. 493:** By Senator Coombs—An act to add Section 36933.1 to the Government Code, relating to city ordinance codes.

Referred to Committee on Local Government.

**Senate Bill No. 494:** By Senator Brown—An act to add Section 13101.5 to the Government Code, relating to the acquisition of real property by state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 495:** By Senator Brown—An act to amend Section 9765 of the Government Code, relating to the preparation and printing of statutes.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 496:** By Senator Brown—An act to add Section 11005.2 to the Government Code, relating to the letting or demising of state property by state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 497:** By Senator Brown—An act to amend Section 11901 of the Government Code, relating to the printing of biennial reports.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 498:** By Senator Busch—An act to add Section 28161 to the Government Code, relating to salaries of county officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 499:** By Senator Collier—An act to amend Section 750.5 of the Vehicle Code relating to damaged equipment of members of the California Highway Patrol.

Referred to Committee on Transportation.

**Senate Bill No. 500:** By Senator Collier—An act to amend Section 16272 of the Education Code relating to school busses.

Referred to Committee on Education.

**Senate Bill No. 501:** By Senator Ward—An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the County of Santa Barbara which were heretofore transferred to and vested in said the Regents of the University of California by an act entitled "An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College, to transfer to the Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems" approved June 8, 1943, and also remising, releasing and quitclaiming to the Regents of the University of California all real property acquired by the State of California and transferred to the Regents of the University of California for the branch of the University of California at Santa Barbara pursuant to the provisions of an act entitled "An act making an appropriation for the acquisition of land for the branch of the University of California at Santa Barbara providing for the transfer thereof to the Regents of the University of California for such use, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 13, 1944.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 502:** By Senator Dorsey (Revision by California Law Revision Commission)—An act to amend Sections 8151, 8153, 8158, 8160, 8286, 8401, 8406, 8406.1, 8826, 9858, 11021, 11151, 11153, 11275, 11291, 11674, 11741, 13861, 18003, 18008, 18022, 18205, 18403, 18404, 19051, 19606.5, 19609, 19613, 19617, 20351, 20356, 20543, 21364, 21647, 22693, 22722, 22723, 22725, 23204, and 23208 of, to amend the headings of Article 1 of Chapter 1 and Article 1 of Chapter 7 of Division 9 of, to add Article 10 to Chapter 1 of Division 5 of, to add Section 11150 to, to repeal Sections 8152, 8154, 8154.1, 8253, 8254, 9618, 9646, 11656, 18053.5, 18055, 19620, and 21648 of, and to repeal Article 1.5 of Chapter 2 of Division 10 of, the Education Code, relating to the Public School System.

Referred to Committee on Judiciary.

**Senate Bill No. 503:** By Senator Dorsey (Revision by California Law Revision Commission)—An act to amend Sections 640, 641, 642, 643, 644, 645, 645.1, 646, and 1200 of the Probate Code, relating to probate proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 504:** By Senator Dorsey—An act to amend Section 21367 of, and to add Article 5 to Chapter 8 of Division 10 of, the Education Code, relating to residential schools known as California Academies for dependent neglected and homeless children.

Referred to Committee on Education.

**Senate Bill No. 505:** By Senator Dorsey—An act to amend Section 1823 of the Education Code, relating to school district elections.

Referred to Committee on Education.

**Senate Bill No. 506:** By Senator Dorsey—An act to amend Section 1811 of the Education Code, relating to school district elections.

Referred to Committee on Education.

**Senate Bill No. 507:** By Senator Dorsey—An act to amend Section 1827 of the Education Code, relating to school district elections.

Referred to Committee on Education.

**Senate Bill No. 508:** By Senator Dorsey—An act to amend Section 8001 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 509:** By Senator Dorsey—An act to amend Section 8101 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 510:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 7 of the Construction and Employment Act (Chapter 20, 1946 First Extraordinary Session); Section 7706 of the Education Code; Section 55 of the Labor Code; Section 3502 of the Agricultural Code; Sections 1614, 1651, 5630, 7008, 7059, 7065, 7076, 7084, 8920, and 19089 of the Business and Professions Code; and Sections 13160, 13399, 13780, 13920, 13922, 13924, 13926, and 13951 of the Government Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 511:** By Senators Abshire, Desmond, and Dorsey—An act to amend Sections 5517, 5701, 6602, 6725.5, 6726, 6727, 7302, 7502 and 7500.5 of the Welfare and Institutions Code; Sections 13108, 13116, 13120, 13126, 13143, 13252, 13552, and 19813 of the Health and Safety Code; 156.5, 167, 237, 249.04, 249.11, 254.6, 422.6, and 422.7 of the Vehicle Code; Sections 12601, 13020, and 13022 of the Water Code; Sections 127, 305, and 306 of the Unemployment Insurance Code; Sections 72, 700, 1014, and 1023 of the Military and Veterans Code; and to add Section 19 to the Military and Veterans Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 512:** By Senators Abshire, Desmond, and Dorsey—An act to add Section 2655.1 to the Labor Code, and to amend Sections 2666, 6407, 1646, and 1699 of the Labor Code, and to amend Sections 18600 and 18653 of the Health and Safety Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 513:** By Senators Abshire, Desmond, and Dorsey—An act to amend Sections 102, 208, 212, 271, 432.4, 435.2, 600, 1222, 1411, 1509, 1603, 1604, 1606, 1614, 1660, 1668, 21100, 24102, 26321, 26540, 26540.2, 26542, 28013, 28153, 28182, 28339, 28440, 28508, 28663.5, and 28709, and repeal Sections 26323 and 26544 of the Health and Safety Code, to amend Sections 1220 and 1221 of the Business and Professions Code, and to amend Section 1147 of the Agricultural Code, relating to rules and regulations pertaining to public health.

Referred to Committee on Judiciary.

**Senate Bill No. 514:** By Senators Abshire, Desmond, and Dorsey—An act to add Section 103.1 to, and to amend Sections 103, 116, 118, 118.2, 119.5, 119.6, 1508, 1511.5, 1550, 1552.2, 1553, 1556, 1556.5, 1559, 1560, 1621, 2010, 2020, 2140, 2180, 2186, 2186.1, 2301, 2354, 3075, 3084, 3087, and 3087.3 to, the Welfare and Institutions Code, relating to administration procedure.

Referred to Committee on Judiciary.

**Senate Bill No. 515:** By Senators Abshire, Desmond, and Dorsey—An act to amend Sections 505, 506, 4001, 4425, 4877, 4902, and 5003 of, and to add Section 515 to, the Public Resources Code, relating to regulations of state agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 516:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 215 of the Financial Code, relating to rules issued by the Superintendent of Banks.

Referred to Committee on Judiciary.

**Senate Bill No. 517:** By Senators Abshire, Desmond, and Dorsey—An act to add Section 8564.5 to the Business and Professions Code, relating to licensing of structural pest control operators.

Referred to Committee on Judiciary.

**Senate Bill No. 518:** By Senators Abshire, Desmond, and Dorsey—An act to amend Sections 19253 and 26422 of, and to add Sections 19253.1 and 26422.1 to, the Revenue and Taxation Code, relating to rules and regulations of the Franchise Tax Board.

Referred to Committee on Judiciary.

**Senate Bill No. 519:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 1751 of the Welfare and Institutions Code and Section 6025.5 of the Penal Code, relating to administrative procedure.

Referred to Committee on Judiciary.



**Senate Bill No. 520:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 5058 of the Penal Code, relating to rules issued by the Director of Corrections.

Referred to Committee on Judiciary.

**Senate Bill No. 521:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 6078 of the Water Code, relating to rules and regulations of the Department of Public Works.

Referred to Committee on Judiciary.

**Senate Joint Resolution No. 4:** By Senator Byrne—Relative to memorializing Congress to refrain from authorizing any project which would interfere with the financing, construction or operation of the Feather River Project, a state undertaking.

Referred to Committee on Water Resources.

#### MOTION TO PRINT WITH A RUSH ORDER

Senator Byrne moved that Senate Joint Resolution No. 4 be sent to print with a rush order.

Motion carried.

Secretary J. A. Beek at the Desk

#### ADJOURNMENT

At 4.44 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 10 a.m., Friday, January 14, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

NINTH LEGISLATIVE DAY  
TWELFTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Friday, January 14, 1955

The Senate met at 10 a.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—33.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Parkman, on motion of Senator Ed. C. Johnson, due to legislative business.

Senator Weybret, on motion of Senator Grunsky, due to illness.

Senator Busch, on motion of Senator Richards, due to legislative business.

Senator Miller, on motion of Senator Montgomery, due to legislative business.

Senator Dale C. Williams, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Teale, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Regan, on motion of Senator Harold T. Johnson, due to legislative business.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. M. L. Brazil of Ventura.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bruce Miller of Riverside.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ray and Rose Sandberg, and Mr. and Mrs. Herbert Signorotti, all of Patterson.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Henry Lucas of Ontario.

On request of Senators Montgomery and Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. Paoli, Mrs. J. Ball, Mrs. M. Maloney, Mrs. L. DeTomass, Mrs. S. Koller, Mrs. E. J. Yates, Mrs. A. Dowrelio, all of Crockett.

#### MOTION TO PRINT REPORT

Pursuant to the motion by Senator Hulse on page 201 of the Senate Journal for January 13, 1955, that the reports submitted by the Legislative Auditor which were recommended by the Subcommittee of the Joint Legislative Budget Committee, be printed in the Journal of this day.

**REPORT OF THE SUBCOMMITTEE OF THE JOINT LEGISLATIVE BUDGET COMMITTEE APPOINTED TO RECOMMEND AS TO THE PRINTING OR OTHER DISTRIBUTION OF THE REPORTS OF THE LEGISLATIVE AUDITOR**

January 3, 1955

To HONORABLE BEN HULSE, *Chairman*

This subcommittee was appointed to determine the distribution of the Legislative Auditor's reports made to the Joint Legislative Budget Committee and recommend for printing annually in the Journals those reports considered to be of general interest and not otherwise distributed to the Legislature.

An annotated list of reports prepared for the Budget Committee by the Legislative Auditor in 1954 is attached. It is recommended that this list of reports prepared in 1954 be printed in the Senate and Assembly Journals of the 1955 Session.

Not contained in the lists submitted herewith are various reports which have been prepared by the Legislative Auditor for individual Members of the Legislature or at the request of other interim committees. The distribution of these reports is a determination to be made by such member or committee.

The following reports, by action of the full committee or the chairman, have already been distributed to all Members of the Legislature:

Report of the Subcommittee of the Joint Legislative Budget Committee

Appointed to Recommend as to the Printing or Other Distribution of the Reports of the Legislative Auditor. (January 29, 1954) 88 pp.

Analysis of the Budget Bill of the State of California for the Fiscal Year July 1, 1954, to June 30, 1955. (March 1, 1954) 636 pp.

Special Censuses for Distribution of Highway and Motor Vehicle License Fee Funds to Cities. (January 21, 1954) Printed in Assembly Journal, March 2, 1954, and in Senate Journal, March 3, 1954. 18 pp.

Chronological List of California Legislative Interim Committees and Their Reports, 1954 Supplement. (July 1, 1954) 11 pp.

Survey of Retirement Systems, State of California, Part I. (October, 1954) 160 pp., tables.

Accounting and Auditing for the State of California. Survey for the Joint Legislative Budget Committee, by Price Waterhouse & Co. (November 30, 1954) 240 pp., tables, variously pagged.

Survey of Retirement Systems, State of California, Part II, Integration with Old Age and Survivors' Insurance. (December, 1954) 54 pp. (processed)

In addition, it is recommended that the following reports be printed in the Senate and Assembly Journals:

Report on Modernization of Certain Procedures in the Office of the State Treasurer. (January 29, 1954) 4 pp.

Summary Statement of Legislative Auditor to Accompany Budget Analysis for 1954-55. (February 8, 1954) 3 pp.



- County Service Officer Program. (February 15, 1954) 4 pp.
- Analysis of Effect on School Building Costs in the Use of Movable Standard Units and Other Uniform Procedures by the Los Angeles City School District. (February 17, 1954) 20 pp.
- Comparison of Horse Racing Taxation Among the States. (March, 1954) 12 pp., tables.
- Estimated Annual Cost of State Maintenance of the California Highway Patrol Radio System with Expanded Service and Facilities. (March 8, 1954) 5 pp.
- Extent of Junior College Courses Above the Fourteenth Grade. (March 11, 1954) 4 pp.
- Preliminary Analysis of Legislative Action on the 1954-55 Budget. (April 2, 1954) 8 pp., tables.
- Summary of Effect of Final Legislative and Executive Action on the State's Expenditure Program for the 1954-55 Fiscal Year. (May 7, 1954) 8 pp.
- State Subventions to Local Governments in California, Revised. (July 10, 1954) 56 pp., tables.
- Study of Costs of Cooperative Personnel Services of the State Personnel Board. (September 10, 1954) 11 pp.
- State of California Real Property Operations. (September 10, 1954) 35 pp.
- Analysis of Effect of Proposed Ballot Propositions Upon State's Finances. (September, 1954) 18 pp.
- Partial Report on a Study of the California Department of Motor Vehicles. (September 10, 1954) 97 pp., charts.
- Financial Condition of the State, With Particular Reference to the General Fund. (September, 1954) 8pp., tables.
- Interim Report on Study of Space Utilization and Costs in State-Owned and Leased Office Space. (September 10, 1954) 23 pp., tables.
- Survey of Status of Research and Programs Concerned with Alcoholism. (September, 1954) 58 pp.
- Use of Stock Plans and Portable Units by Selected School Districts, State of California. (October 20, 1954) 7 pp.
- Institutional Licensing Program of the Department of Social Welfare. (October 21, 1954) 13 pp.
- The Investment of State Funds in Office Buildings. (October 29, 1954) 16 pp.
- State Financial Statistics. (December 3, 1954) 6 pp., tables.
- Status of Plans for Organization and Budget of New Department of Alcoholic Beverage Control. (December 3, 1954) 15 pp., tables.
- Partial Report on a Study of the California Department of Motor Vehicles, Part II. (December 3, 1954) 36 pp., charts.

Reports not recommended for printing in the Journals are, for the most part, simply supplementary to previous reports, preliminary reports, or deal with subjects which are no longer current. Copies of these reports are available in the Office of the Legislative Auditor.

Respectfully submitted,

A. H. BREED, JR., Chairman  
JOHN L. E. COLLIER, Member  
T. W. CALDECOTT, Member

REPORTS PREPARED BY THE LEGISLATIVE AUDITOR FOR THE  
JOINT LEGISLATIVE BUDGET COMMITTEE IN 1954

Printed

*Report of the Subcommittee of the Joint Legislative Budget Committee Appointed to Recommend as to the Printing or Other Distribution of the Reports of the Legislative Auditor.* (January 29, 1954) 88 pp.

Contains list of all reports to the Budget Committee in 1953 and text of reports recommended for printing in the Journal.

*Analysis of the Budget Bill of the State of California for the Fiscal Year July 1, 1954, to June 30, 1955.* (March 1, 1954) 636 pp.

Contains an item by item analysis of the Budget Bill for the fiscal year ending June 30, 1955, with recommendations with respect to each item and suggestions as to economies which could be effected.

*Special Censuses for Distribution of Highway and Motor Vehicle License Fee Funds to Cities.* (January 21, 1954) Printed in Assembly Journal, March 2, 1954, and in Senate Journal, March 3, 1954. 18 pp.

Analyzes the effect of legislation which authorizes the use of special censuses in the apportionment of highway and motor vehicle license fee funds to cities.

*Chronological List of California Legislative Interim Committees and Their Reports, 1954 Supplement.* (July 1, 1954) 11 pp.

Supplements previous report for all interim committees and their reports made to 1954 legislative session.

*Preliminary Report to the Joint Legislative Budget Committee on Organization and Operation of the California Division of Highways.* (July, 1954) 81 pp., charts (processed).

Preliminary survey designed to identify areas for future study. Includes report on preliminary survey by firm of Booz, Allen and Hamilton.

*Survey of Retirement Systems, State of California, Part I.* (October, 1954) 160 pp., tables.

Contains description of state retirement systems, the statutory history and policy in the development of their various features, and a comparison with other systems and features of both governmental and private retirement plans.

*Accounting and Auditing for the State of California. Survey for the Joint Legislative Budget Committee by Price Waterhouse & Co.* (November 30, 1954) 240 pp., tables, variously paged.

Contains the report of Price Waterhouse & Co. including recommendations for improved organization and procedures for accounting, auditing controls and reporting. In addition to survey of fiscal departments, includes survey of accounting and auditing in seven major departments and financial statements for June 30, 1953.

*Survey of Retirement Systems, State of California, Part II, Integration with Old Age and Survivors' Insurance.* (December, 1954) 54 pp. (processed).

Contains an explanation of the considerations involved and alternative methods of integration of state retirement systems with Old Age and Survivors' Insurance and recommended plan of integration.

**Mimeographed**

*Proposed State Organization for Administration of Laws and Policies Pertaining to Water in California.* (January 8, 1954) 73 pp.

Analyzes existing organization of state agencies dealing with water problems and proposes reorganization.

*Supplementary Report Relative to Abolition of Hunter and Trapper Positions, Department of Fish and Game.* (January 21, 1954) 2 pp.

Supplements report of December 2, 1953.

*Supplementary Report on Capital Outlay Processes and Recent Construction in County and District Fair Plants.* (January 25, 1954) 3 pp.

Supplements previous report relative to processes for applications for and approval of plans for capital outlay for fairs from state funds.

*Report on Modernization of Certain Procedures in the Office of the State Treasurer.* (January 29, 1954) 4 pp.

Proposes revised procedures in trust accounting and bond accounting operations.

*Partial Study of the University of California Retirement System.* (January 29, 1954) 17 pp.

Analyzes the question of inclusion of University academic employees in the State Employees' Retirement System and recommends such inclusion.

*Summary Statement of Legislative Auditor to Accompany Budget Analysis for 1954-55.* (February 8, 1954) 3 pp.

Title self-explanatory.

*County Service Officer Program.* (February 15, 1954) 4 pp.

Analyzes nature of work and state costs for services to veterans through county service officer program and recommends that the costs be borne by the counties.

*Analysis of Effect on School Building Costs in the Use of Movable Standard Units and Other Uniform Procedures by the Los Angeles City School District.* (February 17, 1954) 20 pp.

Title self-explanatory.

*Progress Report on Partial Local Financing of State Mental Hygiene Clinics.* (February 26, 1954) 4 pp.

Outlines steps taken toward report to determine the proper basis for local participation in cost of mental hygiene clinics.

*Comparison of Horse Racing Taxation Among the States.* (March, 1954) 12 pp., tables.

Contains comparative tax rates, revenues and tax features for states which derive revenue from horse racing.

*Estimated Annual Cost of State Maintenance of the California Highway Patrol Radio System with Expanded Service and Facilities.* (March 8, 1954) 5 pp.

Title self-explanatory.

*Extent of Junior College Courses Above the Fourteenth Grade.* (March 11, 1954) 4 pp.

Recommends that the Department of Education, in cooperation with the junior colleges, exert greater efforts toward elimination of upper division courses in junior colleges.

*Preliminary Analysis of Legislative Action on the 1954-55 Budget.* (April 2, 1954) 8 pp., tables.

Summarizes final action by the 1954 Legislature with respect to the budget but before the end of the bill signing period.

*Summary of Effect of Final Legislative and Executive Action on the State's Expenditure Program for the 1954-55 Fiscal Year.* (May 7, 1954) 8 pp.

Supersedes report listed above and includes final executive action on the budget and state expenditure program.

*Suggested Standards for Determining Rehabilitation of School Buildings Under School Building Aid Program.* (June 22, 1954) 3 pp.

Title self-explanatory.

*State Subventions to Local Governments in California, Revised.* (July 10, 1954) 56 pp., tables.

Describes legal basis for, amounts and characteristics of all state subventions to local governments.

*Study of Costs of Cooperative Personnel Services of the State Personnel Board.* (September 10, 1954) 11 pp.

Analyzes the cost of the division and the basis for reimbursements to the division for services rendered to local governments.

*State of California Real Property Operations.* (September 10, 1954) 35 pp.

Describes and analyzes the procedures involved by state agencies in leasing and acquiring real property. Recommends improved organization and procedures.

*Analysis of Effect of Proposed Ballot Propositions Upon State's Finances.* (September, 1954) 18 pp.

Analyzes financial effect upon State Government of state-wide propositions on the ballot at the November, 1954, election.



*Partial Report on a Study of the California Department of Motor Vehicles.* (September 10, 1954) 97 pp., charts.

Analyzes and suggests improvements in procedures with respect to the registration of vehicles.

*Financial Condition of the State, With Particular Reference to the General Fund.* (September, 1954) 8 pp., tables.

Presents estimates of General Fund condition as of June 30, 1955, and prospective condition in 1956 and 1957.

*Interim Report on Study of Space Utilization and Costs in State-Owned and Leased Office Space.* (September 10, 1954) 23 pp., tables

Presents utilization and unit cost data for state leased office premises in Los Angeles together with suggested measurements for analysis of utilization and costs.

*Survey of Status of Research and Programs Concerned with Alcoholism.* (September, 1954) 58 pp.

Summarizes the status of research and other programs dealing with the problem of alcoholism by governmental and private agencies.

*Use of Stock Plans and Portable Units by Selected School Districts, State of California.* (October 20, 1954) 7 pp.

Reports experience of San Diego, Stockton and Sacramento school districts in the use of stock plans and portable units for school building construction.

*Institutional Licensing Program of the Department of Social Welfare.* (October 21, 1954) 13 pp.

Analyzes work load, costs and procedures in the licensing of institutions by the Department of Social Welfare and suggests improvements.

*The Investment of State Funds in Office Buildings.* (October 29, 1954) 16 pp.

Summarizes all legislation and programs under which various state funds have made investments in office buildings for the use of state agencies.

*Progress Report to the Legislative Budget Committee on the Restudy of Higher Education.* (October 29, 1954) 7 pp.

Reports progress in study by Liaison Committee of the Regents of the University of California and the State Board of Education.

*State Financial Statistics.* (December 3, 1954) 6 pp., tables.

Summarizes chief trends in State Government expenditures and tax collections.

*Status of Plans for Organization and Budget of New Department of Alcoholic Beverage Control.* (December 3, 1954) 15 pp., tables.

Presents chief problems and considerations involved in budgeting for a new department to take effect on January 1, 1955.

*Partial Report on a Study of the California Department of Motor Vehicles, Part II.* (December 3, 1954) 36 pp., charts.

Analyzes procedures for the processing of drivers' licenses and recommends changes.

*Water Well Log Reporting Program.* (December 3, 1954) 3 pp.

Reports procedures for well log reporting following legislation of 1949.

*Summary Statement of Chief Recommendations Contained in Report of Price Waterhouse & Co. to Joint Legislative Budget Committee.* (December 3, 1954) 4 pp.

Title self-explanatory.

### **Report on Modernization of Certain Procedures in the Office of the Office of the State Treasurer**

Prepared by the Legislative Auditor  
January 29, 1954

A partial survey of the functions of the Office of the State Treasurer made by members of the staff of the Legislative Auditor during the latter part of October, 1953, disclosed that certain procedural changes in the trust and bond accounting operations would be of considerable benefit for purposes of proper control and for audit purposes. Furthermore, it appeared that modernization of procedures in these operations would result in future reductions of expenditures.

The findings of this survey were discussed verbally with the Deputy State Treasurer and, at the same time, a number of suggestions for changes in procedure were made. There has been complete cooperation on the part of the Office of the State Treasurer, and as a result of the survey, International Business Machines Corporation was requested to study the suggestions and prepare a specific proposal outlining the procedures, necessary personnel and equipment to put them into effect.

The proposal submitted by the International Business Machines Corporation was reviewed by the staffs of the State Treasurer and the Legislative Auditor and both offices were in agreement as to the feasibility of the proposal. A budget request for the necessary equipment and other changes was prepared by the Treasurer and submitted to the Department of Finance for approval. The Management Analysis Section of the Division of Budgets and Accounts reviewed the International Business Machines Corporation proposal and the budget request and substantially concurred in the findings and recommendations.

Because these changes will represent economies to the State and because they will reflect changes in the Budget for 1954-55, an explanation of the findings and suggestions and the reasons therefor are contained in the following statements.

#### **TRUST ACCOUNTING OPERATION**

##### **Explanation**

A trust fund consists of resources received by the State as trustee to be expended or invested in accordance with the condition of the trust or the provisions of law.

Agency funds usually arise through deposits, the use and disposition of which are restricted by the terms of the agency agreement, the State acting as an agent in receiving assets and holding them for a relatively short period.

Chapter 1534, Statutes of 1949, placed on the Controller the responsibility for maintaining the segregated accounts of moneys of state agencies deposited in trust with the Treasurer.

The function of the Controller to maintain these accounts is to post all deposits and withdrawals to individual ledger cards and furnish a statement at the end of each month to each agency. The Controller is performing for the several state agencies a function similar to that which a bank performs when maintaining a customer's checking account.

#### Findings

1. All warrants of the State of California must be drawn on the State Treasurer. At present there are two forms of warrants: (a) check form prescribed by the Controller (for trust accounts disbursements) and (b) I. B. M. punched card form (all other disbursements).

2. All warrants must be presented to the Treasurer after payments have been made by the banks. Totals claimed by banks must be reconciled against corresponding warrants before the Treasury makes payments to banks. Due to the fact that trust account warrants are not on the punched card form but are commingled with warrants of that type, it is necessary to process all warrants through bank proof machines to reconcile. Listing production of these bank proof machines is approximately 900 per hour per machine.

3. After the processing is completed in the Treasury, the trust account warrants are forwarded to the accounting office of the Controller where, by bookkeeping machine method, deposits and warrants are posted to individual ledger cards for each agency. Statements showing these transactions and balances are furnished at the end of each month to the agencies.

4. Four people are required for this operation in the Controller's office. The number of agency trust warrants processed yearly is approximately 480,000, excluding Department of Public Works, and all others average 2,020,000, a total of 2,500,000 per year.

#### Suggestions

1. Have trust account warrants prepared on I. B. M. card form to standardize all warrants.
2. Reconcile all warrants to claims from banks on I. B. M. electric accounting machines.
3. Make ledger postings and prepare statements for agencies on I. B. M. electric accounting machines in the Disbursements Division of the Controller.
4. Eliminate bank proof machines in Treasurer's office and bookkeeping machines in the Controller's office and reduce personnel accordingly.

**Reasons for Suggestions**

1. Considerable savings in time will result in the reconciliation in the Treasurer's office from processing approximately 2,500,000 warrants per year on the I. B. M. electric accounts machines at a rate of 5,850 per hour as compared to 900 per hour on the bank proof machines now in use.
2. Trust account warrants on I. B. M. card forms can be processed on I. B. M. electric accounting machines in the Controller's office at an increased speed to perform the functions now being done on slower speed bookkeeping machines in the Controller's office.
3. Errors due to human element using present key driven equipment should be eliminated.
4. Standardizes procedure.

**BOND ACCOUNTING OPERATION****Findings**

1. All bond accounting transactions are manually recorded.
2. Present system does not provide for a daily total proof of transactions against ledger accountability. Proof is made only once each month.
3. For audit of bond inventory under existing procedure a manually prepared listing of all securities is necessary. This is time consuming and costly.

**Suggestions**

1. That bond inventory be placed on punched cards.
2. That all recording of bond transactions be done mechanically by the punched card method.

**Reasons for Suggestions**

1. Savings of \$6,500 annually, after conversion and one-time costs are absorbed, are estimated to result from new mechanized procedure. We believe this estimate is conservative and further savings may be obtained in the future.
2. Eliminates detail manual posting of transactions by higher salaried people than those required to record transactions by mechanical methods.
3. Provides accurate daily mechanical proving of total transactions to ledger accountability. Proving operation is now done monthly.
4. Mechanization will make it possible to provide listings of securities easily and quickly for audit by the Department of Finance. This has not been possible under the present manual system and should save the Audits Division of the Department of Finance considerable time.
5. Mechanization of the bond and warrant operations centralizes these functions and provides closer relationship with the accounting department and permits closer relationship of all operations.



**Summary Statement of Legislative Auditor to Accompany  
Budget Analysis for 1954-55 Fiscal Year**

February 8, 1954

Our analysis of the budget for 1954-55 is based upon the proposition that the expenditure program authorized should be adjusted sufficiently to permit the State to reasonably anticipate a balanced budget without taxes in 1955-56. With existing reserves, it can be expected that the budget for next year will be balanced. The real problem will be faced in the following years.

In order to prepare our analysis in advance of receiving the budget, it was necessary for us to establish reasonable assumptions as to what the final General Fund expenditure program of the State might be for 1954-55. Our tentative figures were:

State operations .....	266.9 million dollars
Local assistance .....	596.5 million dollars
Capital outlay .....	20.0 million dollars

Based on an assumed income of 804 million dollars to the General Fund, the same as was estimated in the budget for 1953-54, the State would end the budget year with a deficit of approximately 50 million dollars. Continuing on into the next fiscal year, if substantially the same levels of expenditure are projected forward and if revenues maintain the same level, this will produce an operating deficit of 112 million dollars which will need to be financed by a combination of any reserves remaining after action at the present legislative session.

The Governor's Budget figure for General Fund state operations is \$268,859,000 compared with our assumed figure of approximately \$267,000,000. Our recommended reductions in the state operations budget, as contained in the printed Analysis of the Budget Bill, total 7.5 million dollars, of which over 6.25 million dollars are from the General Fund. If the Legislature concurs in any significant number of instances with our recommendations, the authorized state operations budget will be less than that set up in our original estimates. This being the case, we believe that the over-all current deficit figures which we have used are reasonably accurate to present the nature of the financial problem which the State faces. The sum of these two deficits is 162 million dollars. Without any expansions in programs and some economies which might be effected both in this session and the 1955-56 General Session, it will be possible to balance this budget and that for the following year by drawing upon approximately 160 million dollars of General Fund money which has been set aside by the Legislature in special reserves. In fact, by taking all of our recommendations, including some proposed changes with respect to horseracing revenues and changes in statutory costs, a substantial start can be made toward balancing the 1956-57 Fiscal Year Budget without imposing major tax increases. Economies effected in the budget which is now before the Assembly Ways and Means Committee will have a cumulative effect which will bear very significantly upon the ability of the Legislature to finance the budget two years hence.

In the budget analysis which we have prepared this year, we have had occasion to call to the attention of the Legislature a number of

matters which affect the over-all budget or which will affect a large number of departments. Some of these matters are as follows:

1. *Pooling of State-owned Passenger Vehicles.* At several places in the analysis and in a general section which follows the analysis of individual items, we have presented data designed to show the economies which would result from the operation of a central automobile pool, at least in the Sacramento area. Since the operation of a central pool would affect the budgets of a large number of departments and would require transfers between certain funds, this is a matter which the Ways and Means Committee might want to assign for study and report by a special subcommittee.

2. *Fair and Exposition Fund.* Contained as a special section in the analysis is also the recommendation that the financing of state operations can be made easier in future years if a part of the funds which now go to the support of county and district fairs is made available for General Fund purposes. Money used for fair construction might well be applied to the financing of needed construction at state institutions. Such a transfer can be made at a budget session without the necessity of special legislation, and this is, therefore, a major matter of policy to which the Ways and Means Committee might want to direct its special attention.

3. *Further Studies Needed.* Again, this year, our analysis of the budget contains recommendations as to areas in which further study and reporting would be desirable for presentation to the 1955 Legislative Session as an aid to the Legislature in acting upon certain agency budgets at that time. Major illustrations are in connection with Industrial Relations and studies of space utilization and requirements of departments.

4. *Reorganizations.* The analysis this year also contains a number of instances where, in our opinion, it would be desirable for the Legislature to consider either major or minor reorganizational changes. Many of these would require legislation, but we have brought these matters to the attention of the Legislature at this time in order that they may be given interim study for possible action at the next general session. A major illustration is in connection with water agencies.

### **County Service Officer Program**

Prepared by the Legislative Auditor  
February 15, 1954

The county service officer program was first established by Chapter 429, Statutes of 1939, which added Section 970 to the Military and Veterans Code. This section permitted the board of supervisors of any county to appoint, prescribe the qualifications of and fix the compensation of an officer to be termed a "county service officer." Chapter 207, Statutes of 1951, amended this section by specifying that such an appointee shall be a veteran.

Chapter 1493, Statutes of 1945, added Section 972 to the Military and Veterans Code, which permitted the Veterans' Welfare Board, out of any state moneys available therefor, to contribute towards the compensation and expenses of any county service officer established by any

county. Contributions by the Veterans' Welfare Board towards the payment of the salary of the county service officer are restricted to a maximum of \$75 per month. All legislation concerning the establishment of county service officers and state contributions to the costs of these officers is on a permissive basis.

In order to determine the nature of the services performed by county service officers, a member of our staff spent a full day at each of the county service offices in Sacramento (Sacramento County), Auburn (Placer County), Fresno (Fresno County), and Martinez (Contra Costa County). The services performed by the county service officers are generally in connection with the following categories:

Federal Benefits		
Allotments	Medical care	Federal educational assistance
Pensions	Federal death benefits	Decorations
Compensation	Burial allowances	Discharges
Federal insurance	Federal loans	Miscellaneous
State Benefits		
Farm and home purchases	Employment	Local financial aid
State educational assistance	Record establishment	Aid in securing housing
State Veterans' Home	Legal and court assistance	Reports to local government agencies and State Department of Veterans' Affairs
	Tax exemption	

We have kept a log of the actual work and contacts and interviews performed at each of the offices mentioned above. An analysis of these logs indicates that each day in these offices is more or less a repetition of calls by veterans, veterans' dependents, veterans' friends or relatives, all seeking some form of assistance such as hospitalization, food and lodging, burial allowances, employment, disability benefits, entry to a federal or state veterans' home, legal aid of one kind or another, et cetera. We found also that each county service officer prepared a monthly summary of the number of claims filed and established, the number of veterans interviewed, the number of new cases opened, and a tabulation of the monetary or the monetary equivalent recoveries made as a result of the initiation of the various claims. We believe that it is reasonable to assume that much of the actual cash recovery or equivalent value goes towards relieving what would otherwise be county welfare obligations. For instance, in the report for October of 1953 for the Contra Costa County Service Office there is listed an item, "estimated bed days and savings to county." This amounted to 500 days or \$4,000 which was saved for the county as a result of this many days of hospitalization in facilities other than those supported by the county, generally federal Veterans' Administration hospitals. It would appear, then, that the county service officer, as a focal point for veteran activities, is of direct benefit, financial and otherwise, to the county by reason of securing federal and state funds or other assistance for veterans. Consequently, it would seem that since the sole beneficiary, in a governmental sense, is the county, then the county should bear the entire cost of the county service office.

Our attempts to obtain information from local posts of various veterans' organizations have been rather unsatisfactory. However, we have



evidence that in many cases county service officers disseminate information to post service officers in bulletin form. In turn, apparently the county service officers receive information from the State Department of Veterans' Affairs which is then included in the post service officer's bulletin. From our conversations with members of a number of veterans' organization posts, it would appear that the post service officers' activities have declined over the years to the point where most of them are now simply referring the requests of members or nonmember veterans to the county service officer, rather than to attempt to handle the problems themselves. In this sense there appears to be very little duplication between the work done by the county service officer and the designated veterans' post service officer. In other words, the establishment of the county service officer has relieved the veterans' organizations of the necessity to perform the sort of work for which these organizations were primarily established in the first place.

In view of the foregoing, we believe the costs of the county service office should be wholly a county charge and that no contributions should be made by the State towards either the salaries or operating expenses of the personnel involved. The State is one of the levels of government which is providing the actual monetary assistance to the veteran. As such it should not also be required to help defray the costs of establishing claims against itself. The counties receive substantial economic benefits from the disability benefits, insurance payments, compensations, federal and state hospitalizations, et cetera. Consequently, we believe they should bear the cost of operating the county service offices.

**Analysis of Effect on School Building Costs of the Use of Movable  
Standard Units and Other Uniform Procedures by the  
Los Angeles City School District**

Prepared by the Legislative Auditor  
February 17, 1954

The problems faced by most school districts of the State in providing adequate classroom facilities in the face of increasing population, population movements from area to area, and a shift in the impact of school population from the elementary to the high school level, has made it necessary for the State to provide approximately 500 million dollars in grants and loans to school districts. Most of the construction to date under these state-aided programs has been at the elementary level. It is a known certainty that the greatly increased elementary school enrollments will soon provide a major construction program in the high schools. We believe it would be prudent, therefore, to give immediate and serious consideration to determining how to design and use elementary school plants in such a way that all or a part of the plant might subsequently be used for high school purposes when the currently high elementary school enrollments begin to reach the high school level. Contributing to the problem of providing school building facilities when and where they are most needed are the factors of high costs of construction, long delays in the processes of designing, financing and constructing school buildings, and a diminishing source of state and local funds which can be applied. This, together with the fact that the Los Angeles City School District is now making extensive use of types of construction designed for maximum flexibility of requirements, has



led us to make an analysis of the unit costs of these facilities and an examination of their use. It appears that the Los Angeles district has gone a long way toward anticipating and solving the problem of meeting future school building needs, and at the same time has effected economies by an experience which should be of value to the State in securing maximum efficiency of funds provided to needy school districts throughout the State.

#### **Comparative Unit Costs**

In an analysis of comparative costs of construction for school buildings an explanation and word of caution should be pointed out. The generally accepted index for construction cost comparison is the cost per square foot. This cost measurement by itself, however, can be highly deceptive and, therefore, should be used only in conjunction with at least one other index. Another such index would be the cost per student for a given school plant. The two together, when properly analyzed, will provide a reasonable basis for making comparisons between one school plant and another.

For example, we will use two recent projects in the Los Angeles City School District. The Arminta Street elementary school plant has 11 classrooms, two kindergartens, one multi-purpose room, with administration, sanitary, and the usual auxiliary facilities. The contract for this project was let on March 27, 1953, and it was designed by a firm of private architects. The plant is intended to house 485 students, contains 25,320 weighted square feet of building area, and will cost \$275,072 for the buildings alone. This breaks down to a square-foot cost of \$10.85, a per student cost of \$567, and an area of 52.2 square feet per student. The 116th Street school plant was designed by the Building Branch of the Los Angeles City School District, went to bid on April 9, 1953, is also intended to house 485 students, has 23,113 weighted square feet of area, and will cost \$268,615. This cost breaks down to \$11.62 per square foot but only \$555 per student and 47.6 square feet per student. These plants are essentially the same insofar as the classroom, kindergarten, administration, sanitary, and multi-purpose units are concerned. However, the plant handled by the private architects is more spread out and therefore has more covered arcades and walks. This, in turn, increased the total square footage, increased the total cost, but reduced the cost per square foot because of the comparatively low cost of arcade construction. On the other hand, the plant designed by the school district itself was more compact and had fewer total square feet. The buildings were essentially the same as in the other plant but there were fewer square feet of arcade. This, consequently, resulted in a higher square-foot cost; but, since the total cost of the project was less, then the cost per student was less and the number of square feet per student was less. Yet, if the two projects are compared on a square-foot cost basis alone, then the one designed by the private architect appears to be cheaper, the result of a deceptive basis for comparison.

This report is concerned primarily with the procedures and construction cost data of the Los Angeles City School District during a two-year period from 1952 to 1953, with comments as to applicability of methods and ideas used by the Los Angeles city system to other

school districts in the State. These are covered under four main headings, as follows:

1. Procedures and Controls
2. Design
  - a. Temporary or Portable Types of Construction
  - b. Permanent Construction
3. Construction Cost and Space Comparisons
4. Summary and Recommendations

#### **Procedures and Controls**

It should be borne in mind that the Los Angeles City School District is geographically the largest single district in the State, encompassing not only the City of Los Angeles, which actually comprises only half of the total district, but also county area and areas of other incorporated cities. In school population it is the largest district in the State, and from a density standpoint it is probably one of the most crowded school districts in the State, being surpassed possibly by the cities of San Francisco and Oakland. In community character it ranges widely from areas which are very poor to extremely high value residential areas. As to climate, there are no great variations, except that the San Fernando Valley area may be considered as being hot and dry, whereas the areas south towards Wilmington and San Pedro are generally cooler and more moist. Topographically, its school sites run from the almost dead level lowland areas to the steep ruggedness of the Hollywood Hills, although by and large most school sites are in comparatively favorable terrain.

The great size of this district makes possible the use of certain procedures, methods and concepts which might not be practical or possible for the comparatively small rural or suburban school districts, although many of the ideas could be employed by the larger rural, suburban, and city districts, and perhaps, in a modified form, by all other school districts. For instance, the size of the district is such that it is possible for it to employ a full time staff of designers, engineers, draftsmen, et cetera, headed by a competent architect who is also the business manager of the district and, as such, has the opportunity to fully acquaint himself with the economic problems involved in the construction and operation of a large school district.

The trend toward the establishment of suburban residential communities with their attendant population shifts, which has been pronounced in the past decade, is clearly illustrated in the Los Angeles city school system. In the downtown and central areas, particularly in older school plants of two-story construction, there is now a surplus of approximately 1,000 classrooms which cannot be filled but are simply kept closed, although structurally the buildings are still adequate. This results in unnecessary maintenance, insurance and other costs. However, there is no way to make use of these classrooms for any other purpose, nor can they be moved to other sites. The trend toward "bed-room communities" has been, in some of the Los Angeles school district areas, almost explosive, resulting in very sudden and very great pressures of need for classrooms in these areas. These experiences have led to the idea of the so-called temporary or portable classroom units

which can be built rapidly to relieve immediate pressures, to be subsequently replaced by permanent facilities with the temporaries being moved to other areas as other pressures develop.

The Building Branch of the Los Angeles City School District is in complete control of all construction, design and space allocation. Since its own district funds are used, it is not required to submit its plans to the Division of School Planning of the State Department of Education but is required to submit its plans to the State Division of Architecture for structural checking under the terms of the Field Act. This has made it possible to devise plans which are considered to be adequate for local needs, although they might not meet with the approval of the State Department of Education. The building branch determines which projects it will handle with its own staff through the entire process of design and working drawings and which projects will be submitted to private architects. It maintains a rigid control over the work performed by the private architects and determines when the fee to the private architect will be reduced because of the re-use of existing tracings. The building branch has established standards as to equipment, construction details, interior finishes and site development and in doing so has used new ideas, new methods, or new materials which will either help to reduce initial construction costs or help to reduce subsequent maintenance costs.

The work done by the building branch is obviously such that it would not be practical for the average small school district to emulate. A small rural or suburban school district could not afford to employ permanently a full time consultant or adviser whose interest would lie wholly with the economic considerations of the school district.

The need for similar advise and consultation to school districts to secure construction and program economies is apparent in the state-aided construction program. The present organization and policies of the State do not provide a sufficient degree of emphasis to this type of advisory service, with the result that full economies have not been secured.

#### **Design—Temporary or Portable Types of Construction**

This type of construction, as used by the Los Angeles City School District, is somewhat of a misnomer in the use of the term "temporary," since actually the only feature of the buildings that can be considered temporary is the lack of permanent foundations. The buildings are placed on so-called mud sills directly on the ground with very little ground preparation needed. They are of 2" x 6" wood frame construction, with diagonal wood sheated exteriors covered with cement stucco in the standard manner. Roofs are single slope, shed type, with a comparatively shallow pitch, containing thermal-insulation and covered by a so-called 20-year roofing. Eaves overhangs have open soffits with the exposed wood merely painted.

The interiors of the rooms are faced with three-eighths inch structural grade plywood applied directly on the studs. Ceilings are faced with acoustical tile. Floors are wood, covered with a low-cost durable flooring material available only in dark colors. Artificial lighting is provided by the use of the so-called "concentric ring" incandescent lighting fixture, which is considerably cheaper than fluorescent fixtures.



There are no built-in features other than shelving and storage space along some of the walls and an independent mill work cabinet about seven feet high which is used to form an alcove in one corner of the room which serves as an area in which pupils may hang wraps. No sinks are provided in any classroom buildings, hence no plumbing of any kind is necessary in these buildings and all plumbing is therefore concentrated in the sanitary building and in the administration building. Heating is by individual, gas fired, blower operated wall panel units which project about 10 inches. Windows are placed in a continuous strip in one long wall of each classroom or administration building, with window height being approximately seven feet. The opposite long wall is solid with a continuous strip of clerestory windows set high in the wall just below the ceiling and about 18 inches in height. Main windows are furnished with insect screens and venetian blinds. Clerestory windows use the so-called "cool-ray" aluminum screening which provides simultaneous insect screening and sunlight control. Expensive fixed louvers for light control are never used. No covered arcades are provided with the temporary units. However, in a temporary group of buildings, a covered shelter in the yard area is provided for lunch-time use. A complete school plant of so-called temporary buildings contains no cafeteria or multi-purpose facilities.

The temporary buildings have been "unitized" to the extent that classroom buildings consist of two rooms each, all classroom buildings being identical. Administration buildings are essentially similar to classroom buildings in outward appearance but have more internal partitions in order to provide a sufficient number of offices, work and rest rooms. Sanitary facilities for the pupils are provided by means of a single centrally located building approximately the size of one-half of a classroom building and containing an area at each end, one for boys and one for girls, separated by a storage room. Toilet rooms use the same floor covering as the classrooms, no tile wainscoting except in the boys' area surrounding the urinals with a small area of tile flooring under the urinals. The balance of the walls in the toilet rooms are plywood as in all other buildings. Ceilings are covered with acoustical tile. Outwardly, all units whether classroom, administration or sanitary look identical and all are capable of being unbolted from the mud sills and moved to a new location with a minimum of effort. Structurally, the units meet the requirements of the Field Act in every respect and are, for all practical purposes, identical with the so-called permanent types of construction now being used by this district.

In a complete temporary plant, the buildings are generally placed in rows about 20 feet apart with the buildings spaced end to end about 10 feet apart. This makes a very compact plant requiring very little site development. Walks between the buildings are black topped with redwood retainer strips. Play areas are not paved but are simply surfaced with decomposed granite. No money is expended for lawn or landscaping of any kind. Each of the three types of building units is usable in high school plants as well as in the elementary school plants. In fact, interchange does take place from time to time and, because of the accounting setup of this district, the transfer of buildings is made in the form of a sale from one subdistrict to another. Ironically, this



requires the Los Angeles City School District to pay sales tax to the State on the transaction.

These temporary units were designed by the building branch of the district, and any installation of them on any site is handled entirely by the building branch without the use of outside architects. *The most important feature of these buildings is the fact that they are always identical—in other words, they follow a standard plan for each of the three types of buildings: classrooms, administration and sanitary.* This makes possible a very rapid establishment of facilities on a new site. Since the structural plan of the units is always identical, the plans for each new piece of construction pass quickly through the State Division of Architecture which checks the plans under the Field Act. Also, because they are identical, contractors are thoroughly familiar with them and are able to almost mass-produce them instead of the custom building approach that is usually necessary with a completely new design. The fact that the classrooms have no plumbing means that very little site and utilities preparation is required. Since the sanitary building and the administration building, which do have plumbing, are built above the ground level on mud sills, it is possible for the contractor to complete the building inside and out while leaving the flooring open so that plumbing can be inspected by the city and county building departments at the inspector's leisure without tying up the contractors, as would be the case in buildings which are built on concrete slabs on grade which cannot be poured until all plumbing contained therein has been inspected. It is not always possible to get building inspectors to inspect at the contractor's convenience.

A typical temporary school plant for kindergarten through the sixth grade is the Dolores Street School for which the construction contract was signed on November 17, 1952. The plant is to house 900 students and consists of 20 classrooms or 10 classroom building units, four kindergartens or two classroom units, one administration building, and one sanitary building. Total building area is 26,490 square feet, or a unit area of 29.4 square feet per student. The total cost of building construction alone was \$207,500, or \$7.85 per square foot. This represents \$230 per student. The cost of ground improvement, which included the installation of utility lines to the sanitary and administration buildings, grading and the minimum walks mentioned previously, was \$3,745. The average for a series of 12 such plants was \$8 per square foot and \$250 per pupil. *The average cost for a series of 392 classroom units alone, which were added to existing plants, was \$7.52 per square foot and \$211.53 per pupil.* It should be clearly understood that the costs mentioned above did not include the architectural services of the Building Branch, inspection services, testing, et cetera. The costs mentioned represent only the contract construction costs. Area per pupil is based on occupancies of 35 students per classroom and 50 students per kindergarten. It is interesting to note that in other similar plants for only 450 students the area per pupil was slightly higher, being 31 square feet instead of 29.4. This is brought about by the fact that although a plant for 900 students might have classroom capacity twice as great as a plant for 450 students, the administrative and sanitary space do not necessarily double. It should be clearly understood that such a plant does not include a multipurpose room, library,

covered arcades, storage space for outdoor recreational material, et cetera. *Consequently, the number of square feet per pupil is considerably below the 55 square feet established as standard under the state aid program.*

A wholly temporary plant has generally been superseded by a permanent plant within a year or two. The permanent plant is usually established directly adjacent to the temporary buildings and, in some cases, some of the temporary buildings are relocated and are made into permanent buildings for the new plant. This change in status is accomplished simply by pouring a slab on the new location which contains all the necessary utilities, including a sink for each classroom, and then moving the building over to the slab and bolting it in place. The only other change that occurs to make what was a temporary building into a permanent building is the addition of a covered corridor along the wall containing the clerestory windows. Since only two walls of each classroom contain some form of window, it is comparatively simple to orient the classroom unit to take advantage either of north lighting or to minimize sun glare from the west. It should also be pointed out that while costs have been saved in the initial temporary plant by not providing a cafeteria or multipurpose unit, similar costs are often hidden in many of the plants by virtue of the fact that children are fed by means of a mobile unit operating from a central kitchen. In some of the temporary plants this is not done, and the students must bring their own lunch, which is eaten out in the open or in the shelter mentioned, in good weather, but during inclement weather is eaten right in the classroom. The classroom units are designed with a connecting door between the two classrooms, which makes it possible for one teacher to supervise two rooms during the lunch period while the other teacher goes to lunch, or attends to some other necessary duty. A number of the teachers expressed the feeling that this connecting door was a very excellent idea, and that they were sorry to see it eliminated in many of the permanent classrooms.

The concept of the use of temporary classrooms, such as has been described above, works very well in a district as huge as the Los Angeles City School District, where population shifts have a more marked effect than would be the case in a comparatively small rural or suburban school district. However, there appears to be no reason why the small districts could still not make use of the basic concept of this type of structure with the idea that the buildings could subsequently either be made into permanent structures by changing the foundation, or could be sold to other adjacent or nearby school districts where rapid pressures might develop and where it was desired to relieve these pressures as quickly as possible. This would be a very workable form of standardization. Furthermore, it should also be pointed out that possibly a significant number of such temporary buildings used by elementary school districts could eventually be moved by transfer or sale to high school districts as the enrollment "hump" moves from the elementary level to the high school level. From a technical, structural standpoint, we can see no great difficulties in the employment of this idea and from the standpoint of flexibility in a near emergency situation in the public schools, we believe that it merits serious consideration by the State.

### Permanent Construction Types

The permanent types of school plants now being constructed by the Los Angeles City School District, in most cases as a substitution for already existing temporary plants, are generally handled by outside architects. However, these architects are given strict directions as to design. Actually, 10 of the permanent plants which were examined by staff of the Budget Committee are essentially the same. The concept of "unitizing" is carried out in the same way as in the temporary buildings. The classroom units consist of two classrooms each and are outwardly identical with those built as temporary buildings, with the exception that they are on concrete slabs and they have a covered arcade. Inside, they may have lath and plaster walls, instead of plywood, and fluorescent lighting fixtures. The administration units are also similar, and the so-called multipurpose unit is the same in every one of the permanent plants.

Actually, the only services performed by the private architect are:

1. Planning the development of the site.
2. Designing the individual foundations required for each unit.
3. Designing the orientation and interrelationship of the individual units.
4. A certain minimum amount of connective work between buildings which might, in some instances, take the form of a simple wall or a louver arrangement or a wrought-iron fence arrangement. This represents actually the only latitude which is allowed the private architect, and is probably a reason why many of the architects do not care to take this work.

The multipurpose buildings which, as has been pointed out, are identical in each plant, consist of an auditorium having fixed theater type seating in the rear, which has a sloped floor, the seating being of all plywood construction, and a flat floor area immediately in front of the platform or stage which can be used for folk dancing or other group activities. The floors are concrete with asphalt tile covering. The stage or platform is comparatively simple, although a regular proscenium opening is provided, but no smoke tower and no elaborate lighting is provided. Ceiling and upper walls have acoustical tile treatment, and heating is by forced air from a central heater unit through the suspended ceiling. Behind the platform area is a teachers' eating, work, and rest room area and, adjacent to that is a kitchen wing. The kitchen wing forms an L with the long wall of the auditorium, and the space embraced by this L is paved and covered over with a simple roofing similar to the arcade construction, with open sides. This area contains table and bench units for student use, and the wall of the kitchen wing facing this area contains doors for access to the serving area, and a pass-through opening for the children to return dishes, et cetera. No interior eating facilities are provided. During inclement weather it is, of course, possible to permit the students to use the auditorium as an eating place; however, this would be comparatively infrequent, in view of the climate in this area.

In the over-all, the permanent installations include very little, if any, planting, landscaping, or grass area, and these are generally at the front of the plant adjacent to the administration building. The balance of the



open area is black-top paved, with the only concrete used being in the walks of the covered arcades and in the outdoor eating area mentioned above. This, of course, minimizes maintenance, since extensive lawn and planting areas require irrigation and upkeep. The general construction features are very similar to the temporary buildings, with the exception that the interiors of the buildings are now being finished in wire lath and plaster, rather than plywood. Originally the district went to the use of plywood on the interiors because of the fact that the cost of plastering was determined to be excessively high. Recently the cost of plaster work has come down considerably as a result of increased productivity. Nevertheless, the use of plaster is still more costly than the use of plywood and requires more maintenance and upkeep over the years. Plaster is more readily damaged than plywood, and cannot be repaired by the simple replacement of a panel, as is the case with plywood. There is a slightly increased fire rating with plaster but, in view of the fact that all buildings are one story and all classrooms have two exits, it may be questionable that the additional cost for the plaster can be justified in terms of increased fire safety. Actually, the increased fire safety is to the buildings themselves, rather than to the children, because these rooms can be emptied so rapidly that the danger to children in a plywood finished room is actually no greater than in a plaster finished room.

In order to compare space per pupil in the Los Angeles City School District with other areas certain characteristics of the plant should be considered. The average complete permanent plant now being constructed by the Los Angeles City School District system, for grades from kindergarten to six, provides from 45 to 55 square feet per pupil. The space per pupil varies as the total number of students varies. For instance, the smaller plants housing 485 pupils may run as high as 54 or 55 square feet, whereas the larger plants, housing 835 pupils may drop down to 45 square feet. This variation is a result of the fact that while all of the essential units are identical in all plants, the variation results from the difference in placement and relationship of the buildings to each other in each plant as visualized by different architects. The differences in placement result in more or less covered arcade. For instance, the 156th Street School for 555 students has a gross building area of 25,503 square feet, providing 46 square feet per pupil. The Newcastle Avenue School for the same number of pupils has a gross building area of 27,083 square feet, providing almost 49 square feet per pupil. The former cost \$11.93 per square foot, and \$548 per pupil, and the latter is \$11.05 per square foot and \$540 per pupil.

The similarity of plants holds true generally on the easy or flat sites. However, occasionally a difficult site, such as the one for the Valley View School, which is perched on the west side of Cahuenga Canyon overlooking the freeway, requires an entirely different approach in the design. In this particular case, the school was designed by a private architect for 345 pupils, has a gross area of 18,375 square feet, or almost 54 square feet per pupil, and cost \$14.85 per square foot for building alone, or \$790 per pupil. This higher cost is largely occasioned by the fact that the steep site required caisson foundations in order to support the buildings and prevent the bench from crumbling away into



the canyon. Because the site was limited in size, the unit idea could not be used and instead the plant consists of one major unit containing the classrooms, the administrative offices, and the multipurpose room, and a separate unit containing two kindergartens. Nevertheless, while the architect was permitted to consolidate these units into one building, from the inside each classroom, each office, and the multipurpose room look exactly the same as those in the unit types of construction. To have attempted unit type of construction on this site would have been even more costly per square foot than the amount just quoted, assuming there were sufficient areas in which to do so. The consolidation of the units did, in itself, somewhat reduce the cost.

Site development costs for the permanent plants run considerably higher than the amount mentioned for one of the temporary plants. For instance, in the 116th Street School, the ground improvements cost \$23,885, and in the Newcastle Avenue School, the cost was \$45,554. In the case of the Valley View School, because of the difficult site, the cost for this smaller plant was \$31,514. Nevertheless, because site development and ground improvements are kept to the barest essential minimums, the Los Angeles City School District appears to spend no more for this purpose than the average school district in other parts of the State and, in the long run, spends less for maintenance and upkeep of its grounds.

It should be noted that the permanent units also can be unbolted from the slabs and moved elsewhere with the only loss being in the slabs and plumbing therein.

#### **Construction Cost and Space Comparisons**

An analysis and interpretation of the construction cost and space allocation data of the Los Angeles City School District appears to indicate the following facts and comparisons:

1. It is rather difficult to make cost and space comparisons with other school districts adjacent to the Los Angeles City School District, since we could find no complete plants for grades from kindergarten to six which went to bid in the last half of 1953. However, it is possible to make comparisons on the basis of the maximum allowable costs under the current regulations of the State Allocation Board. In the Los Angeles area, a typical plant to house 694 pupils in grades from kindergarten through six would consist of approximately 37,300 square feet of weighted area. This would provide 18 standard classrooms, two kindergartens, a multiuse room, an administration unit, sanitary facilities, et cetera. Under the regulations, maximum estimates allowed would be \$13.50 per square foot for standard classroom space, \$15 per square foot for kindergarten space, \$18 per square foot for multipurpose room, \$22 per square foot for kitchen area, \$14.50 per square foot for administration area, \$5.50 per square foot for all open corridors or \$11 per square foot for one-half of the corridor space, and approximately \$17 per square foot for all miscellaneous space, including toilet areas. The average for the total plant would be approximately \$14 per square foot and approximately \$760 per

pupil. Site development and grounds improvement would amount to approximately 10 percent of the cost of building construction. For the typical plant which has been outlined, this would probably be about \$50,000.

2. Comparative costs for temporary construction of classrooms, kindergartens, administration units and sanitary units were approximately 20 percent less per square foot than for the same types of buildings in permanent construction, and approximately 40 percent less per student. However, it should be pointed out that from the available data, the comparison had to be made on temporary construction started in 1952, as compared with permanent construction started in 1953. Since costs were somewhat higher in 1952 than in 1953, it follows that if it were possible to make the comparisons on precisely the same time periods, the temporary construction would be even more favorable in cost than indicated above.
3. That, as a general trend, the cost per square foot goes down as the size of the plant goes up. This is generally true in all types of construction, whether schools, office buildings, hospitals, et cetera.
4. The cost for multipurpose units alone, as compared with the balance of the buildings in a given plant would average 50 to 60 percent higher per square foot. Here, too chronological distortions make direct comparisons difficult. However, the implications are reasonably clear that there is a considerable disparity in cost between multipurpose facilities and standard classrooms, kindergartens, and administration space.
5. The data indicate that complete plants of temporary construction average between 29 and 31 square feet per pupil. Complete plants of permanent construction, including covered arcades and multipurpose buildings, average over 50 square feet per pupil.
6. For three complete junior high school plants of permanent construction which are now actually under construction and will not be occupied for some months, the average was approximately 95 square feet per pupil.
7. The cost of complete permanent construction of junior high school plants averaged approximately \$12 per square foot for buildings only.
8. Ground improvements costs show no standard relationship to the building cost. In the permanent plants ground improvements costs range from under 5 percent of the building cost to as high as 30 percent of the building cost. The average, however, appears to fall in the bracket between 5 and 10 percent. For temporary construction of complete plants, the cost of ground improvements ran from a low of one-half of 1 percent to a high of approximately 9 percent. However, the average was in a range of 1 or 2 percent.

#### Summary and Recommendations

This analysis of the Los Angeles program leads us to the following summary and conclusions:

1. The Los Angeles City School District can and does build high-quality, temporary, portable school buildings at a comparatively low cost.

2. The temporary buildings present no higher maintenance factors than do the permanent buildings, with the possible exception of the fact that in time those temporary buildings which are allowed to remain for many years on mud sills may require replacement of the sills.
3. The Los Angeles School District system builds straight-forward simple buildings with no appreciable embellishment, but with concern for adequate educational utility.
4. The Los Angeles District builds permanent buildings at a comparatively low average cost because of standardization and "unitization" according to function.
5. Architectural fees to outside architects are reduced because of the repetition of units above the foundation lines.
6. Site development and grounds improvements are kept to an essential minimum.

In our opinion the most compelling fact that stands out from this analysis is the fact that, for all practical purposes, *the Los Angeles City School District is successfully building temporary and permanent school facilities by the use of standard plans.* These plans are standard with regard to the units themselves, and not with regard to the relationship of one unit with another in a given school plant. It has been maintained by some that this approach will not produce satisfactory school plants. However, we see no reason to suppose that the children in the Los Angeles area are not receiving as good an education within their facilities as is being received by the children in other school districts in the State.

The designs used by the Los Angeles City system present important possibilities for use throughout the State and consequent savings in many ways. For instance, the classrooms, as has been mentioned above, contain only one piece of major cabinet work, which could become a standard mill work item that could be mass-produced anywhere in the State and installed as required. The standard plan could also be used with variations of exterior finish. For instance, instead of stucco, there might be areas in which it might be desired to use wood finish such as redwood shiplap or V-groove rustic. This could be done without changing the essential nature of the plan. An alternate roof structure could be designed having more strength to carry snow loads in areas of the State where this might occur. An alternate plan having insulation in the perimeter walls of each unit could take care of those areas where very low temperatures might be encountered without otherwise changing the standard plan.

In those areas where future increased high school populations can be anticipated because of current high elementary enrollments, temporary type buildings could be used and subsequently transferred to the high school plants as required by enrollment loads. This over-all approach would not necessarily preclude the complete re-design of a plant made necessary by a difficult site on the comparatively few occasions when this might occur. This design also could make use of the standard size and shape of rooms, as has been mentioned above in the case of the Valley View School.



**Comparison of Horse Racing Taxation Among the States**

Prepared by the Legislative Auditor  
March, 1954

**TABLE I**

This table compares state revenues from horse racing with each state's pari-mutuel pool in the year 1953. Of the 25 states having pari-mutuel horse racing, the ratio of horse racing revenues to total pools was 6.6 percent. Horse racing revenues as shown in this table are composed of licenses, pari-mutuel taxes, admissions, breakage and miscellaneous. California's horse racing revenues amounted to 5.7 percent of the total pari-mutuel pool. This is almost 1 percent below the average of all states. It is also apparent from the table that California's horse racing revenues constitute a lesser part of the pari-mutuel pool than do the horse racing revenues in other states having pools exceeding \$150,000,000 (Florida, 8.5 percent; Illinois, 6.9 percent; New Jersey, 7.8 percent; New York, 7.9 percent).

**TABLE II**

Table II shows the composition of horse racing revenues by states in 1953. For the 25 states having pari-mutuel horse racing, pari-mutuel taxes constituted 89 percent of their revenues, breakage 7.9 percent, admissions 1.8 percent, licenses 0.7 percent, and miscellaneous 0.7 percent. It should be noted that California's share of the pari-mutuel take is by law a "license fee," but in this table it is classified as a tax. As such it provided 93.1 percent of the state's horse racing revenues in 1953. This is a larger percent of return from this source than is experienced in the four other states having the largest pari-mutuel pools (Florida, 90.2 percent; Illinois, 85.7 percent; New Jersey, 83.9 percent; New York, 90.9 percent). However, it should be noted that, with the exception of New York, these other four states derive a higher percentage of their horse racing revenues from breakage. New York derives 3.5 percent of its total revenues from admissions, a source from which California receives nothing.

Ten states receive revenues from admissions and in an amount equaling 1.8 percent of the total horse racing revenues of all states. Based upon a total racing attendance of over 5,500,000 in 1953, an admission fee of 20 cents would have produced over \$1,100,000 for California.

**TABLE III**

From the standpoint of the bettor, the pari-mutuel pool is reduced in two ways: first, by the pari-mutuel take-out (pari-mutuel tax and association percentage) and, second, by the breakage. Other state revenues—licenses, admissions and miscellaneous—generally do not derive directly from the money wagered. Table III combines the states' receipts from pari-mutuel taxes and from breakage and compares this total tax take-out with the states' pari-mutuel pools. The table shows that the total tax take-out for all states amounted to 6.3 percent of those states' pari-mutuel pools. California's total tax take-out constituted



5.6 percent of its pari-mutuel pool. This is considerably below comparable percentage figures for the four other states having the largest pari-mutuel pools (Florida, 8.2 percent; Illinois, 6.4 percent; New Jersey, 7.7 percent; New York, 7.5 percent). From this it is evident that California's horse bettors are more favored in terms of the State's tax take-out of their wagered dollars than are bettors in the comparable states.

#### TABLE IV

This table compares California with other states having pari-mutuel pools exceeding \$150,000,000 in 1953. The basic information shown here is the same as that in Tables I and II.

#### TABLE V

Table V compares breakage characteristics among the states which participate in this source of revenue from horse racing. Section 19485.1 of California's Business and Professions Code provides for breakage in multiples of five cents. The racing association is allowed to retain breakage on the first \$27,000,000 wagered during the license period. Breakage above that figure is payable to the State as part of the association's license fee required by Section 19485 (providing for the 4-5-6 percent).

Breakage is the result of expediency in speeding the paying of winning tickets. Rather than pay off the exact amount where odd cents are involved, payment is rounded to a nickel or dime and the bettor gives up the odd cents. Breakage, therefore, is actually an additional tax on the bettor amounting to approximately three-fourths of 1 percent of the total pari-mutuel pool with a 5-cent break and approximately  $1\frac{1}{2}$  percent of the pool with a 10-cent break. California is one of seven states with breakage in multiples of 5 cents. The remaining 18 states break at 10 cents.

In 10 of the 25 racing states all breakage goes to the racing associations (Arizona, Delaware, Kentucky, Louisiana, Nebraska, New Mexico, Oregon, South Dakota, Washington, and West Virginia). In four states—Colorado, Florida, Nevada, and New Jersey—all breakage goes to the state. The remaining 11 states share breakage with the associations generally on a 50-50 basis, California being unique in its arrangement.

That breakage is lucrative is demonstrated by the \$13,165,098 return from this source to 14 states in 1953. Table V shows the significance of breakage returns to each state in terms of total wagers and pari-mutuel tax returns. In those states receiving breakage money this source amounted to 9.3 percent of the pari-mutuel tax returns and 0.6 percent of the total pari-mutuel wagers. California fell considerably short of these averages with comparable figures of 6.3 percent and 0.3 percent respectively. This can be attributed largely to (1) the breakage multiple being 5 rather than 10 cents and (2) the formula of breakage splitting between the state and racing associations in which California receives

less than 50 percent (43.4 percent in 1953) compared with splits ranging from 50 percent to 100 percent in the other states shown in the table.

It appears that California's revenues from this source could be increased by (1) changing the breakage multiple from 5 to 10 cents or (2) changing the division of breakage between the State and the associations, or both.

TABLE VI

Table VI shows the disposition of California's revenues from horse racing since the installation of the pari-mutuel system. Total state revenues over the 20-year period approximate \$229,000,000. Of this amount, almost \$170,000,000, or 74.1 percent, has gone to the Fair and Exposition Fund, while the General Fund has received less than \$36,000,000, or 15.6 percent. Other funds have received approximately as follows: State College Fund, \$8,500,000; Wildlife Restoration Fund, \$12,000,000; and Capital Outlay and Savings Fund, \$3,000,000.

In 1954-55 it is estimated that the total horse racing revenues to the State will be allocated among funds as follows:

Fair and Exposition Fund . . . . .	\$16,548,630	70.8%
State College Fund . . . . .	1,404,000	6.0
General Fund . . . . .	5,409,000	23.2
Total . . . . .	\$23,361,630	100.0%

TABLE VII

Assembly Bill No. 2644 (1953 General Session) proposed to amend the formula for state sharing in pari-mutuel taxes as follows:

<i>Existing formula</i>		<i>A. B. No. 2644 formula</i>	
<i>Total pool</i>	<i>State share</i>	<i>Total pool</i>	<i>State share</i>
Under \$10,000,000 . . . . .	4%	Under \$10,000,000 . . . . .	4%
10- 20,000,000 . . . . .	5	10- 20,000,000 . . . . .	5
Over 20,000,000 . . . . .	6	20- 40,000,000 . . . . .	6
		40- 60,000,000 . . . . .	7
		60- 80,000,000 . . . . .	8
		80-100,000,000 . . . . .	9
		Over 100,000,000 . . . . .	10

Under the proposed formula as under the existing formula, the racing association would continue to receive an amount which, added to the State's share, would not result in a pari-mutuel take-out from the pool exceeding 13 percent. For example, under the proposed formula the association would receive only 3 percent of amounts over \$100,000,000 versus 7 percent on that amount under the present formula.

On the basis of 1954 and 1955 racing schedules and estimated pools, the Assembly Bill No. 2644 formula would result in an increase of \$2,800,000 in state revenues as is shown in Table VII. Assembly Bill No. 2644 would have affected only the Santa Anita and Hollywood Park tracks, the meets of the remaining tracks producing total pools of under \$40,000,000—the point at which Assembly Bill No. 2644 proposed to increase the State's share of the take-out.

Table I

**State Revenues From Horse Racing Compared With Pari-mutuel Pools  
by States—1953**

State	Pari-mutuel pool	Horse racing revenues	Revenues as percent of pool
Arizona.....	\$10,749,799	\$427,230	4.0
Arkansas.....	13,498,975	814,151	6.3
California.....	397,386,479	22,573,819	5.7
Colorado.....	11,364,335	752,261	6.6
Delaware.....	45,634,859	1,706,561	3.7
Florida.....	150,163,501	12,773,132	8.5
Illinois.....	232,527,107	16,081,420	6.9
Kentucky.....	44,622,455	1,322,333	3.0
Louisiana.....	30,562,729	1,472,050	4.8
Maine.....	12,263,921	803,081	6.5
Maryland.....	141,108,549	6,782,756	4.8
Massachusetts.....	68,497,471	4,953,649	7.2
Michigan.....	123,457,358	7,132,758	5.8
Nebraska.....	19,630,383	65,792	0.3
Nevada.....	2,580,323	56,565	2.2
New Hampshire.....	44,777,530	2,547,924	5.7
New Jersey.....	266,267,063	20,709,500	7.8
New Mexico.....	8,151,518	55,699	0.7
New York.....	646,854,886	50,986,418	7.9
Ohio.....	107,442,460	5,184,841	4.8
Oregon.....	7,184,738	334,188	4.7
Rhode Island.....	91,694,765	7,011,369	7.6
South Dakota.....	443,389	14,595	3.3
Washington.....	16,646,496	843,862	5.1
West Virginia.....	62,347,164	1,990,511	3.2
Totals.....	\$2,555,861,253	\$167,426,465	6.6

## SOURCE:

"Statistical Reports on Horse Racing in the United States for the Year 1953"—The National Association of State Racing Commissioners, Lexington, Kentucky.

**Table II**  
**Composition of State Revenues From Horse Racing in 1953**

State	Total revenue	From licenses		From Pari-mutuel taxes		From admissions		From breakage		From miscellaneous	
		Amount	As % of total revenue	Amount	As % of total revenue	Amount	As % of total revenue	Amount	As % of total revenue	Amount	As % of Total revenue
Arizona.....	\$427,230	\$4,423	1.0	\$422,807	99.0	\$13,996	1.7	\$120,739	14.3	\$18,967	2.2
Arkansas.....	844,151	15,500	1.8	674,949	80.0			1,326,419	5.9	197,913	0.9
California.....	22,573,819	37,456	0.2	21,012,031	93.1			178,049	23.7	535	0.1
Colorado.....	752,261	5,460	0.7	568,217	75.5						
Delaware.....	1,706,561	6,500	0.4	1,597,220	93.6	102,841	6.0				
Florida.....	12,773,132	39,324	0.3	11,515,202	90.2	347,434	2.7	869,732	6.8	440	Negl.
Illinois.....	16,081,420	490,549	3.1	13,774,027	85.7	513,187	3.2	1,186,781	7.4	116,876	0.7
Kentucky.....	1,322,333	117,500	8.9	1,091,897	82.6	112,936	8.5				
Louisiana.....	1,472,050	9,095	0.6	1,434,191	97.4	26,339	1.8				
Maine.....	803,081	6,867	0.9	714,036	88.9			56,560	7.0	2,425	0.2
Maryland.....	6,782,756	101,000	1.5	5,473,190	80.7	92,494	1.4	1,092,713	16.1	25,617	3.2
Massachusetts.....	4,953,649	67,850	1.4	4,431,994	89.5			434,173	8.6	23,360	0.3
Michigan.....	67,132,758	2,600	Negl.	6,283,508	88.1			848,249	11.9	29,632	0.6
Nebraska.....	65,792	22,137	33.6			42,485	64.6			1,171	1.8
Nevada.....	56,565	4,959	8.8	51,606	91.2			300,740	11.8	300	Negl.
New Hampshire.....	2,547,924	8,008	0.3	2,238,877	87.9			3,162,411	15.3	146,350	0.7
New Jersey.....	20,709,500	16,848	0.1	17,383,890	83.9					6,045	10.9
New Mexico.....	55,699	2,650	4.8	40,773	73.2	6,231	11.2			436,094	0.9
New York.....	50,986,418	90,312	0.2	46,331,332	90.9	1,806,659	3.5	2,322,022	4.6		
Ohio.....	5,184,841	Not reported		4,480,397	86.6			695,445	13.4	2,262	0.7
Oregon.....	324,188	10,219	3.1	321,707	96.3						
Rhode Island.....	7,011,369	11,663	0.2	6,418,641	91.6			581,065	8.3	35	0.2
South Dakota.....	14,595	1,258	8.6	13,302	91.1						
Washington.....	843,862	11,537	1.4	832,325	98.6						
West Virginia.....	1,990,511	6,799	0.3	1,870,415	94.0					113,297	5.7
	\$167,426,465	\$1,090,514	0.7	\$148,985,534	89.0	\$3,064,602	1.8	\$13,165,098	7.9	\$1,121,319	0.7

• Source data apparently in error; detail exceeds total by \$1,000.

• Source data apparently in error; detail is short of total by \$1,509.

SOURCE: "Statistical Reports on Horse Racing in the United States for the Year 1953."—The National Association of State Racing Commissioners, Lexington, Kentucky.



Table III

**Pari-mutuel Taxes and Breakage to States Compared With Pari-mutuel Pools by States—1953**

States	Pari-mutuel pool	Tax take-out			Tax take-out as percent of pool
		Pari-mutuel taxes	Breakage	Total tax take-out	
Arizona.....	\$10,749,799	\$422,807	-----	\$422,807	3.9
Arkansas.....	13,498,975	674,949	\$120,739	795,688	5.9
California.....	397,386,479	21,012,031	1,346,419	22,358,450	5.6
Colorado.....	11,364,333	568,217	178,049	746,266	6.6
Delaware.....	45,634,859	1,597,220	-----	1,597,220	3.5
Florida.....	150,163,501	11,515,202	869,732	12,384,934	8.2
Illinois.....	232,527,107	13,774,027	1,186,781	14,960,808	6.4
Kentucky.....	44,622,455	1,091,897	-----	1,091,897	2.4
Louisiana.....	30,562,729	1,434,191	-----	1,434,191	4.7
Maine.....	12,268,921	714,036	56,590	770,626	6.3
Maryland.....	141,108,549	5,473,190	1,092,713	6,565,903	4.7
Massachusetts.....	68,497,471	4,431,994	424,173	4,856,167	7.1
Michigan.....	123,457,358	6,283,508	848,249	7,131,757	5.8
Nebraska.....	19,630,383	-----	-----	-----	-----
Nevada.....	2,580,323	51,606	-----	51,606	2.0
New Hampshire.....	44,777,530	2,238,877	300,740	2,539,617	5.7
New Jersey.....	266,267,063	17,383,890	3,162,411	20,546,301	7.7
New Mexico.....	8,154,518	40,773	-----	40,773	0.5
New York.....	646,854,886	46,331,332	2,322,022	48,653,354	7.5
Ohio.....	107,442,460	4,489,397	695,445	5,184,842	4.8
Oregon.....	7,184,738	321,707	-----	321,707	4.5
Rhode Island.....	91,694,765	6,418,641	581,065	6,999,706	7.6
South Dakota.....	443,389	13,302	-----	13,302	3.0
Washington.....	16,646,496	832,325	-----	832,325	5.0
West Virginia.....	62,347,164	1,870,415	-----	1,870,415	3.0
<b>Total.....</b>	<b>\$2,555,861,253</b>	<b>\$148,985,534</b>	<b>\$13,165,098</b>	<b>\$162,150,632</b>	<b>6.3</b>

## SOURCE:

"Statistical Reports on Horse Racing in the United States for the Year 1953"—The National Association of State Racing Commissioners, Lexington, Kentucky.

Table IV  
California's Horse Racing Revenues Compared With Those of Other States Having  
Pari-mutuel Pools Exceeding \$150,000,000 in 1953

State	Pari-mutuel Pool	Total		From licenses		From pari-mutuel taxes		From admissions		From breakage		From miscellaneous	
		Amount	As % of pool	Amount	As % of rev-enue	Amount	As % of rev-enue	Amount	As % of rev-enue	Amount	As % of rev-enue	Amount	As % of Total Rev-enue
California-----	\$397,386,479	\$22,573,819	5.7	\$37,456	0.2	\$21,012,031	93.1	-----	-----	\$1,326,419	5.9	\$197,913	0.9
Florida-----	150,163,501	*12,773,132	8.5	39,324	0.3	11,515,202	90.2	347,434	2.7	869,732	6.8	440	Neg.
Illinois-----	232,527,107	16,081,420	6.9	490,549	3.1	13,774,027	85.7	513,187	3.2	1,186,781	7.4	116,876	0.7
New Jersey-----	266,267,063	20,709,500	7.8	16,848	0.1	17,383,890	83.9	-----	-----	3,162,411	15.3	146,350	0.7
New York-----	646,854,886	50,986,418	7.9	90,312	0.2	46,331,332	90.9	1,806,659	3.5	2,322,022	4.6	436,094	0.9
Totals-----	\$1,693,199,036	\$123,124,289	7.3	\$674,489	0.5	\$110,016,482	89.4	\$2,667,280	2.2	\$8,867,365	7.2	\$897,673	0.7

\* Source data apparently in error; detail exceeds total by \$1,000.

SOURCE: "Statistical Reports on Horse Racing in the United States for the Year 1953"---The National Association of State Racing Commissioners, Lexington, Kentucky.



**Table VI**  
**Disposition of California's Revenues From Horse Racing, 1933 to Date**

Fiscal year	Total Pari-mutuel Pool	Fair and Exposition Fund	State College Fund	Wildlife Restoration Fund	Capital Outlay and Saving Fund	General Fund	Total state revenue
1933-34	\$6,315,634	\$259,657	-----	-----	-----	-----	\$259,657
1934-35	24,862,484	1,005,103	-----	-----	-----	-----	1,005,103
1935-36	39,359,961	1,587,373	-----	-----	-----	-----	1,587,373
1936-37	47,976,296	1,933,260	-----	-----	-----	-----	1,933,260
1937-38	66,142,358	2,661,142	-----	-----	-----	-----	2,661,142
1938-39	75,371,789	3,030,690	-----	-----	-----	-----	3,030,690
1939-40	70,423,604	2,832,231	-----	-----	-----	-----	2,832,231
1940-41	94,553,615	3,799,115	-----	-----	-----	-----	3,799,115
1941-42	37,816,692	1,515,435	-----	-----	-----	-----	1,515,435
1942-43	25,569,145	1,030,370	-----	-----	-----	-----	1,030,370
1943-44	49,393,136	1,984,529	-----	-----	-----	-----	1,984,529
1944-45	152,394,493	6,110,679	-----	-----	-----	-----	6,110,679
1945-46	414,094,075	16,585,164	-----	-----	-----	-----	16,585,164
1946-47	349,664,050	14,005,562	-----	-----	-----	-----	14,005,562
1947-48	356,923,225	14,287,884	-----	-----	-----	-----	14,287,884
1948-49	303,017,750	12,138,675	-----	-----	-----	-----	12,138,675
1949-50	284,127,592	11,384,103	-----	-----	-----	-----	11,384,103
1950-51	288,625,822	11,565,792	-----	-----	-----	-----	11,565,792
1951-52	357,551,294	14,334,163	-----	-----	-----	-----	14,334,163
1952-53	362,251,950	14,691,383	-----	-----	-----	-----	14,691,383
1953-54	410,175,000	16,554,000	-----	-----	-----	-----	16,554,000
1954-55 (est.)	408,225,000	16,548,630	-----	-----	-----	-----	16,548,630
Totals	\$4,224,834,965	\$169,845,140	\$8,521,114	\$12,000,000	\$3,000,000	\$35,791,194	\$229,157,448

SOURCES: Twelfth Biennial Report, California Horse Racing Board, July 1, 1950-June 30, 1952.

Analysis of the Budget Bill, 1954-55, Legislative Auditor, California, p. 460.



**Table VII**  
**Estimated Comparison of Effect of A. B. 2644 (1953 General Session) with**  
**Existing Formula**

	Existing formula			A. B. 2644 formula		
	Estimated pari-mutuel pool distributed by taxing steps	Percent to state	State revenue	Estimated pari-mutuel pool distributed by taxing steps	Percent to state	State revenue
<b>Santa Anita *</b>						
50 .....	Under \$10,000,000 .....	4	\$400,000	Under \$10,000,000 .....	4	\$100,000
	10— 20,000,000 .....	5	500,000	10— 20,000,000 .....	5	500,000
	20— 104,500,000 .....	6	5,070,000	20— 40,000,000 .....	6	1,200,000
				40— 60,000,000 .....	7	1,400,000
				60— 80,000,000 .....	8	1,600,000
				80— 100,000,000 .....	9	1,800,000
				100— 104,500,000 .....	10	450,000
<b>Total Santa Anita</b> .....			\$5,970,000			\$7,350,000
<b>Hollywood Park *</b>						
50 .....	Under \$10,000,000 .....	4	\$400,000	Under \$10,000,000 .....	4	\$100,000
	10— 20,000,000 .....	5	500,000	10— 20,000,000 .....	5	500,000
	20— 105,500,000 .....	6	5,130,000	20— 40,000,000 .....	6	1,200,000
				40— 60,000,000 .....	7	1,400,000
				60— 80,000,000 .....	8	1,600,000
				80— 100,000,000 .....	9	1,800,000
				100— 105,500,000 .....	10	550,000
<b>Total Hollywood Park</b> .....			\$6,030,000			\$7,450,000
						\$14,800,000
						\$2,800,000

\* Only Santa Anita and Hollywood Park have met pools exceeding \$40,000,000, the point at which A. B. No. 2644 would supersede the existing formula. Santa Anita's pool is that estimated for the 1955 meet. Hollywood Park's pool is that estimated for the 1954 meet. Both are the pools that would first be affected by legislation at the 1954 Budget Session.

NOTE: Pool estimates provided by Department of Finance.

**Estimated Annual Cost of State Maintenance of the California  
Highway Patrol Radio System With Expanded  
Service and Facilities**

Prepared by the Legislative Auditor  
March 8, 1954

Due to the fact that the cost records of the Division of Communications, Department of Finance, are inadequate, certain assumptions were necessary to arrive at the cost figures contained in this analysis.

We have used 55 percent of the total costs of the Division of Communications, both for maintenance and engineering services, for the portion chargeable to the California Highway Patrol. This percentage is based upon the following factors:

1. The Highway Patrol operates, for the most part, 24 hours a day, seven days a week throughout the year in every county in the State.
2. The Division of Forestry operates on a 24-hour, seven-day week basis during the fire season. The fire season is approximately five or six months each year. During the balance of the year, the Division of Forestry operates on a stand-by basis. We assume that the maintenance provided to the Division of Forestry radio units during the nonfire season is considerably less than the maintenance provided for radio units in constant use.
3. The type of equipment and use made of the equipment by the California Highway Patrol demands more maintenance than equipment used by the Division of Forestry. The Division of Forestry has 453 handie talkies; the Highway Patrol has none. The Highway Patrol has motorcycles, the Division of Forestry has none. The Division of Forestry operates fire trucks, the Highway Patrol operates high speed automobiles. We are informed by a reliable source in radio maintenance work, that mobile radio units require at least twice as much maintenance when they are in service as handie talkies when in service. Handie talkies when not in service, according to this source, require no maintenance. Apart from the handie talkies, there are 147 portable units and many mobile units which operate approximately six months out of the year. We are also informed that motorcycle radios require more maintenance than do automobile mobile radios. The Highway Patrol has approximately 250 motorcycles.
4. The Division of Forestry does not have any installations in the following counties: Imperial, Los Angeles, Ventura, Santa Barbara, San Mateo, San Francisco, Alameda, Contra Costa, San Joaquin, Marin, Del Norte, Modoc, Plumas, Sierra, Alpine, Mono, Inyo, Kern, that area of Nevada County east of Donner Summit, that area of San Bernardino County east and north of Victorville, and that area of Riverside east of, and including Indio. There are some Department of Fish and Game and other minor agency installations in the above areas. However, they are not material in extent. All the cost of maintenance in the above areas, after adjustment for minor agency installations, should be charged to the Highway Patrol.

In comparing the cost of leased service with state operation, additional costs which would increase the cost to the California Highway Patrol have not been included in this report due to the unavailability of information which would enable us to make a complete appraisal of cost. Two of these factors which are not included are:

1. Inventory of parts and supplies, e.g., radio tubes, which are expendable and which, when the stock is exhausted, must be replaced at an additional cost to the State.
2. Replacement cost for automotive equipment now in use has not been shown.

We have included the cost of two technicians in every shop to permit operation for seven days a week, eight hours a day. This does not provide 24-hour service as is required by the California Highway Patrol. No amounts have been included for overtime which will probably be necessary for emergency service.

#### A. Cost of the Existing System

##### 1. Maintenance cost of existing system

Actual expenditures, radio maintenance Fiscal Year 1952-53,	
\$311,833 x 55 percent California Highway Patrol share .....	\$171,508
b. State's contribution to retirement on salaries and wages	
Fiscal Year 1952-53 \$145,401 x 8.11 percent .....	11,792
c. Leased lines .....	39,000
d. Miscellaneous parts and services .....	4,550
	<hr/>
	\$226,850

##### 2. Administrative overhead charges, Division of Communications

a. Salaries and wages: \$69,904 x 55 percent .....	\$34,597
b. State's contribution to retirement at 8.11 percent .....	2,806
c. Operating expenses and equipment \$10,842 x 55 percent .....	5,963
	<hr/>
	\$43,366

##### 3. California Highway Patrol installation, removal and reconditioning expense

###### a. Auto

(1) Four hours mechanics' time, one hour handling and book-keeping @ \$1.79 per hr. \$8.95 x 275 units .....	\$2,461
(2) Cost of materials \$1.66 x 275 .....	457

###### b. Motorcycle

(1) Two and one-half hours mechanics' time, one hour handling and bookkeeping @ \$1.79 per hour. \$6.27 x 50 units .....	314
(2) Cost of materials \$1.01 x 50 .....	51

c. Control cables, 200 per year at average of \$16.50 each .....	3,300
	<hr/>
	\$6,583

---

\$276,799

#### B. Annual replacement cost on California Highway Patrol radio equipment

1. Annual replacement cost on \$338,000 of fixed radio installations based on a 10-year life * .....	\$33,800
2. Annual replacement cost on \$726,000 of mobile radio units and parts based on a seven-year life * .....	103,714
	<hr/>
	\$137,514

\* The amounts of \$338,000 and \$726,000 were arrived at by an appraisal made by the Pacific Telephone and Telegraph Company during the period of January to May, 1953, using current market values. An appraisal based upon present day market values has been used because the State operates on an annual replacement basis which results in expenditures for replacement at market prices at the time of replacement.

## C. Cost of expanded maintenance centers

## 1. Cost of additional one-man shops

a. California Highway Patrol share of salary and wages for 25 additional one-man shops: Fiscal Year 1952-53 \$97,000 x 55 percent	\$53,350
b. State's contribution to retirement for salary and wages above @ 8.11 percent	4,327
c. Rent on 25 additional shops @ \$50.00 per month per shop. California Highway Patrol share \$15,000 x 55 percent	8,250
d. Annual cost for expendable shop supplies \$1,375 x 55 percent	756
e. Annual replacement cost on 25 units of testing equipment at a cost of \$50,000. Replacement is based on 10-year life \$5,000 x 55 percent	2,750
f. Annual replacement cost for "change-out" service 100 automobile radios @ \$500 based on a seven-year life	7,143
g. Annual replacement on 25 carry-alls @ \$2,000. Estimated useful life of six years. Residual value \$500. \$1,500 x 25 = \$37,500 ÷ 6 x 55 percent	3,438
h. Other operating expense: Travel, automobile, operation, telephone, shop expense, etc. Approximately \$980 per shop x 25 x 55 percent	13,475
	<hr/> \$93,489

## 2. Annual cost to expand maintenance service of 29 one-man maintenance shops to two-man shops

a. Salaries and wages: Total cost \$113,100 x 55 percent	\$62,205
b. State's contribution to retirement @ 8.11 percent	5,045
	<hr/> \$67,250

## LESS

3. Estimated reduction of annual expense due to cancellation of six repair contracts to be replaced by state operated shops: \$20,000 x 55 percent	—11,000
	<hr/> \$149,739
Total	<hr/> <hr/> \$564,052

**Extent of Junior College Courses Above the 14th Grade**

Prepared by the Legislative Auditor  
March 11, 1954

During the 1953 Session of the Legislature the Senate Finance Committee requested this office to determine the amount of junior college courses which are above the 14th grade level or comparable to upper division (15th and 16th grade) offerings of a college or university.

Since the evaluation of courses of study and specific classes is a specialized and technical process, we have relied on the advice of curriculum experts at the university, the various state colleges, and the Department of Education. These curriculum specialists have indicated that a definite classification of all courses cannot be made. To cite a few problems involved in classification of courses, a class may be considered upper division at one four-year college and lower division at another. Sometimes a lower division course will be changed to an upper



division over a period of time, or a four-year college may suggest that lower division students enroll in classes which are classified in the catalog as upper division. Consequently, the opinion of the curriculum specialists is divided on many courses. Therefore, we have concluded that any quantitative evaluation of the number of junior college courses about the 14th grade level would be open to serious criticism.

The first fact that became apparent to us is that the outward appearance of the problem has been over-emphasized because junior college catalogs have been misleading. A number of junior colleges have stated in their catalogs that certain courses are parallel to University of California upper division courses. The University of California does not consider most of these courses as upper division quality or approach. This fact was discussed at a meeting of the University of California Junior College Conference Committee in October. At that meeting, we understand, a number of the junior college representatives stated that their catalogs were in error and that steps will be taken to improve the accuracy of their statements. It should also be pointed out that adult or terminal courses sometimes bear the same title as a college course when in actuality the content of the course is not the same.

However, we do find that among the curriculum experts we have consulted, there is general agreement that there are some junior college courses that are above the 14th grade level. For example, officials at the university state that on some occasions they find junior college courses which appear to be similar to those of the upper division. However, they do not give a transferring student upper division credit for such courses. The university is working to bring a better understanding between the university and the junior colleges in this area.

A number of state college officials stated that, in their judgment, junior colleges in areas surrounding particular colleges are giving courses which are similar or comparable in content to the state college upper division courses. As a general rule, such classes are not accepted as meeting upper division course requirements. They normally are accepted as lower division, or may take the place of an upper division elective under certain circumstances. It should be noted that they will accept no more than 64 junior college units and that a transfer student must meet the general education requirements of the college.

The colleges do, on occasion, recognize certain junior college courses as upper division for transfer purposes. There is no uniform policy among the colleges, the discretion often being left to the department head or division chairman. It appears that even limited recognition of junior college courses as a partial fulfillment of college upper division requirements must encourage junior colleges to expand their curricular offerings into the upper division.

While the curriculum specialists at the university, the state colleges, and in the Department of Education acknowledge the existence of some junior college courses above the 14th grade level, all are of the opinion that the number represents a very small portion of junior college course offerings.

According to the provisions of the Education Code, the State Board of Education has the legal authority to review and approve junior college courses. The Education Code (Section 10603) states that:

"No state funds shall be apportioned to any district on account of the attendance of students enrolled in junior colleges unless the courses have been approved by the State Board of Education."

The code does not authorize courses in the 15th and 16th grades. Section 8818 of the Education Code states that:

"Each junior college shall provide for the education of pupils in the 13th and 14th grades and for the education of such adults and minors as may be properly admitted but who are not classifiable by grade."

The Bureau of Secondary Education has made cursory reviews of course offerings by analyzing junior college catalogs. They have disapproved certain courses of study which have been of more than two years duration, but have not, as a matter of policy, analyzed specific courses. They have, in effect, given approval to junior college classes above the 14th grade level. While we have pointed out the difficulties in classifying courses, and we do not recommend that the bureau establish arbitrary standards for disapproving junior college courses which may be upper division, we do recommend that greater efforts should be exerted by the bureau in cooperation with the junior colleges towards the elimination of upper division courses.

In summary our findings are that:

1. Course offerings described as upper division courses in certain junior college catalogs have been misleading.
2. There are some junior college courses which are upper division in nature, but the number of such courses is relatively small.
3. It is technically impossible to make a precise evaluation of the quantity of such courses for review purposes.
4. The state colleges and the Bureau of Secondary Education have given tacit approval to the courses.
5. The Department of Education should, in cooperation with the junior colleges, exert greater efforts toward the elimination of upper division courses in the junior colleges.

### **Preliminary Analysis of Legislative Action on the 1954-55 Budget**

Prepared by the Legislative Auditor  
April 2, 1954

Although the Legislature has just adjourned and the period for the signing of bills by the Governor will not expire until May 6th, a preliminary analysis of possible effect of legislation on the Budget Bill and special measures, if enacted into law as adopted by the Legislature, is made available at this time.

A final analysis will be made at the expiration of the bill signing period.

**GOVERNOR'S BUDGET AS SUBMITTED**

The budget for the 1954-55 Fiscal Year, as submitted by the Governor, totaled in round numbers \$1,423,345,700. Of this amount, approximately \$858,753,000 was budgeted for expenditure from the General Fund. Revenues for the General Fund for the 1954-55 Fiscal Year were estimated at \$801,884,650, or \$56,868,350 under budgeted General Fund expenditures. This does not, however, consider budgeted transfers from the General Fund for expenditures from other funds. These amounted to \$19,587,800 in major items comprising \$13,573,250 for transfer to the Capital Outlay and Savings Fund for the state building program, and \$3,849,500 for transfer to the Flood Control Fund of 1946 for flood control projects. Considering the total of transfers, the General Fund income was indicated as being \$76,456,150 short of General Fund outgo. This was to be offset by the proposal to use \$49,043,100 of carry-over General Fund surplus from the previous year, and by using \$28,000,000 of the State School Bond Retirement Fund money.

This meant that the budget for the 1954-55 Fiscal Year called for using all but \$9,600,000 of the General Fund surplus, and, in addition, called for the use of \$28,000,000 from the State School Bond Retirement Fund in order to provide a \$1,423,345,700 expenditure budget, which was \$6,300,000 less than the total as estimated for expenditures in the 1953-54 Fiscal Year.

While the 1954-55 Fiscal Year Budget as submitted was \$6,300,000 less than estimated expenditures for the current fiscal year, the cost of the state operations or agency support portion of the budget for 1954-55 showed an increase of about \$18,716,100 over 1953-54. The cost of state grants-in-aid combined with shared revenues to local agencies showed an increase of \$31,115,100 while proposed capital outlay projects including highways were budgeted to decrease by \$56,101,100, offsetting the increases in the other two categories by approximately \$6,300,000.

The major items of increases in the budget as submitted were due primarily to population increases, resultant increased cost of services in the state correctional institutions and hospitals of the mentally ill, and increased enrollment in state supported schools. The State's contribution toward the support of public schools alone shows an increase of approximately \$28,500,000.

**LEGISLATIVE ACTION ON THE BUDGET**

Assembly action on the Budget Bill put the total of the budget at approximately \$1,446,375,000. Action by the Senate put the budget total at \$1,428,900,000. The budget as recommended by the committee on conference and adopted by the Legislature totaled approximately \$1,431,800,000.

The General Fund was balanced by the use of \$27,370,000 from the School Bond Retirement Fund, \$1,500,000 from surplus in the Employment Contingent Fund, and \$53,800,000 of General Fund Surplus. This left a surplus of approximately \$4,200,000 estimated to be in the General Fund as of June 30, 1955, of which \$3,600,000 is reserved as the balance of a \$10,000,000 appropriation for surveys and investigations and a down payment in connection with the proposal to purchase



the Central Valley Project from the Federal Government. The General Fund condition as of June 30, 1955, is shown in Table III of this analysis. This action would indicate that the budget was increased by \$8,500,000 over the budget as submitted by the Governor. However, this increase is modified by several considerations. It should be pointed out that \$2,000,000 of this increase is in the form of a loan from impounded tideland revenues, and is to be made available only if and when the impounded revenues are released to the State. Other considerations are: (1) that the budget as submitted contemplated greater use of university reserve funds for support of the University of California and an increase in student fees to keep General Fund expenditures down; (2) that expenditures from the university funds are not included in the budget totals; and (3) the Legislature determined not to increase student fees but to use an additional \$5,200,000 of the State's reserves in support of the university. In the light of these factors, it might be said that the Legislature held to the Governor's proposed expenditure program for the 1954-55 Fiscal Year, while differing on methods of financing the program.

Other major items of change adopted by the Legislature were (1) refusal to increase student fees for the state colleges; (2) allowed an additional \$847,200 for tuberculosis subsidies to local governmental agencies; (3) allowed an additional \$150,000 for mosquito abatement districts; (4) allowed the equivalent of a  $3\frac{1}{2}$  percent increase in nursing personnel for three of the state hospitals; (5) allowed \$150,000 toward maintenance of the sea wall at Redondo Beach; and (6) reduced the proposed transfer from the General Fund for capital outlay projects by \$750,000.

#### **SPECIAL MEASURES ADOPTED BY THE LEGISLATURE**

The most significant items of special legislation were the adoption of the Senate Constitutional Amendment No. 4 and the enabling act creating a Department of Alcoholic Beverage Control; the adoption of Senate Constitutional Amendment No. 3 authorizing an additional \$100,000,000 in School Building Aid Bonds; Senate Bill No. 26 providing for \$175,000,000 in state bond issues to go on the ballot to provide additional funds for the financing of the Veterans' Farm and Home Purchase Plan; Assembly Constitutional Amendment No. 13 providing for an increase of \$200 per month for members of the Legislature; Assembly Bill No. 1 (Special Session) increasing maximum unemployment compensation benefits from \$25 to \$30 per week, which will cost the Unemployment Trust Fund an estimated additional amount of \$17,400,000 annually.

Other measures carrying appropriations and revenue changes are shown in Tables I and II.

The significance of both revenue and expenditure measures as related to the General Fund, if adopted, would be to increase the General Fund surplus by approximately \$754,000.



The effect of legislative action on special reserves is shown as follows:

<i>Fund</i>	<i>Estimated surplus as of June 30, 1955</i>	
	<i>Budget as submitted</i>	<i>Effect of legislation</i>
Bond Sinking Fund of 1943.....	\$6,386,450	\$6,386,450
Capital Outlay and Savings Fund.....	1,693,800	1,693,800
Flood Control Fund of 1946.....	-	-
School Bond Retirement Fund.....	18,759,000	19,389,150
Revenue Deficiency Reserve.....	75,000,000	75,000,000
Postwar Unemployment and Construction Fund.....	1,206,400	365,000
Balance in Central Valley Project Appropriation.....	9,000,000	3,600,000
Special reserve in Teachers' Permanent Fund.....	39,000,000	39,000,000
Employment Contingent Fund.....	2,478,000	1,000,000

NOTE: Revised surpluses do not reflect any loss of interest on investments due to decreasing the respective balances.

**Table I**  
**List of Bills Carrying Appropriations**  
(FIRST EXTRAORDINARY SESSION)

<i>Bill No.</i>	<i>Purpose</i>	<i>Amount</i>	<i>Fund</i>
A.B. 2	Allocations to newly incorporated cities for public works construction.....	(\$111,000)	Postwar Unemploy. and Const.
A.B. 3	Allocations to newly incorporated cities for public works construction.....	(\$576,000)	Postwar Unemploy. and Const.
A.B. 9	Creates Alcoholic Rehabilitation Commission (also provides additional General Fund Revenue).....	\$100,000	General
A.B. 87	Provides for expenses of members of the Assembly incurred at the 1954 First Extraordinary Session.....	(\$7,000)	General
S.B. 60	Appropriates funds to the State Treasurer to defray the cost of handling proposed new school bond issues. (Act is operative only if Senate Constitutional Amendment No. 3, providing for a \$100,000,000 school bond issue, is adopted by the voters of the State.).....	(\$75,000)	General
S.B. 66	Provides for expenses of members of the Senate incurred at the 1954 First Extraordinary Session.....	(\$3,500)	General

NOTE: Amounts in parentheses would affect the current year expenditures as the bills are to become effective when signed into law. A. B. No. 9 would increase the 1954-55 Budget total by \$100,000.

**Table II**  
**List of Revenue Measures Adopted by the 1954 Legislature**  
(REGULAR SESSION)

<i>Bill No.</i>	<i>Purpose</i>	<i>Estimate of gain or loss</i>	<i>Fund</i>
A.B. 9	Special 3-day salt-water fishing license Fee (\$1).....	+\$25,000	Special
S.B. 2	Exempts from taxes the gross receipts from the sale of ice or dry ice when sold for purpose of packing and shipping food products for human consumption between points within or without the State.....	(No estimate)	

**Table II**  
**List of Revenue Measures Adopted by the 1954 Legislature—Continued**

(REGULAR SESSION)		Estimate of gain or loss	Fund
Bill No.	Purpose		
S.B. 3	Increases the renewal fee on annual license to practice optometry, \$20 to \$25 -----	+\$11,625	Special
S.B. 7}	Permits the disposal of the Napa State Farm -----	(No estimate)	
A.B. 18}			
S.B. 8}	Provides equitable adjustment of personal income tax and bank and corporations tax in respect to tax on gains for property which is distributed in complete liquidation of a corporation -----	(No estimate)	
S.B. 9}			
(FIRST EXTRAORDINARY SESSION)			
A.B. 4	Exempts from sales and use taxes gross receipts from the sale, storage, or use of the American flag. Exempts gross receipts from the sale in this State of tangible property where the property is used by the purchaser outside of the State in performance of a contract to improve real property outside of the State-----	(No estimate)	
A.B. 9	Increases liquor license fees by 10 percent -----	\$865,000	General

**Table III**  
**Revised Statement of General Fund Condition, 1954-55, Giving Effect to  
Budget and Special Appropriation Measures**

Surplus, June 30, 1954 -----	\$58,062,237
Less:	
Reserve for Central Valleys Project -----	\$9,019,152
Less:	
Appropriations -----	—401,895
Reversion -----	—5,000,000
	—3,617,257
Adjusted surplus -----	\$54,444,980
Revenue -----	801,884,647
Total available -----	\$856,329,627
Transfer from School Bond Retirement Fund -----	27,369,821
Transfer from Employment Contingent Fund -----	1,477,948
	\$885,177,396
Transfer to Flood Control -----	—3,849,537
Transfer to Capital Outlay and Savings Fund -----	—12,824,087
Transfer to Legislative Contingent Funds -----	—2,415,000
Expenditures -----	—865,501,848
Surplus, June 30, 1955 (Action on Budget) -----	\$586,924
Special appropriation measures -----	—110,500
Special revenue measures -----	865,000
	754,500
Surplus, June 30, 1955 -----	* \$1,341,424

\* Excludes \$3,617,257 balance reserved in the Central Valley Project appropriation which would put the estimated surplus at \$4,958,681.

## **Summary of Effect of Final Legislative and Executive Action on the State's Expenditure Program for the 1954-55 Fiscal Year**

Prepared by the Legislative Auditor  
May 7, 1954

In our "Preliminary Analysis of Legislative Action on the 1954-55 Budget" issued on April 2, 1954, there was presented a summary of the effect of action by the Legislature on the Budget Bill and total expenditure program of the State for 1954-55. That report indicated that a final analysis, including executive action on the budget and other appropriation bills, would be made at the end of the bill-signing period.

At the end of the bill-signing period, on May 6, 1954, no executive action was taken either by veto or by pocket veto which changed the authorized expenditure program for 1954-55 as enacted by the Legislature. The Budget Bill and other major appropriation bills were signed by the Governor without reduction. The preliminary analysis issued on April 2d, with minor technical corrections, therefore represents a statement of final action on the expenditure program for 1954-55.

Although Assembly Bill No. 4 (1st Ex. Sess.) making certain exemptions from the sales tax and involving a minor revenue loss was pocket vetoed, this minor revenue loss was not estimated in the preliminary analysis and does not change the over-all expenditure and revenue figures presented in that report.

A summary of the expenditure program as originally submitted, as changed by the Legislature and as approved by the Governor follows.

### **GOVERNOR'S BUDGET AS SUBMITTED**

The budget for the 1954-55 Fiscal Year, as submitted by the Governor totaled in round numbers \$1,423,345,700. Of this amount, approximately \$858,753,000 was budgeted for expenditure from the General Fund. Revenues for the General Fund for the 1954-55 Fiscal Year were estimated at \$801,884,650, or \$56,868,350 under budgeted General Fund expenditures. This does not, however, consider budgeted transfers from the General Fund for expenditures from other funds. These amounted to \$19,587,800 in major items comprising \$13,573,250 for transfer to the Capital Outlay and Savings Fund for the state building program, and \$3,849,500 for transfer to the Flood Control Fund of 1946 for flood control projects. Considering the total of transfers, the General Fund income was indicated as being \$76,456,150 short of General Fund outgo. This was to be offset by the proposal to use \$49,043,100 of carry-over General Fund surplus from the previous year, and by using \$28,000,000 of the State School Bond Retirement Fund money.

This meant that the budget for the 1954-55 Fiscal Year called for using all but \$9,600,000 of the General Fund surplus, and, in addition, called for the use of \$28,000,000 from the State School Bond Retirement Fund in order to provide a \$1,423,345,700 expenditure budget,

which was \$6,300,000 less than the total as estimated for expenditures in the 1953-54 Fiscal Year.

While the 1954-55 Fiscal Year Budget as submitted was \$6,300,000 less than estimated expenditures for the current fiscal year, the cost of the state operations or agency support portion of the budget for 1954-55 showed an increase of about \$18,716,100 over 1953-54. The cost of state grants-in-aid combined with shared revenues to local agencies showed an increase of \$31,115,100 while proposed capital outlay projects including highways were budgeted to decrease by \$56,101,100, offsetting the increases in the other two categories by approximately \$6,300,000.

The major items of increases in the budget as submitted were due primarily to population increases, resultant increased cost of services in the state correctional institutions and hospitals of the mentally ill, and increased enrollment in state supported schools. The State's contribution toward the support of public schools alone shows an increase of approximately \$28,500,000.

#### LEGISLATIVE ACTION ON THE BUDGET

Assembly action on the Budget Bill put the total of the budget at approximately \$1,446,375,000. Action by the Senate put the budget total at \$1,428,900,000. The budget as recommended by the Committee on Conference and adopted by the Legislature totaled approximately \$1,431,800,000.

The General Fund was balanced by the use of \$27,370,000 from the School Bond Retirement Fund, \$1,500,000 from the surplus in the Employment Contingent Fund, and \$53,800,000 of General Fund Surplus. This left a surplus of approximately \$4,200,000 estimated to be in the General Fund as of June 30, 1955, of which \$3,600,000 is reserved as the balance of a \$10,000,000 appropriation for surveys and investigations and a down payment in connection with the proposal to purchase the Central Valley Project from the Federal Government. The General Fund condition as of June 30, 1955, is shown in Table III of this analysis. This action would indicate that the budget was increased by \$8,500,000 over the budget as submitted by the Governor. However, this increase is modified by several considerations. It should be pointed out that \$2,000,000 of this increase is in the form of a loan from impounded tideland revenues, and is to be made available only if and when the impounded revenues are released to the State. Other consideration are: (1) that the budget as submitted contemplated greater use of university reserve funds for support of the University of California and an increase in student fees to keep General Fund expenditures down; (2) that expenditures from the university funds are not included in the budget totals; and (3) the Legislature determined not to increase student fees but to use an additional \$5,200,000 of the State's reserves in support of the university. In the light of these factors, it might be said that the Legislature held to the Governor's proposed expenditure program for the 1954-55 Fiscal Year, while differing on methods of financing the program.



Other major items of change adopted by the Legislature were (1) refusal to increase student fees for the state colleges; (2) allowed an additional \$847,200 for tuberculosis subsidies to local governmental agencies; (3) allowed an additional \$150,000 for mosquito abatement districts; (4) allowed the equivalent of a  $3\frac{1}{2}$  percent increase in nursing personnel for three of the state hospitals; (5) allowed \$150,000 toward maintenance of the sea wall at Redondo Beach; and (6) reduced the proposed transfer from the General Fund for capital outlay projects by \$750,000.

#### SPECIAL MEASURES ADOPTED BY THE LEGISLATURE

The most significant items of special legislation were the adoption of the Senate Constitutional Amendment No. 4 and the enabling act creating a Department of Alcoholic Beverage Control; the adoption of Senate Constitutional Amendment No. 3 authorizing an additional \$100,000,000 in School Building Aid Bonds; Senate Bill No. 26 providing for \$175,000,000 in state bond issues to go on the ballot to provide additional funds for the financing of the Veterans' Farm and Home Purchase Plan; Assembly Constitutional Amendment No. 13 providing for an increase of \$200 per month for members of the Legislature; Assembly Bill No. 1 (Special Session) increasing maximum unemployment compensation benefits from \$25 to \$30 per week, which will cost the Unemployment Trust Fund an estimated additional amount of \$17,400,000 annually.

Other measures carrying appropriations and revenue changes are shown in Tables I and II.

The significance of both revenue and expenditure measures as related to the General Fund, if adopted, would be to increase the General Fund surplus by approximately \$754,000.

The effect of legislative action on special reserves is shown as follows:

<i>Fund</i>	<i>Estimated surplus as of June 30, 1955</i>	
	<i>Budget as submitted</i>	<i>Effect of legislation</i>
Bond Sinking Fund of 1943-----	\$6,386,450	\$6,386,450
Capital Outlay and Savings Fund-----	1,693,800	1,693,800
Flood Control Fund of 1946-----	---	---
School Bond Retirement Fund-----	18,759,000	19,389,150
Revenue Deficiency Reserve-----	75,000,000	75,000,000
Postwar Unemployment and Construction Fund -----	1,206,400	365,000
Balance in Central Valley Project Appropriation -----	9,000,000	3,600,000
Special reserve in Teachers' Permanent Fund -----	39,000,000	39,000,000
Employment Contingent Fund-----	2,478,000	1,000,000

NOTE: Revised surpluses do not reflect any loss of interest on investments due to decreasing the respective balances.

**Table I**  
**List of Bills Carrying Appropriations**  
 (FIRST EXTRAORDINARY SESSION)

<i>Bill No.</i>	<i>Purpose</i>	<i>Amount</i>	<i>Fund</i>
A.B. 2	Allocations to newly incorporated cities for public works construction-----	(\$111,000)	Postwar Unemploy. and Const.
A.B. 3	Allocations to newly incorporated cities for public works construction-----	(\$576,000)	Postwar Unemploy. and Const.
A.B. 9	Creates Alcoholic Rehabilitation Commission (also provides additional General Fund revenue)-----	\$100,000	General
A.B. 87	Provides for expenses of members of the Assembly incurred at the 1954 First Extraordinary Session -----	(\$7,000)	General
S.B. 60	Appropriates funds to the State Treasurer to defray the cost of handling proposed new school bond issues. (Act is operative only if Senate Constitutional Amendment No. 3, providing for a \$100,000,000 school bond issue, is adopted by the voters of the State.)-----	(\$75,000)	General Repayable from bond proceeds
S.B. 66	Provides for expenses of members of the Senate incurred at the 1954 First Extraordinary Session -----	(\$3,500)	General

NOTE: Amounts in parentheses would affect the current year expenditures as the bills are to become effective when signed into law. A. B. No. 9 would increase the 1954-55 Budget total by \$100,000.

**Table II**  
**List of Revenue Measures Adopted by the 1954 Legislature**  
 (REGULAR SESSION)

<i>Bill No.</i>	<i>Purpose</i>	<i>Estimate of gain or loss</i>	<i>Fund</i>
A.B. 9	Special 3-day salt-water fishing license Fee (\$1) -----	+\$25,000	Special
S.B. 2	Exempts from taxes the gross receipts from the sale of ice or dry ice when sold for purpose of packing and shipping food products for human consumption between points within or without the State -----	(No estimate)	
S.B. 3	Increases the renewal fee on annual license to practice optometry, \$20 to \$25 -----	+\$11,625	Special
A.B. 18	Permits the disposal of the Napa State Farm -----	(No estimate)	
S.B. 9	Provides equitable adjustment of personal income tax and bank and corporations tax in respect to tax on gains for property which is distributed in complete liquidation of a corporation -----	(No estimate)	

**Table II**  
List of Revenue Measures Adopted by the 1954 Legislature—Continued  
(REGULAR SESSION)

<i>Bill No.</i>	<i>Purpose</i>	<i>Estimate of gain or loss</i>	<i>Fund</i>
(FIRST EXTRAORDINARY SESSION)			
A.B. 4	Exempts from sales and use taxes gross receipts from the sale, storage, or use of the American flag. Exempts gross receipts from the sale in this State of tangible property where the property is used by the purchaser outside of the State in performance of a contract to improve real property outside of the State-----	(Pocket Veto)       (No estimate)	
A.B. 9	Increases liquor license fees by 10 percent -----	+\$865,000	General

**Table III**  
Revised Statement of General Fund Condition, 1954-55, Giving Effect to  
Budget and Special Appropriation Measures

Surplus, June 30, 1954-----		\$58,062,237
Less:		
Reserve for Central Valley Project-----	\$9,019,152	
Less:		
Appropriations -----	—401,895	
Reversion -----	—5,000,000	—3,617,257
Adjusted surplus -----		\$54,444,980
Revenue -----		801,884,647
Total available -----		\$856,329,627
Transfer from School Bond Retirement Fund-----		27,369,821
Transfer from Employment Contingent Fund-----		1,477,948
		\$885,177,396
Transfer to Flood Control-----		—3,849,537
Transfer to Capital Outlay and Savings Fund-----		—12,824,087
Transfer to Legislative Contingent Funds-----		—2,415,000
Expenditures -----		—865,501,848
Surplus, June 30, 1955 (Action on Budget)-----		\$586,924
Special appropriation measures-----	—110,500	
Special revenue measures-----	865,000	754,500
Surplus, June 30, 1955-----		* \$1,341,424

\* Excludes \$3,617,257 balance reserved in the Central Valley Project appropriation which would put the estimated surplus at \$4,958,681.

**State Subventions to Local Governments in California**

(Revised Edition)

Prepared by Legislative Auditor

June 10, 1954

**1. INTRODUCTION**

In addition to the text, this report includes four tables and an appendix containing 43 check sections which gives detailed information on each of the 43 classes of subventions for 1953-54 in the order in which they are listed in Table 4. The appendix covers the purpose of the subvention, legal citations, to whom made, by whom made, factors used in allocation and audit and reporting requirements.

Material in the tables was taken from the printed state budgets, local assistance section, plus those records of the Department of Finance which are the source of the tables on pages 128 and 133 in the Report of the Assembly Interim Committee on State and Local Taxation issued in January, 1947. While federal grants subject to state apportionment are included in Table 1 as a matter of information, this report is limited to a discussion of subventions involving state funds.

**2. STATE SUBVENTIONS DEFINED**

A subvention may be defined as an outright grant of state funds to a local jurisdiction, i.e., a county, a city or some type of district such as a school district, a mosquito abatement district, etc., for a particular purpose or purposes. The source of the state funds may be particular tax levies earmarked for the purpose such as the so-called "shared revenue" items listed in Table 1 or the general tax levies or the credit of the State.

Subventions to local governments are classified as local assistance items in the State Budget and except as noted elsewhere with respect to certain amounts included in Table 1, the tables include only the amounts so classified in the current budgets.

Not counted as subventions for the purpose of this report, since they are not so classified in the budget, are certain other intergovernmental payments which are sometimes classified as subventions. The chief of these are loans to school districts for school building purposes, the repayment of which is conditional upon local financial ability, and payments by the State of federal funds under federal and state statutes.

Subventions for education, that is, support of the public school system, exclusive of the state university and state colleges, represents by far the largest single group of items, as shown in detail in Table 1 and in total in Table 3, and accounts for half the total at present. Subventions for social welfare, including assistance payments for old age security and aid to needy children ranks second at the present time. Both of these groups of subventions are financed from the general revenue sources of the State.

Third in importance are the amounts classified as shared revenues in Table 1, and shown in Table 3 as motor vehicle "in lieu" tax and



liquor license fees for general government, cities and counties, and as subventions for county roads and city streets.

### 3. CLASSIFICATION OF SUBVENTIONS

In addition to the classification of subventions by program as shown in Tables 1 and 3, and by size, as shown in Table 4, there are two other classifications which have some significance, by fund, and as between "fixed charges" and "controllable expenditures."

Distribution of total subventions, as between the General Fund and special funds for the last four fiscal years shown in Table 3, is set forth as follows:

<i>Fiscal year</i>	<b>Distribution of Subventions</b> (000 omitted)			
	<i>Total</i>	<i>Special funds and reserves</i>	<i>General Fund</i>	
			<i>Amount</i>	<i>Percent of total</i>
1951-52 -----	\$592,600	\$166,793	\$425,807	71.9
1952-53 -----	649,219	165,217	484,002	74.6
1953-54 (est.) -----	754,721	195,457	559,264	74.1
1954-55 (auth.) -----	786,633	194,076	592,557	75.3

Of the total subventions of special funds for the four-year period, 92 percent represents the so-called shared revenues, or money collected by the State from a particular tax source and apportioned, either in total or in part, to local governments in accordance with a formula provided by law whereby the amount of an apportionment is dependent upon yield from the respective tax. The shared revenues, which are shown in detail in Table 1, are those derived from liquor license fees, motor vehicle registration and weight fees, motor vehicle license fees (in lieu tax), and motor vehicle fuel tax.

The major portion of the subventions, however, is made from the general revenue sources of the State, such as the sales tax, bank and corporation tax and personal income tax.

In addition to a classification by funds, the Department of Finance and State Controller classify all state expenditures, including subventions, into two groups: "fixed charges" and "controllable expenditures." The general distinction between the two is that a "fixed charge" is based upon a constitutional or a statutory provision which, in effect, appropriates money at a particular rate rather than as a total amount so that the total amount can be controlled only by amendment to the particular constitutional or statutory provision involved, whereas a "controllable expenditure" is an amount which can be controlled by the ordinary budgetary process and represents expenditures from appropriations and authorizations which are subject to legislative or executive determination, including Budget Act appropriations, special appropriations, balances available in prior year appropriations made available for more than one fiscal year, and deficiency authorizations.

Comparisons of fixed charges in ratio to total state expenditures for the Fiscal Years 1951-52 through 1954-55 are shown as follows:

1951-52 -----	67.5%
1952-53 -----	65.4
1953-54 (est.) -----	67.3
1954-55 (auth.) -----	70.0

The dollar amount of fixed charges for the four fiscal periods is distributed to the three main budgetary classifications as follows:

*Fixed charges (000 omitted)*

<i>Fiscal year</i>	<i>Total</i>	<i>State operations</i>	<i>Capital outlay</i>	<i>Subventions to local government</i>	
				<i>Amount</i>	<i>Percent of total</i>
1951-52 -----	\$720,567	\$56,620	\$116,631	\$547,316	76.0%
1952-53 -----	769,780	53,953	129,940	585,887	76.1
1953-54 (est.) ---	961,872	58,163	205,987	697,722	72.5
1954-55 (auth.) -	1,002,666	60,690	214,997	726,979	72.5

It will be noted from comparisons of the foregoing amounts for local assistance with the totals in Table 3 for the respective years that over 90 percent of the total subventions to local governments represents fixed charges.

The principal subvention representing a constitutional fixed charge is that resulting from Section 6, Article IX, of the State Constitution which requires the Legislature to provide for an apportionment for public schools of not less than \$180 per pupil in average daily attendance. In 1953-54 this amounted to some \$366,673,224 or about 90 percent of the total shown in Table 3 for education for that year. The program for driver training added by the 1953 Legislature required an apportionment of \$383,017 in addition to the Constitutional minimum.

All of the subventions classified as "shared revenues" in Table 1 are fixed charges since in effect all or a specified part of the revenue from certain tax sources is returned to local governments on various bases set forth in the law rather than as appropriations of specific amounts.

All of the items shown in Table 1 as Social Welfare—Assistance Payments are fixed charges made pursuant to various sections of the Welfare and Institutions Code, whereas the items shown under Social Welfare—Local Administration are controllable expenditures.

All items shown under public works and public health, in Table 1, represent controllable expenditures.

#### 4. TREND OF SUBVENTIONS AS PORTION OF TOTAL EXPENDITURES

As indicated in Table 2, the total of state subventions to local governments for the 26-year period averages 52.6 percent of total state expenditures, ranging from a low of 38.5 percent in 1931-32 to a high of 65.3 percent in 1944-45, the percentages for the three most recent years averaging 54.3 percent. This table also indicates, in column 7, the relationship between subventions and expenditures for state operations, the two being approximately equal during the first four years shown whereas in 1933-34 subventions more than doubled state operations costs. This was due to increased subventions for education.

Other sharp changes in this relationship occurred in 1943-44 due to increased social welfare subventions, in 1944-45 due to increased education subventions, and in 1950-51 due to increased social welfare subventions, and in 1952-53 and 1953-54 due to effect of increased education subventions.

##### 5. FUNCTIONAL OUTLINE OF SUBVENTIONS

Table 1 is a summary of subventions to local governments by function or program for the three Fiscal Years 1951-52, 1952-53 and 1953-54, applying the classifications used in the current printed budgets, and also including federal funds subject to state apportionment. The amounts shown are actual expenditures for 1951-52 and 1952-53, and for 1953-54 are the estimates appearing in the 1954-55 printed budget.

Included in the total expenditures for state operations in the two Fiscal Years 1948-49 and 1949-50, as shown in Table 2, and excluded from the total expenditures for subventions shown in Tables 2 and 3, are certain major items which tend to distort considerably comparisons with other years. This was due mainly to changes of law explained in the following paragraph.

Under Article XXV of the State Constitution, which pertains to the State's participation in certain social welfare programs, and which was effective for the period from January 1, 1949 to February 28, 1950, the counties were relieved of the responsibilities of administration and financial participation in the programs of assistance for "Old Age Security" and "Aid to the Needy Blind." These responsibilities and related costs became obligations of the State insofar as the counties were concerned. However, Article XXVII of the State Constitution returned the respective responsibilities to the counties as of March 1, 1950. During the period in which Article XXV was effective, as pointed out, assistance payments in amounts of \$56,076,274 and \$2,556,299 respectively for the two programs in 1948-49 and assistance payments in amounts of \$91,531,283 and \$3,836,549 respectively for the two programs in 1949-50 were charged to state operations, rather than to subventions. This was also true of administrative costs which would otherwise have been borne by the counties. Consequently, when drawing comparisons from the tables with the respective fiscal periods, these factors should be considered.

Table 3 shows in summary form state subventions to local governments by main purpose for the 26-year period starting with 1929-30 and ending with 1954-55. The groupings are similar to those in Table 1, except that the shared revenues have been grouped by tax source. Also comparatively small sums representing unclaimed refunds of tax on gasoline used for aviation, which are shared with the counties for capital outlay for airports, are included in the classification "Other Purposes." Accordingly, the corresponding totals in the two tables will differ slightly.

Table 3 is therefore an analysis of subventions shown in Table 2 in total. From this table it is possible to trace the trends in each group, not only in dollar amounts but for major items as percentages of total



subventions. Education and social welfare together accounted for 72 percent of total subventions for the entire 26-year period, while sums authorized for the two programs for 1954-55 represent 72.4 percent of the total. The most striking increase has been in social welfare where the amount at the end of the period is shown to be 91 times greater than at the beginning whereas total subventions were only 17 times as great.

The amounts shown under county roads and city streets are allocations of motor vehicle fuel tax (gasoline tax) and motor vehicle registration and weight fees, while those designated "other purposes" are the amounts listed under that heading in Table 1 plus shared revenue for county airports.

#### 6. PERCENTAGE DISTRIBUTION OF SUBVENTIONS, 1953-54

Table 4 is a percentage distribution of the state subventions for 1953-54 shown in Table 1, with the items ranked by size. Also shown for each item are "to whom made," "by whom made" and the principal allocation factor. For a more complete description of any of these it is necessary to refer to the numbered section of the appendix which corresponds with the item number shown at the extreme left in Table 4. Also included in Appendix 1 is a detailed analysis of the apportionments for public schools totaling \$367,056,241 by method of allocation and by school level.

#### 7. ALLOCATION FACTORS

As indicated in Table 4 the factors used in allocating subventions to local governments are numerous and a study of the material in the appendix will indicate that some of them, particularly those governing apportionments for public schools are very complicated.

In most instances, particularly in the case of the larger grants, a specific formula is provided in the statute based on some factor designed to measure work load such as population, vehicle registrations and miles of road in the case of allocations of motor vehicle fuel tax for county roads, or average daily attendance (a.d.a.) in the case of school funds. In no instance does the agency making the allocation have unlimited discretion as to how the allocation is to be made although in some instances, such as item 38, Storm and Flood Damage Repair, where the Director of Finance must approve both the purpose of the expenditure and the expenditure, based on a report of an investigation of the particular project made by the Department of Public Works, some discretionary power is vested in a public official or agency. A similar situation appears in Chapter 1739, Statutes of 1953, with respect to discretionary powers of the Public Utilities Commission in connection with grade crossing protection works, (Item 35).

Assessed valuation is a factor which is involved in certain subventions for social welfare and education.

Section 2164 of the Welfare and Institutions Code provides that no aid (old age security payments) shall be "paid to any person who owns real property, the assessed value of which as assessed by the county assessor, less all encumbrances thereon of record, exceeds



\$3,500." The assessment ratio, i.e., the ratio of assessed value to market value whether 20 percent, 30 percent, 40 percent, etc., is therefore an important factor in determining the total number of persons eligible to receive aid to the extent that any own real property, and any change in the ratio, either up or down, would change the total case load as to such individuals. Variations in assessment ratios among counties could also result in inequities as between individuals in different counties.

With respect to apportionments for public schools and the effect of local assessed valuations upon such apportionments, it is noted that the total amount of state aid to local school districts is determined by the number of pupils in average daily attendance in the public schools multiplied by the constitutional guarantee of \$180 per pupil. Therefore, local property assessment levels played no part in determining the total amount of approximately \$367,000,000 of state aid to the public schools during the 1953-54 Fiscal Year. However, in the distribution of this total amount of state aid, approximately \$103,514,708, or 28.2 percent, is effected by the level of local property assessment. These programs are equalization aid, growth and transportation.

Districts assessed at below average levels secure additional state aid at the expense of districts assessed above average levels.

#### 8. AUDIT AND ACCOUNTABILITY IN SUBVENTIONS

Under Section 13293.4 of the Government Code the Department of Finance is required to audit the records of all state agencies which, of course, includes the authority to audit all subventions or allocations of state funds to local governments from the standpoint of the state agency making the allocation.

Many of the statutes governing particular subventions specify that audits shall be made of the local agency receiving the subvention. This is true of apportionments for public schools where Section 5010 of the Education Code provides for mandatory audit of school districts by outside accountants under the general supervision of the Department of Finance. It is true of aid to county agricultural fairs and citrus fairs where Section 19621 of the Business and Professions Code specifies that money shall be appropriated from the Fair and Exposition Fund to the Department of Finance for auditing fairs receiving money from the fund, and of old age security where Section 2189 of the Welfare and Institutions Code specifies audits by the State Controller and Department of Social Welfare.

There are also general provisions in the Government Code which give the State Controller very broad powers in connection with audit of disbursement of state funds. Section 12410 requires him to audit all disbursement of state money including field audit, if necessary, while Section 12416 states, " \* \* \* the Controller may inspect the books of any person charged with the receipt, safekeeping, or disbursement of public money." It is probable that under these two provisions the Controller has the power to audit all local agencies

receiving state subventions, except school districts and county agricultural fairs where legislation specifically grants that authority to the Department of Finance.

Many of the statutes covering subventions also contain provisions covering the reporting procedure to be followed by the local agency to insure proper accounting for the state funds. In addition, under Government Code Sections 12416, 12417, 12419, 12463, 12463.1, 12464, 53890 and 53891 the Controller is in a position to require reports from any local agency charged with the "receipt, safekeeping, or disbursement of public money," and to prescribe the form and content of such reports.

It thus appears that existing law contains adequate provisions to cover both proper accountability for and proper audit of all subventions to local governments, at both the state and local government level.

Whether or not sufficient auditing has been done in the past at the local government level is open to some question. A provision requiring the Department of Finance to audit school districts was effective June 30, 1951. Prior to that time no auditing had been done of school districts for state purposes. The results since that time appear to indicate the need for further auditing to determine the propriety of use of state funds both by districts and county school service funds.

Counties are subject to grand jury audits under the Penal Code, but these are usually too restricted in scope to be of much value to the State as a check on proper use of state funds by counties. The same is also true of any audits of cities by outside accountants.

It would appear that audit of local governments from the standpoint of propriety of use of state subventions by such governments could well be made the subject of a special study.

It would also appear that the responsibility for such audit should rest with a single independent state agency, rather than being divided among a number, as at present.

#### **9. CALIFORNIA PAYMENTS TO LOCAL GOVERNMENTS COMPARED TO OTHER STATES**

Although every state provides payments to its political subdivisions to some extent, there is great variation among the states in the amount of subventions, the types of programs, and in the amount of subventions in relationship to total state expenditures. A recent study by the Governments Division of the Bureau of the Census makes possible, however, a comparative analysis of these payments in all of the states. A summary of the amounts paid as aid to local governments, amounts per capita, and as a percentage of total general government expenditures in each of the states is shown in Table 5. It will be seen from this tabulation that California pays a larger amount to local governments than any of the states and also apportions a greater amount per capita. State of California payment to local governments for the fiscal year ending in 1952 amounted to \$73.67 per capita while the all-state average was \$33.06. Payments to local governments amounted to 57.4 percent of total general expenditures in California. This was exceeded only by the States of Alabama and Wisconsin with 58.2 percent and 58.9 percent respectively.

Table 1

## Status of Publicly Subsidized Expenditures by Fiscal Year

Child Day Care and Family Subsidies: Status and Expenditures by Program and Fiscal Year 1953 to 1959

Program	Fiscal 1953		Fiscal 1954		Fiscal 1955		Fiscal 1956		Fiscal 1957		Fiscal 1958		Fiscal 1959	
	Number of children	Expenditure	Number of children	Expenditure	Number of children	Expenditure	Number of children	Expenditure	Number of children	Expenditure	Number of children	Expenditure	Number of children	Expenditure
<b>Public</b>														
Day care for children under 5 years of age	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Family subsidies	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other day care	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other family subsidies	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other day care	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other family subsidies	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
<b>Private</b>														
Day care for children under 5 years of age	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Family subsidies	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other day care	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other family subsidies	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other day care	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
Other family subsidies	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000	1,000,000	\$1,000,000
<b>Total</b>														
Day care for children under 5 years of age	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000
Family subsidies	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000
Other day care	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000
Other family subsidies	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000
Other day care	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000
Other family subsidies	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000	2,000,000	\$2,000,000

\* Included in program of subsidies in countries in which day care is not a public health

Table 1—Continued  
**State of California—Subventions to Local Governments**  
(Including Federal Funds Subject to State Apportionment) by Program and Fiscal Year, 1951-52 to 1953-54

	1951-52			1952-53			1953-54 (estimated)		
	State funds	Federal funds	Total	State funds	Federal funds	Total	State funds	Federal funds	Total
<b>Public Works</b>									
County roads and highways.....		\$4,617,248	\$4,617,248						
Flood control.....	\$1,902,500		1,902,500	\$965,720		965,720			
Sacramento deep water channel.....	5,206		5,206	11,100		11,100			
Postwar public works projects.....	2,670,212		2,670,212	3,311,935		3,311,935			
Veterans' housing.....				-841,615		-841,615			
Storm and flood damage repair.....	696,600		696,600	1,040,965		1,040,965			
Earthquake damage repair.....									
Redondo Beach Seawall.....				50,000		50,000			
Grade crossing protection.....									
Total subventions for public works.....	\$5,274,518	\$4,617,248	\$9,891,766	\$4,738,155	\$4,579,171	\$9,317,326	\$8,630,307	\$5,082,669	\$13,712,976
<b>Social Welfare—Local Administration</b>									
Old age security.....		\$4,698,646	\$4,698,646						
Aid to needy blind.....		246,084	246,084			\$4,954,688			
Aid to needy children.....		3,743,816	3,743,816			267,935			
Local inspection of homes and agencies—aged and needy care.....						4,309,498			
Reimbursements to counties—cost of care and adoptions.....	\$632,473		632,473	\$722,306		722,306			
County administration of child welfare services.....	708,926		708,926	975,062		975,062			
Transportation of needy children.....		102,700	102,700	1,017		113,763			
Total subventions for social welfare—local administration.....	\$1,341,399	\$8,791,246	\$10,132,645	\$1,698,415	\$9,645,384	\$11,344,299	\$2,072,781	\$10,348,518	\$12,421,299



Table 1—Continued  
State of California—Subventions to Local Governments  
(Including Federal Funds Subject to State Apportionment) by Program and Fiscal Year, 1951-52 to 1953-54

	1951-52			1952-53			1953-54 (estimated)		
	State funds	Federal funds	Total	State funds	Federal funds	Total	State funds	Federal funds	Total
<b>Social Welfare Assistance</b>									
Old age security.....	\$106,145,005	\$94,823,107	\$200,968,112	\$102,733,831	\$101,865,513	\$204,600,344	\$100,770,600	\$108,436,850	\$209,207,450
Aid to needy blind.....	5,077,205	3,870,307	8,947,512	5,189,528	4,430,346	9,628,874	5,319,300	4,754,000	10,073,300
Aid to partially self-supporting blind.....	455,197	-----	455,197	449,360	-----	449,360	408,100	-----	408,100
Aid for institutional care of needy aged and blind.....	1,267,705	-----	1,267,705	1,323,082	-----	1,323,082	1,383,360	-----	1,383,360
Aid to needy children.....	33,835,775	28,833,166	62,668,941	30,622,107	31,333,898	61,956,065	31,427,950	33,703,500	65,131,450
Total subventions for social welfare— assistance.....	\$146,778,887	\$127,526,580	\$274,305,467	\$140,317,968	\$140,639,757	\$280,957,725	\$139,309,510	\$146,894,350	\$286,203,860
Total for social welfare.....	\$148,120,286	\$136,317,826	\$284,438,112	\$142,016,383	\$150,285,641	\$292,302,024	\$141,382,291	\$157,242,868	\$298,625,159
<b>Other Purposes</b>									
Salaries of superior court judges.....	\$1,458,388	-----	\$1,458,388	\$1,517,929	-----	\$1,517,929	\$1,702,677	-----	\$1,702,677
Contributions to Judges' Retirement Fund.....	113,321	-----	113,321	125,359	-----	125,359	143,000	-----	143,000
County veteran service officers.....	324,719	-----	324,719	347,573	-----	347,573	350,000	-----	350,000
County agricultural commissioners.....	113,676	-----	113,676	122,548	-----	122,548	131,274	-----	131,274
Workmen's compensation for disaster service workers.....	6,256	-----	6,256	17,368	-----	17,368	25,000	-----	25,000
Aid to county agricultural and citrus fairs.....	2,224,160	-----	2,224,160	3,034,301	-----	3,034,301	3,101,924	-----	3,101,924
Aid for county juvenile homes and camps.....	712,932	-----	712,932	720,920	-----	720,920	793,100	-----	793,100
Total subventions for other purposes.....	\$4,953,512	-----	\$4,953,512	\$5,915,898	-----	\$5,915,898	\$6,246,975	-----	\$6,246,975

**Table 1—Continued**  
**State of California—Subventions to Local Governments**  
**(Including Federal Funds Subject to State Apportionment) by Program and Fiscal Year, 1951-52 to 1953-54**

	1951-52			1952-53			1953-54 (estimated)		
	State funds	Federal funds	Total	State funds	Federal funds	Total	State funds	Federal funds	Total
<b>Shared Revenues for General Government</b>									
Liquor license fees to cities.....	\$6,543,611	-----	\$6,543,611	\$6,752,515	-----	\$6,752,515	\$6,925,000	-----	\$6,925,000
Liquor license fees to counties (B. and P. Code, 25761).....	1,671,932	-----	1,671,932	1,735,527	-----	1,735,527	1,778,000	-----	1,778,000
Motor vehicle "in lieu" tax to cities (R. and T. Code, 11005A).....	36,396,684	-----	36,396,684	32,616,509	-----	32,616,509	36,943,830	-----	36,943,830
Motor vehicle "in lieu" tax to counties (R. and T. Code, 11005B).....	36,396,683	-----	36,396,683	32,616,509	-----	32,616,509	36,943,830	-----	36,943,830
Federal receipts from flood control lands.....	-----	\$60,197	60,197	-----	\$54,759	54,759	-----	\$60,422	60,422
Federal receipts from forest reserves.....	-----	2,345,066	2,345,066	-----	3,313,492	3,313,492	-----	2,760,310	2,760,310
Federal receipts from grazing lands.....	-----	34,468	34,468	-----	36,144	36,144	-----	37,664	37,664
Federal receipts from potash lease rentals.....	-----	225,607	225,607	-----	216,426	216,426	-----	220,381	220,381
<b>Total for general government.....</b>	<b>\$81,008,910</b>	<b>\$2,665,338</b>	<b>\$83,674,248</b>	<b>\$73,721,060</b>	<b>\$3,620,821</b>	<b>\$77,341,881</b>	<b>\$82,590,660</b>	<b>\$3,078,777</b>	<b>\$85,669,437</b>
<b>Shared Revenues for County Roads</b>									
Motor vehicle fuel tax (S. and H. Code, 2105 and 2106).....	45,710,493	-----	45,710,493	49,303,339	-----	49,303,339	60,237,440	-----	60,237,440
Motor vehicle registration and weight fees (S. and H. Code, 2104).....	7,803,886	-----	7,803,886	8,305,455	-----	8,305,455	8,691,506	-----	8,691,506
<b>Total for county roads.....</b>	<b>\$53,514,379</b>	-----	<b>\$53,514,379</b>	<b>\$57,608,794</b>	-----	<b>\$57,608,794</b>	<b>\$68,928,946</b>	-----	<b>\$68,928,946</b>
<b>Shared Revenues for County Airport</b>									
Motor vehicle fuel tax (R. and T. Code, 8352).....	383,443	-----	383,443	335,473	-----	335,473	417,210	-----	417,210
<b>Shared Revenue for City Streets</b>									
Motor vehicle fuel tax (S. and H. Code, 2107).....	\$20,777,497	-----	\$20,777,497	\$21,447,640	-----	\$21,447,640	\$26,897,617	-----	\$26,897,617
<b>Total shared revenue.....</b>	<b>\$155,684,229</b>	<b>\$2,665,338</b>	<b>\$158,349,567</b>	<b>\$153,112,067</b>	<b>\$3,630,821</b>	<b>\$156,733,788</b>	<b>\$178,831,433</b>	<b>\$3,078,777</b>	<b>\$181,913,210</b>
<b>GRAND TOTAL.....</b>	<b>\$502,509,829</b>	<b>\$151,698,410</b>	<b>\$744,298,239</b>	<b>\$649,218,888</b>	<b>\$164,782,470</b>	<b>\$814,001,358</b>	<b>\$754,721,069</b>	<b>\$173,106,059</b>	<b>\$927,827,128</b>

SOURCE: State Budget Documents—Local Assistance Section.

Table 2

**State of California—Analysis of State Expenditures by Character and  
Fiscal Year  
1929-30 to 1954-55**

(In thousands of dollars)

Fiscal year	Total	State opera- tions	Capital outlay	Unem- ployment relief	Subventions to local governments		
					Amount	As percent of	
						Total expendi- tures (Col. 1)	State opera- tions (Col. 2)
	1	2	3	4	5	6	7
1929-30-----	\$114,169	\$43,616	\$24,313	-----	\$46,240	40.5	106.0
1930-31-----	120,841	46,577	24,862	-----	49,402	40.9	106.1
1931-32-----	128,834	49,543	29,709	\$20	49,562	38.5	100.0
1932-33-----	123,544	49,028	21,388	-----	53,128	43.0	108.4
1933-34-----	159,417	44,638	22,533	78	92,168	57.9	206.5
1934-35-----	166,725	52,168	18,582	113	95,862	57.5	183.8
1935-36-----	202,289	57,041	19,715	26,151	99,382	49.1	174.2
1936-37-----	219,161	64,050	22,190	21,266	111,655	50.9	174.3
1937-38-----	243,537	68,994	22,096	32,797	119,650	49.1	173.4
1938-39-----	286,489	78,178	28,853	45,445	134,013	46.8	171.4
1939-40-----	282,749	78,096	19,121	50,091	135,441	47.9	173.4
1940-41-----	273,865	84,779	20,047	26,485	142,554	52.1	168.1
1941-42-----	257,946	89,185	20,726	1,900	146,135	56.7	163.9
1942-43-----	250,861	94,987	15,662	74	140,138	55.9	147.5
1943-44-----	262,472	86,078	12,673	61	163,660	62.4	180.1
1944-45-----	306,490	88,851	17,286	69	200,284	65.3	225.4
1945-46-----	342,175	109,031	40,766	-----	192,378	56.2	176.4
1946-47-----	469,680	142,165	86,261	-----	241,254	51.4	169.7
1947-48-----	657,726	188,191	97,665	-----	371,870	56.5	197.6
1948-49-----	883,325	284,099	167,828	-----	431,398	48.8	151.8
1949-50-----	1,054,838	343,412	258,805	-----	452,621	42.9	131.8
1950-51-----	1,006,339	263,055	200,343	-----	542,941	54.0	206.4
1951-52-----	1,068,072	294,483	180,989	-----	592,600	55.5	201.2
1952-53-----	1,176,719	320,282	207,218	-----	649,219	55.2	202.7
1953-54 (est.)-----	1,429,616	356,477	318,418	-----	754,721	52.8	211.7
1954-55 (auth.)-----	1,431,933	382,115	263,185	-----	786,633	54.9	205.9
Total-----	\$12,919,812	\$3,759,119	\$2,161,234	\$204,550	\$6,794,909	52.6	180.8

SOURCE: 1945-46 to 1954-55 Printed State Budgets, Comparative Statement of Expenditures.

1944-45 and prior, Tables on pages 129 and 133 in Report of Assembly Interim Committee on State and Local Taxation issued January, 1947, as adjusted to reflect current budget classifications of certain minor items as between state operations and subventions to local government.

**Table 3**  
**State of California—Subventions to Local Governments by Purpose and Fiscal Year 1929-30 to 1954-55**  
(In Thousands of Dollars)

Fiscal year	Total	Education		Social welfare		County roads and city streets		General government, cities and counties		Public health	Public works	Other purposes
		Amount	Percent	Amount	Percent	Amount	Percent	Motor vehicle "in lieu" tax	Liquor license fees			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1929-30	\$46,240	\$27,903	60.3	\$1,582	3.4	\$15,137	32.7			\$185		\$1,433
1930-31	49,402	28,633	58.0	3,357	6.8	15,355	31.1			595		1,462
1931-32	49,562	30,276	61.1	3,658	7.4	13,801	27.8			173		1,654
1932-33	53,128	31,543	59.4	4,312	8.1	14,890	28.0			900		1,483
1933-34	92,168	70,551	76.5	4,933	5.4	14,429	15.7		\$780	107		1,368
1934-35	95,862	71,123	74.2	5,655	5.9	14,883	15.5		1,838	1,013		1,350
1935-36	99,382	70,003	70.4	7,156	7.2	18,219	18.3	\$2,730	24	290		960
1936-37	111,655	71,667	64.2	9,148	8.2	21,775	19.5	3,879	2,957	917		1,312
1937-38	119,650	73,021	61.0	14,834	12.4	23,190	19.4	4,090	2,439	317		1,759
1938-39	134,013	76,284	56.9	24,146	18.0	23,032	17.2	3,888	3,220	998		2,445
1939-40	135,441	77,977	57.6	21,092	15.6	24,658	18.2	6,216	2,794	352		2,352
1940-41	142,554	79,346	55.7	22,612	15.9	25,610	18.0	8,592	2,876	1,075		2,443
1941-42	146,135	80,310	55.0	22,254	15.2	28,411	19.4	9,382	2,763	368		2,047
1942-43	140,138	81,438	58.1	23,461	16.7	23,503	16.8	6,598	2,738	1,035		1,425
1943-44	163,660	80,419	49.1	48,330	29.5	22,486	13.7	8,584	2,349	315		1,177
1944-45	200,284	115,044	57.4	47,740	23.8	20,835	10.4	9,444	3,328	616		3,277
1945-46	192,378	102,179	53.1	49,722	25.8	26,370	13.7	4,872	3,379	1,257	\$1,579	3,020
1946-47	241,254	112,696	46.7	53,307	22.1	40,617	16.8	15,587	4,822	1,928	8,434	3,803
1947-48	371,870	191,853	51.6	72,773	19.6	46,759	12.6	24,976	4,537	6,330	18,939	5,703
1948-49	431,398	228,315	52.9	50,109	11.6	63,938	14.8	40,343	8,041	8,335	27,292	5,025
1949-50	452,621	222,363	49.1	74,472	16.5	64,066	14.3	55,855	12,121	9,561	9,086	4,497
1950-51	542,941	242,003	44.6	150,154	27.7	68,941	12.7	47,277	8,557	10,663	11,062	4,194
1951-52	592,600	296,399	45.0	148,120	25.0	74,292	12.5	72,793	8,216	12,168	5,275	5,337
1952-53	649,219	331,967	51.1	142,016	21.9	79,057	12.2	65,233	8,488	11,469	4,738	6,251
1953-54 (est.)	754,721	405,067	53.7	141,382	18.7	95,837	12.7	73,888	8,703	14,560	8,030	6,664
1954-55 (auth.)	786,633	434,132	55.2	144,423	18.4	88,898	11.3	77,537	8,640	15,473	10,858	6,672
Total	\$6,794,909	\$3,602,602	53.0	\$1,290,748	19.0	\$969,579	14.3	\$541,704	\$103,610	\$101,000	\$103,893	\$79,773

SOURCE: Same as Table 2.



Table 4

State of California—State Subventions to Local Governments, Fiscal Year 1953-54—Amount, Percentage Distribution, to Whom Made, by Whom Made, and Principal Allocation Factor

Item no.	Description	Amount	Percent of total	To whom made	By whom made	Principal allocation factor
1	Apportionments for public schools.....	\$367,056,241	48.49	Countries and districts.....	Education.....	Average daily attendance
2	Old age security.....	100,770,600	13.31	Countries.....	Social welfare.....	Case load
3	Motor vehicle fuel tax for county roads.....	60,237,440	7.96	Countries.....	Controller.....	Vehicle registration and miles of road
4	Motor vehicle "in lieu" tax to counties.....	36,943,830	4.88	Countries.....	Controller.....	Population
5	Motor vehicle "in lieu" tax to cities.....	36,943,830	4.88	Cities.....	Controller.....	Population
6	Aid to needy children.....	31,427,950	4.15	Countries, etc.....	Social Welfare.....	Case load
7	Motor vehicle fuel tax for city streets.....	26,897,617	3.55	Cities.....	Division Highways.....	Population
8	Contributions to Teachers Retirement System.....	23,291,800	3.08	Beneficiaries.....	State Teachers Retirement System.....	Case load
9	Motor vehicle registration and weight fees for county roads.....	8,691,506	1.15	Countries.....	Controller.....	Vehicle registration
10	Debt service—public school building bonds.....	7,320,983	.97	Bondholders.....	Controller.....	Bond redemption
11	Liquor license fees to cities.....	6,925,000	.92	Cities.....	Board Equalization.....	Fees collected in cities
12	Flood control.....	6,762,965	.89	Countries, cities, districts.....	Water Resources Board.....	Actual cost of authorized projects
13	Aid to needy blind.....	5,319,500	.70	Countries.....	Social Welfare.....	Case load
14	Assistance to counties' tuberculosis sanatoria.....	5,266,348	.70	Countries.....	Public Health.....	Patient days
15	Child care centers.....	3,848,885	.51	Countries.....	Education.....	Per child hour
16	Free textbooks.....	3,359,585	.44	School districts (no money subvented).....	Education.....	Textbooks distributed as requisitioned
17	Aid to county agricultural and citrus fairs.....	3,101,924	.41	Fairs.....	Department of Finance.....	Various
18	Assistance to counties—care of crippled children.....	3,000,000	.40	Countries, cities.....	Public Health.....	Formula involving matching, etc.
19	Aid to local health departments.....	2,991,695	.40	Countries, cities, districts.....	Public Health.....	Per capita
20	Assistance to local agencies—hospital construction.....	2,138,590	.28	Countries, cities, districts.....	Public Health.....	Qualification for federal aid
21	Postwar public works projects.....	2,000,000	.26	Countries, cities, districts.....	State Allocation Board.....	Approved projects matching basis
22	Earthquake damage repair.....	1,822,965	.24	Countries, cities, districts.....	State Allocation Board.....	Loan basis
23	Liquor license fees to counties.....	1,778,000	.24	Countries.....	Board Equalization.....	Fees collected in county
24	Salaries of superior court judges.....	1,702,677	.22	Countries.....	Controller.....	Number of superior court judges
25	Aid for institutional care of needy aged and blind.....	1,383,360	.18	Countries.....	Social Welfare.....	Case load
26	Reimbursements to counties—cost of care and adoptions.....	1,303,469	.17	Countries.....	Social Welfare.....	Per child, with limits
27	Aid for county juvenile homes and camps.....	793,100	.10	Countries.....	Youth Authority.....	Matching basis with limits

Table 4—Continued

State of California—State Subventions to Local Governments, Fiscal Year 1953-54—Amount, Percentage Distribution, to Whom Made, by Whom Made, and Principal Allocation Factor

Item no.	Description	Amount	Percent of total	To whom made	By whom made	Principal allocation factor
28	Local inspection of homes and agencies—aged and needy care	\$766,812	.10	Counties, cities	Social Welfare	Actual cost, with limits
29	Assistance to local agencies—mosquito and gas: control	700,000	.09	Local agencies	Public Health	Up to 50 percent of cost of accepted plan
30	Local school districts cerebral palsied children.	483,702	.06	Counties	Public Health	Salaries of therapists
31	Motor vehicle fuel tax for county airports	417,210	.06	Counties	Controller	Population and area
32	Aid to partially self-supporting blind	408,100	.05	Counties	Social Welfare	Case load
33	Vocational education reimbursements to school districts	361,725	.05	Counties for districts	Education	Salaries of teachers
34	County veteran service officers	350,000	.05	Counties	Veterans' Welfare Board	Per officer, with limits
35	Grade crossing protection works	150,000	.02	Counties, cities	Public Utilities Commission	Need, with limits
36	Contributions to judges' retirement fund	143,000	.02	Judges' Retirement Fund	Controller	Need
37	County Agricultural Commissioners—Salaries	131,274	.02	Counties	Agriculture	Need, with limits
38	Storm and flood damage repair	34,179		Local agencies	Public Works	Approved projects on matching basis
39	Workmen's compensation disaster service workers	25,000		State Compensation Insurance Fund	Controller	Need
40	Transportation—needy children	2,500		Counties	Social Welfare	One-half of cost
	Totals	\$757,033,362	100.00			
41	LESS: Veterans' housing reversion of surplus	\$1,000,000				
	State's share of operating revenue and sales of housing projects	1,129,892				
42	School building construction savings from projects	172,491				
43	Redondo Beach sea wall loan repayment	10,000				
	Remainder	\$754,721,069				

Table 5  
State Payments to Local Governments  
Fiscal Ending—1952  
Intergovernmental Expenditures

State	Total expenditures (thousands)	Expenditures per capita	Percent of state general expenditures
Alabama.....	\$126,479	\$41.58	58.2
Arizona.....	30,160	37.47	32.8
Arkansas.....	41,758	21.86	30.3
California*.....	812,133	73.67	57.4
Colorado.....	81,580	59.29	51.2
Connecticut.....	23,671	11.61	14.2
Delaware.....	11,982	36.42	20.6
Florida.....	82,076	27.72	28.2
Georgia.....	98,407	28.24	36.5
Idaho.....	13,109	22.22	22.6
Illinois.....	132,323	15.00	24.3
Indiana.....	127,113	31.49	41.0
Iowa.....	82,010	31.24	32.4
Kansas.....	78,335	40.17	42.9
Kentucky.....	43,855	15.01	22.3
Louisiana.....	115,043	41.73	29.8
Maine.....	11,317	12.69	15.5
Maryland.....	85,894	35.19	35.4
Massachusetts.....	189,887	40.13	43.4
Michigan.....	322,012	49.20	45.8
Minnesota.....	119,265	39.83	40.2
Mississippi.....	61,080	27.86	39.4
Missouri.....	63,818	15.78	23.3
Montana.....	11,352	19.27	16.0
Nebraska.....	37,301	27.67	38.0
Nevada.....	4,291	25.09	15.4
New Hampshire.....	2,910	5.45	6.7
New Jersey.....	67,964	13.66	17.7
New Mexico.....	32,333	45.93	33.4
New York.....	630,923	41.99	51.7
North Carolina.....	68,808	16.64	16.2
North Dakota.....	13,502	22.32	18.0
Ohio.....	260,938	32.36	43.8
Oklahoma.....	76,640	33.82	25.1
Oregon.....	50,389	32.34	23.7
Pennsylvania.....	187,327	17.74	23.5
Rhode Island.....	12,329	15.55	19.0
South Carolina.....	64,317	30.27	35.5
South Dakota.....	6,644	10.27	11.3
Tennessee.....	83,584	25.19	34.9
Texas.....	196,160	24.55	32.8
Utah.....	21,142	29.82	28.4
Vermont.....	6,080	16.30	20.2
Virginia.....	86,302	25.50	34.0
Washington.....	113,980	47.00	33.9
West Virginia.....	49,073	24.60	22.5
Wisconsin.....	191,574	55.13	58.9
Wyoming.....	14,628	49.59	35.3
All States.....	\$5,043,798	\$33.06	36.8

\* The amount shown in this tabulation for California, although strictly comparable as between states, does not reconcile with the amount shown elsewhere in this report. The principal differences are that the Bureau of the Census figure includes federal funds apportioned by the State to local governments and apportionments for school building purposes.

SOURCE: U. S. Department of Commerce, Bureau of the Census, "State Payments to Local Governments in 1952," State and Local Government Special Studies Number 35, 1954.

## APPENDIX 1

## APPORTIONMENTS FOR PUBLIC SCHOOLS—\$367,056,241

*Purpose:*

Assistance to counties and school districts for support of public school system exclusive of state colleges and state university.

*Citation:*

State Constitution Article IX, Sections 4 and 6, Article XIII, Section 15, and Education Code, Division 2, 3 and 4.

*To Whom Made:*

County Treasurer for the districts and for the county school service fund.

*By Whom Made:*

State Controller.

*Factors Used in Allocation:*

These are shown in detail in the remainder of Appendix 1 for each amount involved in the 1953-54 apportionment and for each level. In general the factors are average daily attendance, need, actual or excess cost and assessed valuation, and the method is prescribed in detail in the Education Code for each type of grant. The computations on which the various allocations are based are made by the Department of Education.

*Audit:*

Education Code, Section 5010 effective July 1, 1953, provides that each county superintendent shall provide for an audit of the County School Service Fund, all funds under his jurisdiction and for the books of all school districts under his jurisdiction with an average daily attendance of less than 900. The governing board of each school district with an average daily attendance of more than 900 must provide for an audit of the district books. Audits must be made by a certified public accountant or a public accountant. General supervision of the audit program is assigned to the State Department of Finance and the State Department of Education.



# Apportionments for Public Schools 1953-54 by Method of Apportionment

(See Footnotes for Apportionment Factors)

	Foot-note*	Education code section	Elementary schools K-8	High schools 9-12	Junior colleges 13-14	Total amount	Percent of total
I. General aid							
a. Basic aid except for adults.	1	{ State Const. Art. IX, Sec. 6 7051	\$178,937,520	\$48,912,480	\$8,505,960	\$236,355,960	-----
b. Basic state aid for adults.	2	7067, 7075	-----	5,568,480	1,560,000	7,128,480	-----
c. Total allowance for a.d.a. for adults in state institutions, etc.	3	7097	-----	526,571	273,209	799,780	-----
d. Additional allowance to certain reorganized school districts.	4	7098 7151, 7152	427,473	-----	-----	427,473	-----
II. State equalization aid	5	See note	59,547,461	11,147,964	2,042,609	244,711,693	66.7
III. Adjustments							
a. Adjustments of previous year's apportionments.	6	7190	-----	-----	-----	57,607	-----
b. Withholding on insufficient number of teachers.	7	7121.1, 7121.2	-172,611	-----	-----	-172,611	-----
IV. Special purpose apportionments							
a. Excess expense physically handicapped.	8	7101, 7101.4	-----	-----	-----	4,330,009	-----
b. Excess expense mentally retarded.	9	7102, 7102.5	-----	-----	-----	1,847,779	-----
c. Excess expense severely mentally retarded.	10	7103, 7103.5	Data not available by level	-----	-----	99,619	-----
d. Transportation physically handicapped and severely mentally retarded.	11	7018.1	-----	-----	-----	824,567	-----
e. Transportation regular pupils.	12	7011, 7019	-----	-----	-----	6,469,889	-----
f. Excess expense reimbursement—automobile driver training.	13	7106, 7107	-----	-----	-----	383,018	-----
	14					13,954,881	3.8

\* See page following table.

## Apportionments for Public Schools 1953-54 by Method of Apportionment—Continued

(See Footnotes for Apportionment Factors)

	Foot- note*	Education code section	Elementary schools K-8	High schools 9-12	Junior colleges 13-14	Total amount	Percent of total
<b>V. County school service fund</b>							
a. General purpose	14	7001				\$7,272,693	
b. Supervision of instruction	15	7001				1,914,939	
c. County school tuition fund	16	7046				15,960	
d. Juvenile hall	17	7043, 7044	134,620	378,000		512,620	
e. Physically handicapped	18	7041		15,680		15,680	
f. Emergency schools	19	7041	280,900			280,900	
g. Special training—mentally retarded	20	7042	667,800			667,800	
						10,680,592	2.9
<b>VI. Balance after apportionment of Items I-V</b>							
a. Reserved for growth	21	5154				24,446,028	
b. Withheld on insufficient number of teachers (see II(b))	22	7121.1, 7121.2				172,611	
c. Difference between amounts reserved and amounts actually apportioned for excess cost of special purpose apportionments	23	7118, 7119				484,603	
						25,103,242	6.8
Less: Adjustment in district tax computation						367,073,438	
						—17,197	
<b>TOTAL</b>						\$367,056,241	100

\* See following page.

## Footnote References to Preamble Table

- 1 Article IX, Section 8 of the State Constitution and Sections 7051, 7067, 7075 of the Education Code, requires that not less than \$120 per pupil in average daily attendance shall be apportioned to each school district and that the amount apportioned to each school district shall not be less than \$2,400.
- 2 Basic state aid for adults is \$120 per pupil in average daily attendance.
- 3 The total allowance to districts for adults in classes in state institutions, city or county jails, etc., is paid on the basis of reported excesses but shall not be less than \$210 or more than \$148 for each unit of average daily attendance.
- 4 Certain incentives for unification are offered districts in terms of a guarantee that newly unified districts will not lose state funds as a result of unification and an increase in the foundation programs for newly unified districts for a five-year period.
- 5 The amount of equalization aid for each district is determined by computing the amount of basic state aid plus district aid (according to a uniform computational tax) and subtracting from the foundation program. In case the total of basic aid is equal to or greater than the foundation program, no allowance for equalization aid is made to the district. The total amount set aside in the state school fund for equalization aid is equal to \$180 per average daily attendance minus basic aid, growth, county school service fund and special purpose apportionments.
- 6 Section 7190 of the Education Code requires the Superintendent of Public Instruction to make adjustments for errors made during previous apportionments.
- 7 Certain small school districts receive funds over and above the regular foundation program providing they hire a specified number of teachers. If they do not hire the specified number of teachers they are then placed under the regular foundation program and the extra funds are withheld and allowed proportionately to elementary schools receiving equalization aid during the then current year.
- 8 Up to \$400 per unit of average daily attendance is apportioned to districts and the county school service fund as payment for the excess cost of educating physically handicapped children.
- 9 Up to 7.5 percent of excess cost not exceeding \$150 per average daily attendance, including transportation, is apportioned to districts and the county school service fund for education of mentally retarded children.
- 10 Up to \$300 per average daily attendance, excluding transportation, is apportioned to districts and the county school service fund for the excess cost of educating severely mentally retarded children.
- 11 Up to \$350 per unit of average daily attendance is apportioned to districts and the county school service fund for the cost of transporting physically handicapped and severely mentally retarded children.

- 12 The total amount available to apportion for pupil transportation is \$3.20 times the total state average daily attendance and this amount is apportioned to districts in amounts based on the current expenses of pupil transportation and the assessed valuation of the districts.
- 13 In addition to the \$180 per unit of average daily attendance there is transferred from the General Fund to the State School Fund an amount for the reimbursement of 75 percent excess cost of driver training. Instruction not to exceed \$30 per pupil instructed.
- 14 An amount equal to \$3.57 times the total state average daily attendance is available to county superintendents for general purposes and for partial payment, (\$2,400) of county superintendents' salary. The amount to each county is distributed on the basis of budgets approved by the Superintendent of Public Instruction.
- 15 An amount equal to \$0.94 times the total state average daily attendance is available to county superintendents for supervision of instruction on the basis of budgets approved by the Superintendent of Public Instruction.
- 16 Basic aid for students residing in the county and attending school in an adjoining state.
- 17 The same amounts as would be computed for district foundation programs are apportioned to the county superintendent for support of schools in juvenile halls, etc.
- 18 An amount equal to \$280 for each unit of average daily attendance of physically handicapped pupils of secondary grade educated by the county superintendent is apportioned to the county superintendent of schools.
- 19 The same amount as would be computed for elementary district foundation programs is apportioned to the county superintendent for emergency schools maintained in each elementary school district of the county by the county superintendent.
- 20 The same amount as would be computed for district foundation programs is apportioned to the county superintendent for special schools or special classes for mentally retarded maintained in each elementary school district in the county by the county superintendent.
- 21 For each average daily attendance in growth a full apportionment of basic and equalization aid received per previous year's average daily attendance will be made.
- 22 See note six.
- 23 The difference between the amounts reserved according to the legal maximum for special purpose apportionments and the actual apportionments is added to the remaining balance and will be apportioned as additional equalization aid to elementary school districts.

APPENDIX 2  
OLD AGE SECURITY—\$100,770,600

*Purpose:*

Aid to needy aged and to counties in administration of program.

*Citation:*

State Constitution, Article XXVII (eff. 3/1/50) ; Welfare and Institutions Code, various sections.

*To Whom Made:*

Counties.

*By Whom Made:*

Department of Social Welfare.

*Factors Used in Allocation:*

Number of eligible applicants; maximum amount per person fixed by Sections 2025 and 2025.1, Welfare and Institutions Code. In addition counties receive reimbursement for institutional care of needy aged (Welfare and Institutions Code, 2160.7) as well as grants of federal funds for administering program. In determining eligibility of applicant amount of real property (at assessed value) and personal property owned by applicant, as well as his age, citizenship and residence are factors. In determining amount of aid per person income of applicant (including contributions of responsible relatives), as well as his need, must be considered.

*Reports, etc.:*

Department of Social Welfare formulates rules and regulations and specifies reports required (Welfare and Institutions Code, 2140). Welfare and Institutions Code 2189 specifies county reports as well as audits by Controller and Department of Social Welfare. Welfare and Institutions Code 2220 also covers a county report.

APPENDIX 3

MOTOR VEHICLE FUEL TAX FOR COUNTY ROADS—\$60,237,440

*Purpose:*

County roads: administration, maintenance and construction.

*Citation:*

Sections 2105, 2106, 2111, 2113-2117, Streets and Highways Code.

*To Whom Made:*

Counties.

*By Whom Made:*

State Controller.

*Basis of Apportionment:*

Section 2105 provides that sum equal to the net revenue derived from \$0.01 per gallon under the Motor Vehicle Fuel License Tax Law shall be apportioned to counties as provided in Section 2111, while Section 2106 provides an additional apportionment of \$0.003/8 per gallon as provided in Sections 2113-2116. The 1 cent is apportioned as follows:

Sec. 2111a. \$20,000 to each county to be used exclusively for engineering costs and administrative expense.

Sec. 2111b. \$30,000 to each county.

Sec. 2111c. Remainder in same ratio as motor vehicle registrations in each county bears to state total registrations.

The three-eighths of 1 cent is apportioned as follows:

Sec. 2114. Amount by which \$25 for each mile of maintained county road exceeds amounts received by county under Sections 2111b and 2111c.

Sec. 2115. One-half the remainder after apportionments made under Section 2114 on basis of registrations (same as Sec. 2111c).

Sec. 2116. Remainder in same ratio as maintained miles of county roads in each eligible county bears to total such miles in eligible counties. Counties where sum of apportionments under Sections 2104 (Motor Vehicle Registration and Weight Fees), 2111b and 2111c exceeds \$50 per mile of maintained county roads are not eligible.



## APPENDIX 4

## MOTOR VEHICLE "IN LIEU" TAX TO COUNTIES—\$36,943,830

*Purpose:*

For general government.

*Citation:*

Revenue and Taxation Code, Section 11005b.

*To Whom Made:*

Counties.

*By Whom Made:*

State Controller.

*Basis of Apportionment:*

One-half balance in Motor Vehicle License Fee Fund to counties on basis of population as shown by last federal census.

## APPENDIX 5

## MOTOR VEHICLE "IN LIEU" TAX TO CITIES—\$36,943,830

*Purpose:*

For general government.

*Citation:*

Revenue and Taxation Code, Section 11005a.

*To Whom Made:*

Cities.

*By Whom Made:*

State Controller.

*Basis of Apportionment:*

One-half balance in Motor Vehicle License Fee Fund to cities on basis of population as shown by last federal census, except that in case of a city incorporated since last federal census or unincorporated territory added to a city population will be computed as three times the number of registered electors.

## APPENDIX 6

## AID TO NEEDY CHILDREN—\$31,427,950

*Purpose:*

As stated.

*Citation:*

Welfare and Institutions Code, Ch. 1, Pt. 2, Div. 2 (1500-1582).

*To Whom Made:*

County treasurers and institutions maintaining needy children.

*By Whom Made:*

Department of Social Welfare.

*Factors Used in Allocation:*

Number of eligible applicants; maximum amount per child set by Welfare and Institutions Code 1511. In addition counties receive grants of federal funds for use in administering program. In determining eligibility of applicant amount of real property (at assessed value) and personal property owned by applicant or his parents, as well as his age (under 18), residence, and citizenship, is considered. The Welfare and Institutions Code 1500 sets forth the basic definition of a "needy child." In determining the amount of aid per child, minimum standards of adequate care (Welfare and Institutions Code 1511.5) furnish a yardstick; possible income must be considered (Welfare and Institutions Code 1508, 1511.1).

*Reports, etc.:*

Welfare and Institutions Code 1552.5, 1555, and 1556 require reports to the Department of Social Welfare. Welfare and Institutions Code 1561 requires a report to the Federal Social Security Board. Welfare and Institutions Code 1556 and 1559 require audits by the Controller and the Department of Social Welfare.

## APPENDIX 7

## MOTOR VEHICLE FUEL TAX FOR CITY STREETS—\$26,897,617

*Purpose:*

City streets.

*Citation:*

Streets and Highways Code, Sections 2107 and 194.

*To Whom Made:*

Cities.

*By Whom Made:*

Division of Highways.

*Basis of Apportionment:*

Sum equal to \$0.005/8 per gallon tax is transferred by State Controller to the State Highway Fund and is apportioned from that fund to cities by the Division of Highways on the basis of population.

## APPENDIX 8

## CONTRIBUTIONS TO TEACHERS RETIREMENT SYSTEM—\$23,291,800

*Purpose:*

Teachers retirement payments.

*Citation:*

Education Code, Sections 14562, 14563, and Budget Act.

*To Whom Made:*

Beneficiaries under Teachers Retirement System plus certain payments to local agencies (county, city, or district) which maintain a local retirement system.

*By Whom Made:*

State Teachers Retirement System.

*Factors Used in Allocation:*

Retirement and death benefits specified in Education Code, Chapter 14, Division 7.

*Reports, Etc.:*

Disbursements made only upon claims audited by Controller, Education Code, Section 14332.

## APPENDIX 9

MOTOR VEHICLE REGISTRATION AND WEIGHT FEES FOR  
COUNTY ROADS—\$8,691,506*Purpose:*

County roads.

*Citation:*

Sections 2104 and 2110, Streets and Highways Code.

*To Whom Made:*

Counties.

*By Whom Made:*

State Controller.

*Basis of Apportionment:*

\$5,400,000 increased or decreased for each fiscal year in proportion that motor vehicle registrations during preceding calendar year have changed from 1946 is total available for apportionment (Section 2104). Of this amount the first \$360,000 is apportioned to certain counties for snow removal on county roads, the second \$360,000 is apportioned to certain counties for repair of county roads damaged by heavy rainfall and storm. The apportionments of these two sums are made in accordance with schedules set forth in Section 2110, while the remainder goes to counties on basis of number of fee paid vehicles registered in county in ratio to number of fee paid vehicles registered in the State.

## APPENDIX 10

## DEBT SERVICE ON PUBLIC SCHOOL BUILDING BONDS—\$7,320,983

*Purpose:*

As stated.

*Citation:*

Education Code, Sections 5103 and 7903.

*To Whom Made:*

Bondholders.

*By Whom Made:*

Controller.

*Factors Used in Allocation:*

Net amount required to pay principal and interest on public school building bonds which were authorized by Article XVI, Sections 15 of the Constitution and Chapter 922, 1949, and Section 16.5 of the Constitution and Chapter 28, 1952 (2d Ex. Sess.).

*Reports, Etc.:*

Claims audited by Controller (Education Code 5103). An analysis of the debt service on these bonds will show the gross cost for 1953-54 to be \$13,009,500. However, credits to the gross cost are derived from school district repayments on loans, premium and accrued interest on bonds sold, and interest earned on investments of proceeds of bond sales which are deposited in bond funds. These credits are expected to provide offsets totaling \$5,688,517, thereby leaving a net cost to State Government in amount of \$7,320,983 for the 1953-54 Fiscal Year, as reflected in the 1954-55 Budget document. Bond fund transactions are not taken into the budget totals.

## APPENDIX 11

## LIQUOR LICENSE FEES TO CITIES—\$6,925,000

*Purpose:*

For general government use pursuant to Section 22, Article XX, State Constitution.

*Citation:*

Section 25761, Business and Professions Code.

*To Whom Made:*

Cities and Counties.

*By Whom Made:*

State Board of Equalization.

*Factors Used in Allocation:*

All moneys collected from fees are to be paid semiannually to the counties, cities and counties, and cities of the State in the proportion that the amount of the fees collected in the particular county, city and county, or city bears to the total amount so collected throughout the State. Effective July 1, 1954, pursuant to Section 25761, as amended by Chapter 22, Statutes of 1954, (1st Ex. Sess.), liquor license fees will increase by 10 percent and the additional revenue collected due to the 10 percent increase will be distributed to the General Fund.

*Reports, Etc.:*

In April and October of each year the Liquor Control Division of the State Board of Equalization publishes a tabulation setting forth the allocation to cities and counties of alcoholic beverage license fees.

## APPENDIX 12

## FLOOD CONTROL—\$6,762,965

*Purpose:*

For state cooperation in authorized flood control program.

*Citation:*

State Water Resources Act of 1945—Chapter 1514/45, Flood Control Fund Act of 1946—Chapter 142/46, 1st Ex. Session, and Budget Act.

*To Whom Made:*

County, city or district.

*By Whom Made:*

Water Resources Board.

*Factors Used in Allocation:*

Local agencies are reimbursed for their costs on all projects adopted and authorized by the Legislature.

*Reports, Etc.:*

Section 17 of the act requires reports by the Water Resources Board to the Legislature; Section 23 requires reports by the board to the Governor.

## APPENDIX 13

## AID TO NEEDY BLIND—\$5,319,500

*Purpose:*

Aid to needy blind and to counties in administration of program.

*Citation:*

State Constitution, Article XXVII (eff. 3/1/50).

*To Whom Made:*

Counties.

*By Whom Made:*

Department of Social Welfare.

*Factors Used in Allocation:*

Number of eligible applicants; maximum amount per person fixed by Section 3084.1, Welfare and Institutions Code. In addition counties receive reimbursement for institutional care of needy blind (Welfare and Institutions Code 3044.1) as well as grants of federal funds for administration of program. In determining eligibility of applicant combined amount of personal and real property (at assessed value), together with other personal property owned by applicant, as well as his age (16 or over), residence, and citizenship are factors. In determining amount of aid per person the income of the applicant (including contributions of responsible relatives), as well as his need must be considered.

*Reports, Etc.:*

Welfare and Institutions Code 3078.5, 3085, 3087.3 require reports to the Department of Social Welfare; Welfare and Institutions Code requires the department to make reports to the Social Security Board. Welfare and Institutions Code 3087.3 specifies audits by the Controller and the Department of Social Welfare.

## APPENDIX 14

## ASSISTANCE TO COUNTIES FOR TUBERCULOSIS

## SANATORIA—\$5,266,348

*Purpose:*

Aid to counties for the treatment and care of persons suffering from tuberculosis.

*Citation:*

Health and Safety Code, Division 4, and Budget Act.

*To Whom Made:*

Counties.

*By Whom Made:*

Department of Public Health.

*Factors Used in Allocation:*

The allocation is computed on a patient-day basis in accordance with a scale and other provisions set forth in the Health and Safety Code, Sections 3301.5, 3301.6, and 3301.7. The department sets up regulations which must be conformed to before state aid is granted.

*Reports, etc.:*

Semiannual reports to the department are required under Health and Safety Code 3301.

## APPENDIX 15

## CHILD CARE CENTERS—\$3,848,885

*Purpose:*

Assistance to school districts maintaining child care centers (children between 2 and 16).

*Citation:*

Education Code, Sections 19601-19620.

*To Whom Made:*

County for district.

*By Whom Made:*

Department of Education.

*Factors Used in Allocation:*

Based on hours of attendance per child, using a state-wide average state support as a maximum, with certain exceptions as set forth in Education Code, Section 19607.4. Income of parents and fees collected also considered.



*Reports, etc.:*

Education Code 19607.4 appears to require that the Department of Education establish "uniform budgetary and accounting procedures."

## APPENDIX 16

## FREE TEXTBOOKS—\$3,359,585

*Purpose:*

Free textbooks for the elementary schools.

*Citation:*

Education Code, Division 6, Chapter 2, and Budget Act.

*To Whom Made:*

Textbooks furnished to school districts for use in elementary schools. (No cash subvention.)

*By Whom Made:*

State Board of Education.

*Factors Used in Allocation:*

Requisitions from school principals forwarded through county superintendents of schools.

*Reports, etc.:*

By governing board of school district; Education Code 11023.

## APPENDIX 17

AID TO COUNTY AGRICULTURAL FAIRS AND  
CITRUS FAIRS—\$3,101,924*Purpose:*

The encouragement of these fairs.

*Citation:*

Business and Professions Code, 19622, 19624, 19626.

*To Whom Made:*

County agricultural fairs and citrus fruit fairs and expositions.

*By Whom Made:*

Allocations made by Director of Finance except where amounts are specified in the code sections.

*Factors Used in Allocation:*

Statute specifies amount of allocation in many cases; Business and Professions Code 19624a specifies that \$100,000 be allocated to certain citrus fruit fairs and expositions, according to the population of the counties concerned; Business and Professions Code 19624b places a limit of \$65,000 on the sum for each county, district or combined county and district agricultural fair, with certain listed exceptions; fund appropriated under Business and Professions Code 19624b is allocated on the basis of the premiums paid by the fairs concerned, with the limitation just stated. Funds appropriated by Business and Professions Code 19626c are allocated by the Director of Finance, in his discretion, after approval by the State Public Works Board, for permanent improvements for fair purposes, or for the purchase of equipment or real property for fair purposes.

*Reports, etc.:*

The books and records of any county, citrus fruit fair or exposition receiving an appropriation or allotment may be audited by the Department of Finance, as they relate to revenues and expenditures for fair or exposition purposes. (Business and Professions Code, Sec. 19621.)

## APPENDIX 18

ASSISTANCE FOR PHYSICALLY HANDICAPPED  
CHILDREN—\$3,000,000*Purpose:*

As stated.

*Citation:*

Health and Safety Code, Article 2, Chapter 2, Part 1 of Division 1, and Budget Act.

*To Whom Made:*

Cities and counties.

*By Whom Made:*

Department of Public Health.

*Factors Used in Allocation:*

For crippled children's services allocations are made in accordance with and subject to conditions set forth in the item of appropriation. The basic allotment provided each county or city and county would provide an amount equivalent to 35 cents per capita of population when added to the amount provided by the county pursuant to Section 270 of the Health and Safety Code. Any funds determined as excess to the county needs which are provided by this basic allocation may be reallocated by the Department of Public Health up to an amount sufficient to make available to a county an amount not exceeding 45 cents per capita. If the amount appropriated exceeds the amounts required for allocation and reallocation under the limitations set forth, such excess may be allocated to any county in an amount not to exceed twice any sum provided by the county in addition to the amount required by Section 270 of the Health and Safety Code. A minimum allocation of \$20,000 is provided each county for these services.

*Reports, etc.:*

"Independent" counties file a quarterly report with the Department of Public Health which consists of a summary statement of expenditures for the quarter, by program. A copy of the summary is forwarded by the department in a claim to the Controller after computation of the amount of reimbursement due from the State. In the case of "dependent" counties the State operates the program and subsequently bills the county for its share of the cost.

## APPENDIX 19

## AID TO LOCAL HEALTH DEPARTMENTS—\$2,991,695

*Purpose:*

To assist local health departments to meet minimum standards established by the State Board of Health.

*Citation:*

Health and Safety Code, Sections 1100-1157, and Budget Act.

*To Whom Made:*

Cities, counties, and districts.

*By Whom Made:*

Department of Public Health.

*Factors Used in Allocation:*

To qualifying local health departments a basic allotment per county of \$16,000 or 60 cents per capita, per county, whichever is the lesser (divided on a population basis, if more than one department per county), and a per capita allotment (Health and Safety Code 1141a and b). In order to qualify for this assistance (1154) a local health department must appropriate, for the period to which the allocation would apply, local funds in an amount equal to at least twice the per capita allotment provided in the Health and Safety Code 1141b; also the professional and technical personnel, program, and organization must meet the minimum standards established by the State Department of Public Health. In general, federal funds distributed to local health agencies are allocated in the same manner as state funds. An alternate method for providing assistance for local public health services is contained in Section 1157 of the Health and Safety Code which reads, in part, as follows:

"In lieu of any other provisions of this chapter, upon request of the board of supervisors of any county of less than 40,000 population and upon the appropriation for public health purposes by such county of a sum of not less than fifty-five cents (\$.55) per capita for the total county population, the State Department of Public Health may organize and operate a local public health service in such county."

*Reports, etc.:*

Health and Safety Code 1111 provides that the State Board of Health, after consultation with and approval by the California Conference of Local Health Officers, shall adopt rules and regulations necessary to the administration of this chapter (Sections 1100-1157). The State Department of Public Health shall certify to the State Controller the amounts to be paid to each local health department each quarter. Health and Safety Code 1130 provides Department of Public Health may require reports of services, finances, and expenditures of local health departments.

## APPENDIX 20

ASSISTANCE TO LOCAL AGENCIES FOR HOSPITAL  
CONSTRUCTION—\$2,138,590*Purpose:*

As stated.

*Citation:*

Health and Safety Code, Sections 430-435.7, and Budget Act.

*To Whom Made:*

Counties, cities, districts. Federal funds also to nonprofit hospitals.

*By Whom Made:*

Department of Public Health.

*Factors Used in Allocation:*

No agency is eligible for state funds unless it qualifies for and receives assistance from the United States under Public Law 725 of the 79th Congress. However, certain nonprofit agencies may qualify for federal aid, although they are restricted from receiving state aid by terms of the Budget Act. State assistance shall equal the amount of federal funds, but in no case shall the amount of state assistance exceed one-third the cost of construction of the hospital. The Department of Public Health prescribes minimum standards for the maintenance and operation of hospitals which receive federal aid for construction under the state plan (Health and Safety Code 432.4). In establishing priority for the allocation of funds the department considers particularly three factors: (1) percent of hospital need met in area considered, (2) availability of hospital facilities in adjacent areas, and (3) population of area. These factors are weighted approximately 7:2:1 (administrative policy).

*Reports, etc.:*

Department of Public Health specifies reports (Health and Safety Code 431.1a). Department makes annual report to Governor and Legislature (Health and Safety Code 431.1c), and shall certify to Surgeon General regarding work performed or purchases made and that payment of installment of federal funds is due applicant (Health and Safety Code 432.8). The department shall also prescribe the time and manner of payment of state assistance, if granted (Health and Safety Code 435.7).

## APPENDIX 21

## POSTWAR PUBLIC WORKS PROJECTS—\$2,000,000

*Purpose:*

Assistance to local agencies in defraying cost of preparing plans and acquiring sites for public works projects and for construction of such projects.

*Citation:*

Chapters 47, 1944 (4th Ex. Session), 20/45 (1st Ex. Session), 1213/47, 1321/47, 23 48, 1206/49, 1213 49, 1214 49, 292/51, 293 51, 1401 53, and 1418 53.

*To Whom Made:*

Cities, counties and districts.

*By Whom Made:*

State Allocation Board.

*Factors Used in Allocation:*

With respect to preparation of plans and acquisition of sites, made on a matching basis for approved projects. Cost of plan must not exceed 6 percent of total estimated cost of project without division approval. Original act provides method for computing maximum allocations to local agencies and also for assignment of allocations among local agencies.

With respect to construction projects made on a matching basis, except that a maximum of \$75,000 of road and highway construction project costs, per county, need not be matched. Chapter 20 specified that \$45,000,000 was to be allocated to cities, and a like amount to counties. Of the latter \$45,000,000, one-third was earmarked for road construction and this amount was to be apportioned between counties in proportion to the rural population of each county and the mileage of maintained county roads in unincorporated territory in each county. Each of these factors was given equal weight. The remaining two-thirds was to be apportioned to allow \$100,000 to each county, the balance being allocated in proportion to the total population of each county. The allocation to cities was suballotted in proportion to the population of the city. The act listed projects which were

eligible for aid, and provided that local agencies might assign their allocations to other agencies. Chapter 1214/1949 appropriated \$130,000 to be allocated to counties on a matching basis for the construction of county courthouses which had been destroyed by fire during the three years prior to January 1, 1949. The appropriation to be expended without regard to fiscal year.

*Reports, etc.:*

The act requires the Department of Finance to make a report on the work due and expenditures made to each house of the Legislature at the beginning of each regular session. The Board of Control is required to prescribe rules in regard to claims for reimbursement of the cost of construction of projects. The Director of the Department of Finance must approve such claims, and the Controller must make such audits as he deems necessary. Expenditures of allocations to local agencies are not subject to Government Code 13320-24, 13920, 16003 or 29000-29171; however, Government Code, Division 5, Title 1, applies to these public works or projects.

APPENDIX 22

EARTHQUAKE DAMAGE REPAIR—\$1,822,965

*Purpose:*

As stated.

*Citation:*

Government Code, Part 1, Division 2, Title 5, and Chapter 1777/1952.

*To Whom Made:*

Local agencies.

*By Whom Made:*

State Allocation Board.

*Factors Used in Allocation:*

Loans and terms of repayment based upon need and agreements between the board and local agencies. Any money appropriated by the act for which no application is made before December 31, 1954, is to revert to the General Fund. Original appropriation was for \$3,000,000 from the General Fund.

APPENDIX 23

LIQUOR LICENSE FEES TO COUNTIES—\$1,778,000

See Appendix 11 which covers both cities and counties.

APPENDIX 24

SALARIES OF SUPERIOR COURT JUDGES—\$1,702,677

*Purpose:*

Part payment of superior judges' salary.

*Citation:*

Government Code, Section 69640, and Budget Act.

*To Whom Made:*

County.

*By Whom Made:*

State Controller.

*Factors Used in Allocation:*

Number of superior court judges. Present law provides that the State pay \$7,500 toward salary of each such judge.

APPENDIX 25

AID FOR INSTITUTIONAL CARE OF NEEDY AGED  
AND BLIND—\$1,383,360

See Appendix 2 which also covers this item.

APPENDIX 26

REIMBURSEMENT TO COUNTIES FOR ADMINISTRATION  
AND CARE OF ADOPTIONS—\$1,303,469

*Purpose:*

As stated.

*Citation:*

Welfare and Institutions Code, Chapter 2, Part 3, Division 2, Budget Act.



*To Whom Made:*  
Counties.

*By Whom Made:*  
Department of Social Welfare.

*Factors Used in Allocation:*

Licensed county agencies are reimbursed for all the administrative costs of the adoption program and up to \$200 on the average per child for the costs of caring for the child following relinquishment and prior to placement not collected from the adopting parents. (Effective July 1, 1954, the fee increases to \$300.)

*Reports, etc.:*

Claims for reimbursement to be filed quarterly with, and are subject to audit by, Department of Social Welfare; the department shall make such rules and regulations as are necessary, subject to approval of the Department of Finance.

APPENDIX 27

AID FOR JUVENILE HOMES AND CAMPS—\$793,100

*Purpose:*

As stated above.

*Citation:*

Welfare and Institutions Code, Section 957, and Budget Act.

*To Whom Made:*  
Counties.

*By Whom Made:*  
Youth Authority.

*Factors Used in Allocation:*

Reimbursement of one-half cost of maintaining each child but not more than \$80 per month per child. Youth Authority prescribes standards counties must meet. (Effective July 1, 1954, maximum will increase to \$95.)

*Reports, etc.:*

Monthly billing by counties, verified and consolidated by Youth Authority. Consolidated claim forwarded twice yearly to Controller for payment.

APPENDIX 28

LOCAL INSPECTION OF HOMES AND AGENCIES—  
AGED AND NEEDY CARE—\$766,812

*Purpose:*

Payments to local agencies for inspection as stated above.

*Citation:*

Welfare and Institutions Code, Sections 1622 and 2302, and Budget Act.

*To Whom Made:*  
Cities and counties.

*By Whom Made:*  
Department of Social Welfare.

*Factors Used in Allocation:*

Reimbursement of expenses of cities and counties incurred in maintaining approved services for licensing and inspection of homes and agencies, above-mentioned, not to exceed an amount averaging four dollars per month per license. (Effective July 1, 1954, maximum to be \$5.)

*Reports, etc.:*

Claims for reimbursement shall be filed with the Department of Social Welfare at the time and in the manner specified by the department.

APPENDIX 29

ASSISTANCE TO LOCAL AGENCIES FOR MOSQUITO  
AND/OR GNAT CONTROL—\$700,000

*Purpose:*

As stated.

*Citation:*

Health and Safety Code, Sections 2425 and 2426, and Budget Act.

*To Whom Made:*

To local agencies engaged in mosquito and gnat control.

*By Whom Made:*

State Department of Public Health.

*Factors Used in Allocation:*

Department may enter into a cooperative agreement with the local agency under such terms, conditions, and specifications as the State Board of Health may prescribe. Financial assistance provided by the State shall not exceed 50 percent of the total cost of any acceptable plan. Prior to the 1950-51 Fiscal Year assistance was granted for mosquito control only.

*Reports, etc:*

As specified by board.

## APPENDIX 30

## LOCAL SCHOOL DISTRICTS—CEREBRAL PALSID CHILDREN—\$463,702

*Purpose:*

To provide the services of physical and occupational therapists for cerebral palsied children.

*Citation:*

(Health and Safety Code 249-271), and Budget Act.

*To Whom Made:*

Counties.

*By Whom Made:*

Department of Public Health.

*Factors Used in Allocation:*

Salaries of physical and occupational therapists are reimbursed to the counties on the basis of a contractual relationship, which contract reflects the number of therapists employed in the area. The county claims reimbursement under the contract either monthly or quarterly. Physical therapists are furnished initially when the class enrollment is 10. When the enrollment reaches 25 to 30, consideration is given to adding a second physical therapist. Occupational therapists are furnished on the basis of one to a class of at least 20 children. "Out-patients" are included in these counts, as well as those regularly enrolled in the special classes.

*Reports, etc:*

As required by the department.

## APPENDIX 31

## MOTOR VEHICLE FUEL TAX FOR COUNTY AIRPORTS—\$417,210

*Purpose:*

Capital outlay for aviation or airport purposes.

*Citation:*

Revenue and Taxation Code, Sections 8352 and 8357.

*To Whom Made:*

Counties.

*By Whom Made:*

State Controller.

*Basis of Apportionment:*

Total available is unrefunded gasoline tax collected on motor vehicle fuel used or usable in an airplane. Each county first receives \$2,500 per year and the remainder is apportioned one-half on the basis of population and one-half on the basis of area.

## APPENDIX 32

## AID TO PARTIALLY SELF-SUPPORTING BLIND—\$408,100

*Purpose:*

As stated.

*Citation:*

Welfare and Institutions Code, Sections 3400-3482, and Article XXVII, State Constitution.

*To Whom Made:*

Counties.

*By Whom Made:*

Department of Social Welfare.

*Factors Used in Allocation:*

Number of eligible applicants; maximum amount per person set by Section 3472.1, Welfare and Institutions Code. In addition counties receive reimbursement for institutional care of needy blind. In determining eligibility of applicant combined amount of real and personal property (at assessed value), together with other personal property owned by applicant, as well as his age (16 or over), residence and citizenship, are factors. In determining amount of aid per person, the income of the applicant (including contributions of responsible relatives) must be considered.

*Reports, etc.:*

As required under Welfare and Institutions Code, Sections 3078.5, 3085, 3481, and 3482. Welfare and Institutions Code 3482 requires audit by Controller and Department of Social Welfare.

## APPENDIX 33

## VOCATIONAL EDUCATION—REIMBURSEMENTS TO SCHOOL DISTRICTS—\$361,725

*Purpose:*

To cooperate with the Federal Government on promoting vocational education in California.

*Citation:*

Education Code, Sections 5705, 5726, and Budget Act.

*To Whom Made:*

School districts through counties (secondary schools).

*By Whom Made:*

State Board of Education.

*Factors Used in Allocation:*

Reimbursement to school districts is based on repayment to the districts, insofar as availability of funds permits, of the salaries of the teachers of vocational courses.

*Reports, etc.:*

Under Education Code 5726 the State Board of Education is required to set up the rules and regulations governing the expenditure of this money.

## APPENDIX 34

## COUNTY VETERANS SERVICE OFFICERS—\$350,000

*Purpose:*

Payment of portion of "compensation and expenses" of county service officer.

*Citation:*

Military and Veterans Code, Sections 970-973, and Budget Act.

*To Whom Made:*

County.

*By Whom Made:*

Veterans Welfare Board.

*Factors Used in Allocation:*

Contribution toward the salary of each county service officer shall not be more than \$75 per month. The Veterans Welfare Board sets standards and regulations which must be observed. The board has set up the following schedule of contributions, in amplification of the statute:

## Service officer—

95 percent of salary or \$75 per month, whichever is less;

## First assistant—

Not less than 50 percent nor more than 80 percent of salary;

## All other employees—

50 percent of salary;

## Operating expenses—

95 percent or \$150 per quarter, whichever is less.

*Reports, etc.:*

As required by Veterans Welfare Board.

## APPENDIX 35

## GRADE CROSSING PROTECTION WORKS—\$150,000

*Purpose:*

Assist cities and counties in the financing of the cost of constructing grade crossing protection works.

*Citation:*

Chapter 1739, Statutes of 1953, and Public Utilities Code.

*To Whom Made:*

Local agencies.

*By Whom Made:*

Public Utilities Commission.

*Factors Used in Allocation:*

Chapter 1739, of the Statutes of 1953 appropriated \$500,000 from the State Highway Fund for allocation to local agencies by the Public Utilities Commission on the basis of need as determined by the commission. Allocation of state funds is limited to a maximum not to exceed 50 percent sharing of cost to a local agency.

*Audit:*

Claims to be preaudited or postaudited by the State Controller.

## APPENDIX 36

## CONTRIBUTION TO JUDGES' RETIREMENT FUND—\$143,000

*Purpose:*

Contribution to the Judges' Retirement Fund for judges of the Supreme Court, District Courts of Appeal, superior and municipal courts.

*Citation:*

Government Code, Sections 75100-75108.

*To Whom Made:*

Judges' Retirement Fund.

*By Whom Made:*

State Controller.

*Factors Used in Allocation:*

Each month the Controller computes the aggregate annual salaries of all the judges enumerated above. He then transfers from the General Fund to the Judges' Retirement Fund  $2\frac{1}{12}$  percent of  $\frac{1}{12}$  of such computed aggregate.

## APPENDIX 37

## COUNTY AGRICULTURAL COMMISSIONERS—\$131,274

*Purpose:*

To increase salary of county agricultural commissioner in order to secure more uniform and adequate enforcement of provisions of Agricultural Code.

*Citation:*

Agricultural Code, Section 63.5 and Budget Act.

*To Whom Made:*

Counties.

*By Whom Made:*

Director, State Department of Agriculture.

*Factors Used in Allocation:*

Director may enter into agreement to pay up to \$3,000 toward salary of county agricultural commissioner, but in no case more than two-thirds of his salary.

*Reports, Etc.:*

Commissioner must make such reports as the director requires (Agricultural Code 65).

## APPENDIX 38

## STORM AND FLOOD DAMAGE REPAIR—\$34,179

*Purpose:*

Aid to local governmental units in storm and flood damage repair.

*Citation:*

Chapter 609, 1949, Chapter 13, 1951, Chapters 6, 1953 and 1480, 1953.



*To Whom Made:*

Local jurisdictions, districts or agencies including agencies of the Federal Government.

*By Whom Made:*

Department of Public Works.

*Factors Used in Allocation:*

Local agency must match state funds. Department of Public Works must investigate project and file a report with the Department of Finance. Director of Finance must approve both the purpose of the expenditure and the expenditure. The Department of Public Works may perform all or any portion of the work or may contract with the local agency.

## APPENDIX 39

WORKMEN'S COMPENSATION FOR DISASTER SERVICE  
WORKERS—\$25,000*Purpose:*

As stated.

*Citation:*

Division 4, Part 1, Labor Code, and Budget Act.

*To Whom Paid:*

State Compensation Insurance Fund.

*By Whom Paid:*

Controller.

*Factors Used in Allocation:*

Expenditures in payment of claims for workmen's compensation and adjusting services are made by the Fund from a cash revolving fund. These expenditures are exempt from the provisions of Government Code 16003 which relate to audit. Reimbursement of the revolving fund for such expenditures is made upon the presentation to the Controller of an abstract or statement of such expenditures. This abstract or statement is in such form as may be required by the Controller.

*Reports, Etc.:*

Covered in preceding paragraph.

## APPENDIX 40

## TRANSPORTATION OF NEEDY CHILDREN—\$2,500

See Appendix 6

## APPENDIX 41

## VETERANS HOUSING—\$2,129,802

*Purpose:*

To cooperate with the Federal Government in a concerted effort to alleviate an acute shortage of housing for war veterans and servicemen which existed at the time the program was initiated.

*Citation:*

Chapters 29, 1946, 46, 1946, and 391, 1947.

*Factors Used in Allocation:*

Chapter 29, Statutes of 1946, appropriated \$7,500,000 for the purpose of cooperating with the Federal Government and local agencies in a program furnishing temporary emergency housing, locally administered, for war veterans and servicemen's families. State assistance to local agencies was limited to not more than 90 percent of nonfederal costs. The Federal Government withdrew from participation in the financing of the program in the latter part of December, 1946, and, while the shortage of housing remained, the State assumed the responsibility of carrying on the program and appropriated an additional \$4,500,000 to enable the local agencies to complete projects in existing contracts. The State was to meet the full cost to the local agency for completion of suspended projects. However, it was the intent of provisions in the acts that the State was to be reimbursed in the fullest extent deemed possible through the operations and/or sales of the projects. The State's interest in the housing projects is gradually being liquidated.

## APPENDIX 42

## STATE SCHOOL BUILDING CONSTRUCTION—\$172,491

*Purpose:*

As stated.

*Citation:*

Chapter 1575, 1947, Chapter 24, 1948, Chapter 1308, 1949 (Education Code, Chapter 1.5).

*To Whom Made:*

County for district.

*By Whom Made:*

State Allocation Board.

*Factors Used in Allocation:*

Tax rate and bond factors determine eligibility of district. (Bond factor depends directly, and tax rate factor indirectly upon assessed valuation of district.) Amount of allocation related to project cost and availability of district funds.

*Reports, Etc.:*

Audit by Controller (Education Code 5031). State Allocation Board may establish rules (Education Code 5025). Appropriation exempt from provisions of Government Code 16304 (Education Code 5033).

*Note:*

Present law provides that applications may be received up to 12-31-53 and apportionments made until 12-31-54. Balances of allotments on completed projects being returned by the school districts are in excess of new allotments.

## EDUCATION CODE 5026

*Bond Factor:*

District must be bonded to 95 percent of maximum permissible under Education Code 7431.

*Tax Factor:*

District tax rate must be within one-half cent of the maximum fixed Education Code 6357.

## APPENDIX 43

## REDONDO BEACH SEA WALL—\$10,000

*Purpose:*

Assist City of Redondo Beach.

*Citation:*

Chapter 4, Statutes of 1953.

*Factors Used in Allocation:*

Chapter 4, Statutes of 1953, appropriated \$50,000 from the General Fund as a loan to the City of Redondo Beach to assist the city in meeting the cost of repair to the sea wall which was damaged by heavy seas. Allocations were made by the State Allocation Board. Repayment of loan to the State is accomplished through deductions from the city's share of revenue derived from liquor license fees which are levied and collected by the State and apportioned to the cities and counties.

### Study of Costs of Cooperative Personnel Services State Personnel Board

Prepared by the Legislative Auditor  
September 10, 1954

The first of a series of statutory provisions specifically authorizing local jurisdictions to contract for the performance of personnel services was adopted by the State Legislature in 1935. Chapter 48, Statutes of 1935, encouraged cities to adopt merit systems and authorized them to contract with each other, or with any state department, for the performance of personnel services. In 1939 a similar statute was enacted authorizing counties to establish personnel systems under substantially the same arrangement as previously authorized for municipalities.

In order to establish clearly the legal authority of the State Personnel Board to enter into contracts with local agencies for the performance of personnel services, the general revision of the Civil Service Act adopted in 1937 included the following provision:

“The State Personnel Board may enter into agreements to make available its services and facilities upon request to political subdivisions of the State and to state agencies excepted from the state civil service.”

Following this legislative authorization the Personnel Board provided personnel services to local agencies of government on an informal basis for a few years, but the program was discontinued in 1940. Local groups, particularly in the southern part of the State, began urging that the service be re-established, and the function was formalized with the establishment of a Division of Cooperative Personnel Services in the State Personnel Board. This was accomplished by administrative action, based upon the legislative authority cited above.

This division experienced its most rapid expansion soon after the end of World War II, which is apparent from the following table:

<i>Year</i>	<i>No. of personnel</i>	<i>Expenditures</i>
1945-46 -----	6	\$28,037
1946-47 -----	14	49,384
1947-48 -----	12.8	61,734
1948-49 -----	14.5	81,342
1949-50 -----	14.5	71,322
1950-51 -----	14.8	77,576
1951-52 -----	14.6	81,483
1952-53 -----	16.8	92,006
1953-54 (estimated) -----	16.7	100,124
1954-55 (estimated) -----	18.7	110,309

Most of the work performed by Cooperative Personnel Services falls within one of three categories: (1) preparation of written examinations; (2) preparation of classification and pay plans; and (3) conduct of an examination program for the welfare departments of the 47 non-civil service counties. In addition, certain other personnel services, such as publicizing examinations, supplying application forms, arranging for and conducting oral boards, preparation of recommended merit system rules and regulations, etc., are also available upon request.

Practically all of the services rendered by Cooperative Personnel Services are designed to benefit cities, counties, and local public districts. Examination services are currently being provided to over 60 local government agencies in the State. A list of the local jurisdictions for whom the division has conducted classification and pay surveys is appended as Exhibit I to this report. Some personnel surveys have been conducted for state agencies, including the Board of Equalization, the Department of Public Health, the Recreation Commission and the Department of Finance (county school service fund survey now in progress). The surveys that are conducted for state agencies, however, are concerned generally with personnel practices at the local level, and the survey findings are of considerable value to local jurisdictions as well as to the state agencies contracting for the work.

At present the agency's work load is divided approximately equally among three activities:

### 1. MERIT SYSTEM

Federal law requires that federal aid funds be distributed by personnel working under a merit system. In order to meet this requirement the State Department of Social Welfare operates a separate merit system for those county welfare departments that are not subject to a county civil service system. The Department of Social Welfare contracts with Cooperative Personnel Services for the preparation, administration, and scoring of examinations for this merit system. Thus, all of the work in connection with recruitment and examination of these personnel is performed by Cooperative Personnel Services, including the preparation of an eligible list. Although this service is provided for 47 counties, it covers only about 1,500 positions, or 20 percent of the total county welfare jobs in the State. The remaining 80 percent are in some of the more populous counties, which have their own civil service systems.

### 2. EXAMINATIONS FOR LOCAL JURISDICTIONS

Cooperative Personnel Services prepares examinations upon request for cities, counties, school districts, and other local units of government. Form tests are used in about 25 percent of the cases. For example, it is not necessary to prepare a new examination every time one is requested for policemen, firemen, or other standardized classes. Another 50 percent of the examinations are segmented tests. This refers to a method of test classification by which all examination questions are classified into small subject matter units. These test segments are homogeneous insofar as subject matter and level of difficulty can make them. In preparing an examination the technician selects those segments that are pertinent to the subject matter being tested. The remaining 25 percent of the examinations prepared by the agency require research into existing source material and writing new test material as required. In addition to the preparation of written examinations, the division handles oral interviews for local agencies of government upon request.

### 3. CLASSIFICATION AND PAY SURVEYS

A number of these surveys have been conducted for cities, counties, and public districts. At the present time the largest contract of this kind is with the State Department of Finance providing for a state-wide classification and salary survey of positions in the county superintendents of schools offices, for which reimbursement is received from the State.

The total staff of the division to handle this work load (merit system, examinations for local jurisdictions, and classification and pay surveys) consists of six technical and nine clerical positions assigned to Sacramento and two technical and one clerical position assigned to the Los Angeles branch office. Part-time help is used to meet peak loads. Provision was made in the 1954-55 Budget for the addition of one technician and one clerk. Approximately 25 percent of the time of the technical staff is spent in the field.



The division does not maintain on its staff a "sales" force or position engaged in promoting the use of its services. However, through the field operations of the division, through professional associations, and other Personnel Board staff it is in a position to follow the work and the needs of local governments related to personnel services. Chief reliance, apparently, in acquainting local governments with the facilities of the division, is placed upon wide distribution of a pamphlet entitled "Announcing Testing Services for Local Government Jurisdictions in California." A copy of this publication is attached as Exhibit II to this report. This is a statement of the kinds of examinations available and their cost. A publication entitled "Cooperative Personnel Services," which presents a general statement of the division's activities, is distributed upon request.

Inasmuch as this agency was established as a self-supporting activity and is in competition with private firms performing similar work, it seems reasonable to raise the question whether the program is being subsidized by the State. The chief of the division maintains that it is not subsidized. Annual appropriations are made for its support and the billing rate is supposed to be sufficient to recover fully the cost of the services performed. The division has the advantage of being able to exchange salary data, examination materials, and technical advice with the State Personnel Board, but the Chief of the Division of Cooperative Personnel Services contends that this is offset to some extent by certain control factors with which private firms need not concern themselves, such as operating in conformity with state civil service laws, rules, and regulations, being subject to fiscal control and review by administrative and legislative agencies, participating in staff conferences of the Personnel Board, etc.

Chapter 925, Statutes of 1953, was enacted in an effort to ensure that all costs connected with services rendered by state agencies on a reimbursable basis are recovered. The act is quoted below:

"The people of the State of California do enact as follows:

SECTION 1. Section 11010 of the Government Code is amended to read:

11010. When a state agency, supported from the General Fund, is required to collect from any person, firm, or corporation a proportionate share of the cost of providing any service, inspection, or audit, such share shall include:

(a) A proration of the cost to the State, as determined by the Department of Finance, of janitor service for the agency and of the charge for rent actually made for space occupied by the agency in a state-owned building or that would be charged such agency were it required to pay rent for such occupancy.

(b) A proration of the administrative costs of the agency, as defined in Section 11270.

(c) The pro-rata share of the cost of insuring motor vehicles belonging to the state agency against liability for damages resulting from the negligent operation of motor vehicles and arising under Section 400 of the Vehicle Code or, in the discretion of the Director of Finance, an amount which he considers equivalent to such pro-rata share to be expended by him in accordance with

law in paying claims under that section and for their investigation, adjustment, defense and administration.

(d) The pro-rata cost of workmen's compensation insurance and bonds covering officers and employees of the state agency.

(e) A proration of the State's retirement contribution for the employees engaged in providing such services, inspection or audit.

(f) A proration of the cost of Attorney General's services rendered the agency.

(g) A proration of any other costs to the State for providing such service, inspection or audit."

Prior to enactment of this law the Division of Cooperative Personnel Services did not pay a rental charge on the space it occupied in the State Building in Los Angeles, nor did it pay a pro-rata share of the cost of janitorial service in either Sacramento or Los Angeles. We have been advised by the accounting officer of the State Personnel Board that the division is now charged a pro-rata share of the cost of janitorial services and rent for all the space that it occupies.

Certain administrative functions are performed by the accounting office of the State Personnel Board for Cooperative Personnel Services. One clerk spends four days a month maintaining the books and account records for the division, and another clerical day is devoted to sending out bills. In addition, several hours per month are required to prepare a monthly report for use of the division in maintaining a running account of the extent to which reimbursements are keeping pace with expenditures. The accounting officer places a monetary value of \$75 per month on the time which his staff spends on these activities. The State Personnel Board makes a monthly charge of \$42.20 against the division, which is based upon an amount established by the Department of Finance as the pro-rata share of the administrative cost of operating the board. While this pro-rata charge does not cover the entire cost of servicing this activity, it is felt that the differential between cost and charge is offset by services rendered for the Personnel Board by Cooperative Personnel Services.

No charge is made against Cooperative Personnel Services to cover the cost of insuring motor vehicles, since the agency meets its automotive requirements by renting cars from the Finance pool. The \$0.05 per mile charge is supposed to be sufficient to provide for insurance.

The agency does not pay for workmen's compensation, and no attempt has been made to determine what a proper charge would be for the coverage afforded by the State through the claims process. The chief of the division is bonded, and the cost of this is borne by Cooperative Personnel Services.

The billing rate includes an amount sufficient to cover the cost of retirement. This amount was increased on October 1, 1953, from 8.11 percent to 8.17 percent of the total retirement pay roll.

Although one of the deputies in the Attorney General's office is assigned to handle the legal work of the State Personnel Board, we are advised that Cooperative Personnel Services has not required his services in the past, and for this reason no charge has been made against the division for legal work.

The agency has not been charged a pro-rata share of the cost of the annual audit, since state agencies generally do not pay for this. However, the Department of Finance intends to study the possibility of making such a charge.

Total expenditures for Cooperative Personnel Services, including retirement contributions, exceeded reimbursements by \$3,750 in 1951-52 and by \$1,098 in 1952-53. When it became apparent last year that reimbursements were insufficient to cover the cost of the services, steps were taken to increase the billing rate, and the division returned a profit of \$4,070 to the General Fund during the 1953-54 Fiscal Year.

From our review of the Division of Cooperative Personnel Services we have concluded that the State is being reimbursed for practically all of the costs connected with its activities. Although this agency enjoys certain advantages by virtue of its being a division of the State Personnel Board, these tend to be offset by services rendered for the board by Cooperative Personnel Services. Moreover, being a state agency its power to act independently is limited to some degree in comparison with private firms performing similar work. It is our conclusion, therefore, that the division is functioning at the present time on a self-supporting basis.

#### EXHIBIT I

##### CALIFORNIA STATE PERSONNEL BOARD COOPERATIVE PERSONNEL SERVICES

#### PERSONNEL ADMINISTRATION SERVICES PROVIDED ON A NONPROFIT BASIS

*State Civil Service Act:* "The State Personnel Board may enter into agreements to make available its services and facilities upon request to political subdivisions of the State \* \* \*."

#### Classification and Pay Surveys Performed

<i>Cities</i>	<i>Date of survey</i>	<i>Cities</i>	<i>Date of survey</i>
Alhambra .....	1946	Monterey .....	1949
Bakersfield .....	1943	Monterey Park .....	1947
Bell .....	1950	Newport Beach .....	1946, 1948*
Belmont .....	1953	Oceanside .....	1953
Beverly Hills .....	1947	Oxnard .....	1947, 1950*
Brea .....	1950, 1953*		1953*
Burlingame .....	1942	Pacific Grove .....	1946, 1948*
Chico .....	1950	Redlands .....	1944
Compton .....	1949	San Anselmo .....	1948
Culver City .....	1951†	San Bruno .....	1947
Daly City .....	1953	San Clemente .....	1953
El Segundo .....	1953	San Jose .....	1944, 1953*
Huntington Beach .....	1948	San Mateo .....	1950, 1953*
Indio .....	1953	Santa Barbara .....	1953
Lodi .....	1951	Santa Cruz .....	1952
Manteca .....	1949	Santa Paula .....	1953
Marysville .....	1946, 1952*	South Pasadena .....	1946
Millbrae .....	1953	South San Francisco .....	1953
Montebello .....	1945	Stockton .....	1945
		Torrance .....	1948
		Ventura .....	1953

\* Classification and/or pay resurvey.

† Continuing classification and pay services provided.

## Classification and Pay Surveys Performed—Continued

<i>Counties</i>	<i>Date of survey</i>	<i>School Districts</i>	<i>Date of survey</i>
Butte -----	1953	Albany City Schools ----	1953
Colusa -----	1950	Alhambra City Schools --	1946, 1951*
Contra Costa -----	1946	Berkeley City Schools ----	1953
El Dorado -----	1950†	Compton Elementary	
Lake -----	1951	Schools -----	1946
Madera -----	1947†	Compton Secondary	
Marin -----	1952†	Schools -----	1948
Monterey -----	1946, 1948*	Fullerton School	
	1949*	District -----	1943
Nevada -----	1950	Montebello Schools ----	1947, 1952*
Orange -----	1949	Pasadena City Schools --	1952†
Placer -----	1950	Pomona City Schools ----	1947
Plumas -----	1948	Sacramento City Unified	
Riverside -----	1944, 1947*	School District -----	1951
	1949	San Bernardino Unified	
San Luis Obispo -----	1949	School District -----	1952†
San Mateo -----	1946	Torrance Unified School	
Santa Cruz -----	1947	District -----	1950
Sonoma -----	1946	Ventura School District --	1946, 1948*
Stanislaus -----	1948, 1952*		1953
Tehama -----	1947, 1949*		
Tulare -----	1947, 1952*	<i>Sanitary Districts</i>	<i>Date of survey</i>
Tuolumne -----	1947	Indio Sanitary District --	1953
Ventura -----	1951	Menlo Park Sanitary	
Yuba -----	1953	District -----	1952
		Oro Loma Sanitary	
		District -----	1950
		San Pablo Sanitary	
		District -----	1952

\* Classification and/or pay resurvey.

† Continuing classification and pay services provided.

## Special Personnel Surveys Performed

State Board of Equalization, Division of Assessment Standards:

County assessment personnel standards, practices and salaries, 1949.

State Department of Public Health:

Statewide survey of professional public health personnel standards, practices and salaries, 1950.

State Department of Recreation:

Statewide survey of professional recreation personnel standards and practices, 1949.

State Department of Finance (Survey in Progress):

Statewide classification and salary survey of State reimbursed positions in County Superintendent of Schools' offices.

## Partial List of Agencies to Whom Examination Services Are Currently Being Provided \*

Beverly Hills City	Pasadena City
Burlingame City	Kern County
Compton City	Orange County
Culver City	San Mateo County
Modesto City	Santa Clara County
San Mateo City	Berkeley City Schools
Santa Ana City	Montebello Schools
Santa Cruz City	Pasadena City Schools
South San Francisco	San Bernardino City Schools

\* NOTE: Cooperative Personnel Services currently provides examination services to over 60 local government agencies in the State.

Date of preparation: September, 1953



EXHIBIT II  
CALIFORNIA STATE PERSONNEL BOARD  
COOPERATIVE PERSONNEL SERVICES  
ANNOUNCING TESTING SERVICES  
FOR

LOCAL GOVERNMENT JURISDICTIONS IN CALIFORNIA

It is the responsibility of every public agency to make its services known to those whom it is intended to serve. This bulletin, then, is presented as a brief summary of one phase of the activities of Cooperative Personnel Services—the testing services available for the Fiscal Year 1954 to 1955.

Since 1942, Cooperative Personnel Services has been a self-supporting division of the California State Personnel Board and has been providing consulting services in the field of personnel administration. The authority of the State Personnel Board to provide such services was first established by the State Legislature in 1937. In the past few years we have prepared literally thousands of examinations for job classifications in almost 100 separate jurisdictions—examinations representing virtually every type and all levels of local governmental jobs.

All services provided by CPS are subject to reimbursement by the local jurisdictions for the actual costs of providing the services. In other words, CPS is a non-profit organization. The increasing growth of our examination service activities has made possible substantial improvement of services and quality of tests concurrent with substantial reductions in unit costs. The more tests we prepare for more agencies, the lower the cost for each test for each agency.

A testing service must stress quality of work, however, above other considerations. There is no advantage in using an inexpensive examination that does not distinguish between the better and the poorer candidates. Further, not only must the examination select candidates for public jobs, it must be constructed of questions that candidates and the public in general accept as reasonable and proper for ranking candidates and predicting future job success. Such tests are not easily developed, they must be continuously refined and revised, and replaced. CPS has striven not only to provide the highest quality of tests, but to provide tests at the lowest possible cost consistent with high quality; to provide the tests with maximum convenience to the local jurisdiction with regard to speed of preparation, and delivery and scoring, and priced to facilitate necessary fiscal planning and budgeting.

In 1951, as a result of greater number of examination requests and operational improvements, CPS made available a new price basis for test services with considerable economies to customers. In 1952 and 1953 the basic services were continued with some further price reductions. For the fiscal year, effective July 1, 1954, we announce further improvements in test services and further test price reductions.

The various test services and charges are described on the following pages.

SCHEDULE I  
GENERAL SERVICE CONTRACTS

Type of Service

A general service contract is an agreement wherein the local agency lists the classes of positions for which it believes it may be necessary to recruit or promote by examination in the forthcoming year. For each class so listed there is an annual charge of \$12. Each examination subsequently requested for a listed class is provided at a charge of \$20, irrespective of the number of candidates. This means that for the first examination, for a given class in a year, the total cost would be \$32. For each subsequent and usually different examination for the same class in that year, the cost would be \$20.

For the local jurisdiction using written examinations in a personnel program of merit recruitment and promotion, a general service contract normally offers maximum service at lowest annual cost, at the same time making it possible to predict very closely annual costs for examination services. Under this type of contract, CPS provides the booklets, answer sheets, and instructions for local administration in sufficient numbers for all candidates. Immediately upon return of the materials, CPS scores the test and prepares a tabulation of results with a recommendation for the minimum qualifying score, based upon consideration of previous experience with

the test material and evaluation of other factors such as local recruitment conditions.

Requests by jurisdictions under this type of contract for tests or other services not specifically listed under the terms of the general service contract are charged for on the basis of actual cost, which includes direct labor and overhead charges allocable to the examination (see Schedule III).

Local jurisdictions with established personnel departments may, by special arrangement, score tests locally at a reduced scheduling rate (\$10 less for classes listed under general service contract). Except for the larger organizations with trained personnel staff, local scoring of tests is not recommended. The advantages of test scoring by CPS are:

- (a) Experience and objectivity in interpretation of test results, application of general performance standards, and recommendations for minimum qualifying scores based on consideration of these factors.
- (b) Central scoring free of local criticism and suspicion regarding possible bias or inaccuracy in scoring of tests.
- (c) Scoring by trained staff requiring less working time than would be required of local staff assigned this work in addition to other duties.

#### General Service Charges (Summary)

Annual charge for each class for which an examination might be required-----	\$12 each class
Plus 1, 2, or 3 below:	
1. Scheduling charge for each test required for a class included in annual charge list (includes scoring and tabulation of tests by CPS) -----	\$20 each test
<i>or</i>	
2. Scheduling charge for each test the same as (1) above, except tests are scored and tabulated by local personnel department staff -----	\$10 each test
<i>and/or</i>	
3. Tests provided approved jurisdictions for classes included in annual charge list, to be retained locally for use in continuous recruitment and test administration-----	\$10 per test each month used (without regard to number of uses or candidates)

#### SCHEDULE II FORM TESTS

Tests have been developed for a number of public jobs which are generally comparable for all jurisdictions. As these examinations have already been duplicated and are stocked in both our Sacramento and Los Angeles offices, they may be obtained upon short notice. For convenience, we refer to these tests as "form tests."

Form tests currently available are listed below. In addition, a number of new form tests are planned for development. Form tests for special classes may be developed on request of local jurisdictions.

#### FORM TESTS AVAILABLE

Junior clericals	Entrance police (deputy sheriff)
Intermediate clericals	Jailers
Senior clericals	Police (sheriff's) sergeant
Account clerks	Equipment operators
Telephone operators	Custodians (janitors)
Cafeteria (kitchen) workers	Laborers
Entrance firemen (hosemen)	Groundsmen-gardeners

## FORM TEST PRICES

(Do not apply to agencies with classes listed under general service contracts)

Number of candidates	Price per candidate	
	Regular service (CPS scored and tabulated)*	Special service (Scored by local jurisdiction)
1 to 7-----	\$15.00 minimum charge	\$10.00 minimum charge
8 to 20-----	2.00 per candidate	1.30 per candidate
21 to 35-----	1.75 per candidate	1.10 per candidate
36 to 50-----	1.50 per candidate	1.00 per candidate
51 to 80-----	1.25 per candidate	.90 per candidate
81 or more-----	1.10 per candidate	.80 per candidate

\* Additional charge of 50 cents per candidate for scoring of stenography or typing performance tests.

## CONTINUOUS TEST ADMINISTRATION SERVICE

Many agencies have found the technique of providing for the continuous receipt of applications and continuous testing of accepted candidates to be an effective solution to filling certain high-turnover or difficult-to-recruit jobs. CPS form tests are especially appropriate for such use. They may be kept and used continuously by the local jurisdiction so that eligibility may be determined within minutes after test administration.

CPS form tests, including answer sheets, instructions, and scoring key, are offered at the prices listed under Special Service (preceding page) to local jurisdictions with established personnel departments employing persons trained in personnel work. In most cases charges are made for the total number of candidates taking the test each month. When available, form tests will be replaced with alternate forms from time to time at no additional charge.

### SCHEDULE III COST SERVICE CONTRACTS

A cost service provides for reimbursement of actual labor and overhead incurred in performance of personnel services requested by the local jurisdiction.

Unless otherwise specified, the basic CPS testing service includes providing a sufficient supply of test booklets and answer sheets, and the scoring and interpretation of test results. Full instructions for local administration of the written examination are provided. Stenography and/or typing performance tests are included in all tests where such skills are indicated in the class specification, or when requested by the agency.

Other services which may be rendered on a cost service basis include preparation of examination announcements and other publicity, administration of performance tests, conduct of oral examining boards, and administration of tests in other locations (as, for example, recruitment on a state-wide or national scale).

Since it is our purpose to be of maximum service to all local jurisdictions, we would be pleased to discuss any modification of existing service and schedules to suit particular local needs. You are invited to contact either our Los Angeles or Sacramento office for further information about CPS. Estimates of cost for full or partial examination services will be submitted at your request.

KENNETH BYERS, Chief  
Cooperative Personnel Services

**PARTIAL LIST OF EXAMINATIONS WHICH HAVE BEEN PREPARED  
BY COOPERATIVE PERSONNEL SERVICES**

Accounting Machine Operator	Appraiser
Accounting Officer	Appliance Repairman
Airport Lineman	Administrative Assistant
Ambulance Driver-Attendant	Audio-visual Technician
Assistant City Attorney	Auto Mechanic
Assistant County Administrator	Assistant City Engineer
Bookmobile Operator	Building Inspector
Boys' Group Supervisor	Building Repairman
Chef	Child Welfare Services Worker
Cafeteria Director	City Librarian
Carpenter	City Administrator
City Controller	City Electrician
City Engineer	County Engineer
County Manager	County Welfare Director
County Librarian	Criminal Investigator
Cashier	Curator
Dairy Inspector	Director of Parks and Recreation
Dietitian	Draftsman
Elementary School Secretary	Electrician
Fire Captain	Fire Chief
Flower Gardener	Fire Alarm Technician
Handyman	Humane Officer
Head Nurse	Head Janitor
Identification Technician	Instrumentman
Laboratory Technician	Lineman
Map Draftsman	Meter Tester
Municipal Court Clerk	Machinist
Painter	Parking Meter Repairman
Park Foreman	Personnel Director
Police Lieutenant	Police Chief
Purchasing Agent	Public Works Inspector
School Business Manager	Swimming Pool Manager
Superintendent of Public Works	Sheet Metal Worker
Sewage Plant Operator	Statistician
Tree Surgeon	Teaching Aids Clerk
X-ray Technician	Zoning Investigator

**State of California Real Property Operations**

Prepared by the Legislative Auditor  
September 10, 1954

**INTRODUCTION**

This report on procedural aspects of state real property operations is an outgrowth of the investigation conducted by this office into the lease and subsequent purchase by the State of the building at 838 Santee Street, Los Angeles, California, for use by the Department of Education as an industrial workshop for the blind, and is designed to provide an analysis of the over-all problem of state space utilization particularly as this relates to the hiring of privately owned space.

The study has included an examination of materials submitted by the Department of Finance; discussions with officers and employees of the Division of Buildings and Grounds of the Department of Finance; an examination of the records of the Department of Finance concerning certain transactions entered into during recent years; field investi-



gations of a number of these transactions; and discussions with officials of the General Services Administration, the agency which is responsible for the management of real property for the federal government.

From this study we have attempted to determine how real property acquisition and utilization has been handled for the State of California; what, if anything, are defects in the system; and what, if anything, should be done to improve the procedure and organization.

#### FINDINGS

Our findings are as follows:

1. Existing legislation is adequate for efficient and economical performance of the function.
2. There has not been an adequate administrative policy to serve as a guide for the officials and employees charged with the responsibility for performing the function.
3. There has not been a system of standard procedures designed to insure
  - a. Control of the function by the administration, and
  - b. Uniform application of policy to the transactions entered into.
4. The internal organization of the Department of Finance and the Division of Buildings and Grounds has been defective in that there has not been clear-cut lines of authority, responsibility, and function.
5. Most of the leasing of property by the State is performed by agencies other than the Department of Finance.
6. Losses to the State from the manner in which the function has been handled are undoubtedly large. To attempt to estimate this loss would involve the examination of all leases on a "what might have been if" basis. Those transactions which have been scrutinized however have shown avoidable losses running into hundreds of thousands of dollars, and every indication points to the fact that these transactions are typical.

#### RECOMMENDATIONS

1. We recommend that all real property functions related to the acquisition and utilization of space for state government operations be performed by a single state agency charged with the responsibility to, (a) insure proper utilization through the assembling of information on available space and on the State's present and probable future space requirements; and (b) to acquire, assign, manage, and dispose of all space used for state government operations.
2. The proposed real property agency should maintain up-to-date pertinent information on all space currently being utilized or under the control of the State, and available for its use.
3. Requests for increases in space allocation should be written and originate with the agency desiring the increase. Such requests should be made on a standard form setting forth the pertinent data including the amount, kind, proposed use, facilities needed, special requirements, if any, occupancy date and duration, and justification, and be forwarded to the real property agency. Reference is made to the Federal Government's Standard Form 81, "Request for Space," as a guide to form and content.

4. Upon receipt of an agency request for space the real property agency should proceed to make the space available in conformity with prescribed standards of space utilization by, first: reviewing current utilization to insure maximum conformance with the established standards; second, assigning space from currently controlled but unutilized space; third, acquiring space by lease or purchase, and assigning the same. Reference is made to the Federal Government's G. S. A. Form 65 as a suggestion for the form and content of a space assignment record.

5. Termination of the need for space should be reported to the real property agency for reassignment or other disposal.

6. The real property agency should establish standard procedures to govern the purchase, lease, operation, maintenance, and disposition of real property.

7. Standard leasing procedure should provide for the systematic continuous assembling of information concerning property available for lease. A permanent listing of all property offered to the State should be maintained and be supplemented by listing known vacancies.

8. When space is required to be leased offerings should be solicited by circulation of an "invitation to offer" to all offerers and owners or agents of vacancies on the listing noted in Paragraph 7, and to a comprehensive list of real estate agents, building owners, and managers. Supplemental newspaper advertising should be used if necessary to secure a sufficient number of offers.

9. Such invitation to offer should include a standard offer form. Reference is made to the Federal Government's G. S. A. Space Offering Invitation form as a suggested guide to form and content.

10. The representations of the offerer contained in the standard offer form mentioned in Paragraph 9 should be verified by independent investigation provided the offer conforms to established state leasing policy. In addition, the previous rental cost and rental history of the subject properties, if any, and the rental cost and rental history of comparable properties should be ascertained.

11. All verified offers and investigation reports should be reviewed by a competent leasing officer who will decide which offer, if any, will be accepted. He should keep a permanent file of records of his decisions giving the reasons for acceptance of any offer and the reasons for rejection of all offers considered but not accepted.

12. The lease document should be a standard form adaptable to any circumstances which conform to established leasing policy. Reference is made to U. S. Standard Form No. 2 (Revised) "Lease" as a suggested guide to form and content.

13. The proposed state real property agency should establish a state leasing policy embodying at least the following:

- a. The conditions under which leases should be made in lieu of state ownership should be defined as a matter of policy and given legislative approval.
- b. Rentals paid by the State should not exceed a certain maximum ratio to the fair market value of the property at the time the lease is entered into.
- c. To as great an extent as practicable, the State should not perform, or agree to reimburse for, alterations, improvements or repairs to any leased premises. If in the best interest of the State it becomes

necessary for the State to perform, or reimburse for such alterations, improvements, or repairs, the maximum cost to the State during the term of the lease should not exceed 25 percent of the amount of the rent for the first year of the lease or of the entire rental, if the term is less than one year.

- d. Every lease entered into by the State should be negotiated on a fair open competitive basis.
- e. No lease made on behalf of the State should provide for the subsequent purchase of the property by the State, except where the Legislature specifically authorizes this method of acquisition.
- f. The occupying agency should not sublet any leased property. Transfers of space between state agencies or the disposition of surplus space should be accomplished only by the real property agency.
- g. Final responsibility for the provision of space for state operations should rest with the real property agency. Concomitant with this responsibility the real property agency should have the right of assignment and reassignment of space.
- h. Rent should not be paid on any property until actual physical occupancy is achieved. In the case of partial occupancy rental paid should be proportionate.

Budgetary and fiscal control policies for state operation are not intended to be affected by the foregoing recommendations, except that the proposed real property agency would process all payments for space. Occupying agencies would budget space costs and transfer the amounts allocated to the real property agency.

#### THE SPACE PROBLEM OF CALIFORNIA GOVERNMENT

A significant item in the California State Budget is the cost of hiring the use of real property on a large scale for various governmental functions. Particularly during and after World War II, with its moratorium on nondefense connected building, the State found it necessary to rent large amounts of space to house employees engaged in a wide variety of governmental activities. The rapid expansion of government services has also contributed to the increase in the use of leased facilities. The wartime difficulty of securing the necessary materials and manpower to enable the State to build its own buildings as well as the size of the capital outlay required both influenced an expansion of state leasing activities.

The question of the relative advantages to the State of building its own buildings compared with leasing space has not been thoroughly explored, and no state policy established. Under these circumstances the immediacy of the need to house expanding government activity has encouraged leasing. More recently, particularly since actual building has become possible, more attention has been paid to this problem, and in 1953 the Department of Finance received a report on the subject from a firm of economic consultants, recommending that the State should largely own its own facilities.

A recent survey by the Department of Finance of the real property leased by the State shows that on July 1, 1953, the State had a total of 3,383,948 square feet of space in privately owned buildings under



lease costing a total annual rental of \$4,583,955.12 (the State owns approximately 4,000,000 square feet). Of the leased space, 615,954 square feet were under lease in Los Angeles at a monthly cost of \$93,344.15 with 514,633 square feet at \$58,207.56 in Sacramento, and 462,302 square feet at \$71,439.63 in San Francisco. This report showed 804 separate leases in 172 cities, towns, and other separate locations, but did not include fish hatcheries, fire control stations, quarantine stations, radio transmitter sites, acreages, or leases where the State is the lessor. The 804 leases are confined largely to office space type leases. The total number of state leases is estimated at approximately 1,400.

The following table gives the departments or agencies which lease privately owned space and the number of separate leases affecting each agency as shown by the Finance Department Report.

Employment .....	130	Controller .....	9
Agriculture .....	67	Corrections .....	9
Adjutant General .....	62	Franchise Tax Board .....	7
Highway Patrol .....	59	Water Pollution Board .....	7
Equalization .....	58	Youth Authority .....	4
Motor Vehicles .....	57	Insurance Commissioner .....	4
Social Welfare .....	55	Aeronautics Commission .....	3
Natural Resources .....	32	Courts .....	3
Education .....	31	Fire Marshal .....	3
Industrial Relations .....	26	Justice .....	3
Mental Hygiene .....	26	Personnel Board .....	3
Finance .....	23	Legislative Offices .....	3
Public Health .....	18	Horse Racing Board .....	2
Professional and Vocational Standards .....	16	Osteopathic Examiners .....	2
Public Works .....	16	Colorado River Board .....	1
Fish and Game .....	15	Recreation Commission .....	1
Civil Defense .....	13	Employees Retirement Board .....	1
Public Utilities .....	12	Reclamation Board .....	1
Investments .....	11	District Securities Commission .....	1
Veterans Affairs .....	9	Secretary of State .....	1

Of the total, 63 leases were written on a month-to-month basis; 243 were scheduled to expire during the Fiscal Year 1953-54; 190 during 1954-55; 107 during 1955-56; 84 during 1956-57; 53 during 1957-58; 59 had more than five years to run, and 5 more than 10 years.

From the above it seems reasonable to estimate an annual lease negotiation workload of more than 300 leases. The Department of Finance states that 90 percent of all requests for leased space made to it by agencies result in the agency affected negotiating the lease for such space, with only 10 percent of such leases being negotiated by the Division of Buildings and Grounds. This 10 percent is for small agencies, areas occupied by more than one agency, and "special cases."

Rental rates vary between locations in the State as well as between locations within a given community and are affected by the age, condition, and functional purpose of the space, the degree or quantity of services included, and the terms and conditions of the lease agreement, itself.

While it is true that each agreement reflects the desires of the respective parties as to duration, cancellation, services, and rental rate, all of which will be based on each party's needs and resources at the time the agreement is made, the entire group of leases in effect on July 1, 1953, does not reveal the application of any consistent state policy.



For example with regard to cancellation privileges, 425 leases are outright noncancellable; 239 have 30 days cancellation provisions; 64 have 60-day clauses; 49, 90 days; 4, 120 days; 3, 180 days; 3, 1 year; and 3 by mutual consent; while 3 provide only 10 days; 3, 15 days; and 1 has a 20-day provision.

It is true that each separate lease covers a separate situation with different conditions prevailing in each transaction. However, it is equally true that from the standpoint of negotiation it is good State general policy either to write non-cancellable leases or to apply a consistent policy of cancellable provisions. The Department of Finance report referred to above states that it is a State policy to discourage long term non-cancellable leases, but 53 percent of these leases are non-cancellable and 62 percent had more than one year to run from July 1, 1953. No single lease serving the Department of Social Welfare contained a cancellation provision while only three of the Adjutant General's leases were non-cancellable. Other departments with large numbers of leases show no definite trend either toward cancellable or non-cancellable provisions.

Services furnished under the leases vary greatly. The cost of services is a component part of the cost of space whether such services are furnished as a part of the lease consideration or secured independently of the lease. It would seem to be extremely difficult to set standards for such services, or to insure that such standards are met in the case of services furnished under the lease, where 90 percent of the leases are effectuated by individual agencies. In these cases the question of services is entirely an agency concern. The necessity for careful consideration of the services factor is emphasized by the fact that in many instances the cost of such services is as much or more than the rental payment.

Only within the current fiscal year have adequate cost records been instituted on the cost of services in state owned buildings. Such information would seem to be indispensable, in negotiating leases with services furnished, as a yardstick of the value of such services.

This office, in recent studies of leased space utilization in Los Angeles, (now under way in connection with proposals for new state-owned office building construction in Los Angeles), has done some exploratory work toward the establishment of strictly comparable unit measurement factors for the purposes of analyzing and comparing space utilization. Such factors would seem to be indispensable in any comprehensive management of the utilization of space. However, consistent and strictly comparable factors or measurement formulae have not thus far been developed or used by the State.

The usual method of expressing the cost of leased space is by a price per square foot per month or year, and this method is generally employed in the Department of Finance. However, this is valid to express comparisons as between different spaces, or to express the value of a particular lease in relation to other leases, only if the spaces involved are completely comparable. For example, different buildings have different net usable areas. The relationship between net usable area and gross area will influence the meaning of cost per unit. Likewise, the number of employees in relation to the area used will be a vital factor in an appraisal of the value of the lease. Consequently to be able to

make valid comparisons it is necessary that the terms and conditions of the comparison be defined to express only comparable factors.

The study referred to, while not directly concerned with existing state leasing procedures, has disclosed extremely wide variations in actual space costs and utilization practice; the first of these has been hidden to some extent by the use of an unqualified square foot per month or year formula to describe lease costs; and the second has not been an active factor in lease negotiation or space assignments. The study again emphasizes the urgent necessity for the standardization of space utilization definitions and standards as an administrative device to assist in efficient space management.

#### LEGAL AUTHORITY

State operations relating to the acquisition and utilization of space for government functions should ideally be conducted according to standard established procedures. These procedures in turn should be designed to achieve the objectives of a comprehensive policy, and the policy should be expressed so as to achieve the objectives of efficiency and economy within the framework of the organizational structure, grants of authority, and limitations set out by the Legislature.

In practice it is necessary to begin with the legislative expression, and determine from it the general policy, the specific grants of authority and areas of responsibility and the limitations on freedom of administrative action, if any. From this determination it is then possible to express a specific policy which will serve as a practical guide to the formulation of procedures and to the day-to-day administrative decisions needed in the actual operations.

Sec. 11005 of the Government Code provides that "Unless the Legislature specifically provides that approval by the Director of Finance is not required . . . every contract for the acquisition or hiring of real property in fee or any lesser estate or interest entered into by or on behalf of the State, shall be approved by the Director of Finance."

The section exempts the acquisition or hiring of real property by the Department of Public Works for highway purposes but not for office space and fully exempts the State Compensation Insurance Fund. In addition it would appear that the provisions of the constitution establishing the University of California's powers respecting real property transactions do not require that the Director of Finance approve its leases.

With these exceptions all other leases for the State will be void unless approved by the Director of Finance. Thus, the ultimate authority and responsibility for state leases, with the exceptions noted, rests with that office. Some departments and agencies have statutory authority to hire the use of real property subject to Department of Finance approval. Sec. 13108 of the Government Code gives the Director the power to hire or lease any real or personal property for the use of any state agency. It seems clear that as to an agency with the power to lease real property, with the exceptions noted above, the Director of Finance will have the authority to approve leases consummated by such agencies, and such leases will not bind the State unless approved by him. With regard to agencies which are not speci-

fically given authority to lease real property the Director will execute such leases.

Much the same situation prevails with regard to the sale of real property owned by the State. Sec. 13103 of the Government Code authorizes the Director of Finance to execute grants of real property belonging to the State whenever the sale or exchange of such property is authorized or contemplated by law, provided no other state agency is specifically authorized and directed to execute such grants.

Purchases may be made by the Director of Finance who acquires title to real property in the name of the State whenever such acquisition is authorized or contemplated by law, provided no other state agency is specifically authorized and directed to acquire it. The director also has the authority to exercise the power of eminent domain for the State in such cases.

#### **POLICY ESTABLISHED BY DEPARTMENT OF FINANCE**

Until recently there has not been any formal policy expression of the policies which have been established to implement the Director of Finance's authority and responsibility in the field. Such policy as has evolved has arisen largely from the application of administrative decisions to specific transactions which have subsequently been considered as a guide to future actions. Policy direction seems to have consisted of the vague generality that each transaction should be in the best interests of the State. No specific policy with regard to the organizational, procedural, and substantive aspects of handling large numbers of space acquisition transactions appears from the particular transactions which have been examined. Some of these transactions are described in detail later in this report.

Perhaps the most striking deficiency from the policy standpoint has been the failure of the Department of Finance to recognize the necessity for a comprehensive, organized operational approach to the problem. With the responsibility for approximately 800 leases covering 3½ million square feet of building space, no positive action has been taken to secure space utilization information on which to base decisions as to additional space requirements; no action has been taken to concentrate the negotiation and supervision of all leases in one operating unit, so as to insure a uniformly efficient and fully responsible operation; no action has been taken to standardize procedures either within the Division of Buildings and Grounds or in its relations with the other agencies.

The problem of whether to concentrate the real property function in one unit with adequate authority to do an efficient job, or whether to continue to permit individual agencies to negotiate their own leases is perhaps the most basic policy decision needed. The Division of Buildings and Grounds has been aware of this deficiency for some time and has in fact pointed out the desirability of concentrating the leasing operation while at the same time admitting the inadequacy of the operation as it has been organized.

In 1951 the Division requested an additional position of rental property manager, justifying the request with a summary of the magnitude of the operation and with the following statement:



"The limited time available in checking and negotiating certain of the new leases submitted has convinced us that it would be advantageous for the State to have a more extensive check made of the space requirements submitted to this office as our experience has developed that in those cases where we have had the time to check in the field on these proposed new leases we have effected considerable savings to the State representing several thousands of dollars, and we have specific instances where this saving can be shown."

In 1952 the Division renewed its request, reiterating its previous justification and further explaining:

"It was our proposal that the program of negotiating for leased space should be gradually developed with the idea that lease negotiations should be centralized in the Buildings and Grounds Division. This proposed position was deleted from the request of this Division after a hearing with the budget staff. However, we feel that this program is sound and deserves consideration on a *policy basis* to determine whether or not we shall present this matter to the Legislature for their consideration as a budget proposal in the 1953-54 Fiscal Year." (Emphasis added.)

Whether or not this request received consideration on a policy basis we do not know, but the fact remains that the position request was denied.

The Division of Buildings and Grounds again in 1953 reopened the question with its request for four positions. The letter of justification said:

"Although not a major increase in the cost of our support budget for the 1954-55 Fiscal Year, there is included a major item of policy which is reflected in our request for four additional rental property managers in the administrative function. The determination to be made with respect to this budget request is essentially one of determining where the responsibility should lie in connection with the negotiating of leases for office space for all state agencies. It is our firm belief that until this responsibility is clearly and without question settled in the Buildings and Grounds Division, and until sufficient staff is provided to properly investigate and negotiate all leases concerning office areas no sound uniform standards on which such negotiations should be based will be developed. It is our feeling that with this augmentation in staff we can properly develop sound standards and make full investigations and properly analyze space needs through methods devised by our architectural property analyst and his staff and present for final approval leases for office space which have been thoroughly investigated, analyzed, and presented on the basis of sound standards of requirements."

This position request was denied and the previous organizational policy for leasing is still in effect.

#### PROCEDURES ESTABLISHED

The law grants to the Director of Finance absolute authority over most state real estate transactions. It may be presumed that the intent of the Legislature in granting such authority was to create a focal point of responsibility. A study of procedures followed indicates that the result has been almost diametrically opposite.



The Department of Finance states that in 90 percent of the transactions negotiations are initiated and carried out by the operating agencies often by persons who have no special knowledge of leasing practices. The proposed transaction which the operating agency considers to be the best both from a functional and a fiscal standpoint is then submitted to the Department of Finance for approval as required by law.

In the absence of clear-cut policy, procedure and centralized control of this practice has resulted in transactions which must have been excessively expensive to the State.

There is no evidence that the Department of Finance in its direct leasing and approval functions has maintained an accurate, complete, and up-to-date inventory of all space leased or owned by the State. There is no evidence that the Department has a program for periodical checks with operating agencies to determine their future or even presently contemplated needs for space. Nor is there evidence as to checks made with regard to changes requiring more or less space. There is no limitation or yardstick as to ratio of alterations to rental rate, or rental to value of building; no minimum or maximum standards of occupancy; no "square foot per employee" standard set or followed; no check-up for bad utilization of space; no continuing program of combing sources of available space. The department does not follow a practice of considering all offers made up to the time of the actual signing of the lease; and there is no certification to the Controller that the space is actually occupied or available for occupancy.

#### ORGANIZATION STRUCTURE

The organizational structure for leasing within the Department of Finance, together with the specifications covering the respective positions, indicate a formal line of responsibility for the establishment and operation of a program for leasing or acquiring property in accordance with state needs.

The chain of command together with pertinent excerpts from the specifications of the respective positions is as follows:

**Assistant Director of Finance:**

"\* \* \* assists in the planning, organizing, and directing of the administrative services of the department including \* \* \* building and grounds, and the entering into of contracts by the State; \* \* \*."

**Administrative Adviser:**

"\* \* \* interprets and analyzes contracts, agreements, and other documents requiring the approval of the Director of the Department of Finance; \* \* \*."

**Chief, Division of Buildings and Grounds:**

"\* \* \* Makes studies of the anticipated office building needs throughout the State and the relative costs of meeting these needs by leasing or by building; supervises the work of an assistant engaged in negotiating the rental or lease of privately owned property for State use; assists the state departments and the Division of Architecture in planning major repair and remodeling of state offices; supervises the preparation of estimates of cost and the minor construction and repair work on state buildings, \* \* \*." (Emphasis added.)

**Deputy Chief, Division of Buildings and Grounds:**

"\* \* \* Assists the Chief, Division of Buildings and Grounds, in planning and directing the program of maintenance, repair, and protection of state-owned buildings and grounds; assists in planning for future state office building needs; personally directs the work of negotiating for rental or lease of privately owned property for state use; assists other state departments and cooperates with the

Division of Architecture in studying anticipated office building needs, relative costs of meeting these needs, and in planning for major repair or remodeling of offices now occupied; \* \* \*." (Emphasis added.)

*Architectural Property Analyst:*

"\* \* \* Acts as architectural adviser to the Department of Finance and other state agencies in connection with building acquisition, lease, alteration, and repair; inspects and analyzes buildings under consideration as to their suitability for intended use; determines their adaptability for alteration, additions, or repair, and the feasibility for conversion to other uses of buildings now in use; makes surveys to determine proper space utilization of buildings occupied by various state agencies; conducts surveys and prepares reports and recommendations on proper functional use of space now under lease, to promote the most efficient and economical use of space; studies building requirements of state agencies and creates designs and plan layouts, and supervises the preparation of working drawings; makes surveys and estimates present and future expansion requirements of buildings for state agencies; negotiates with lessors in procuring suitable quarters and preparing necessary technical data and exhibits in the preparation of leases; confers and corresponds with representatives of other state agencies \* \* \*." (Emphasis added.)

*Rental Property Manager:*

The Personnel Board specifications for this position would appear to limit the duties to transactions in which the State is the lessor.

*Administrative Service Officer II:*

"\* \* \* negotiates leases \* \* \*."

*Public Works and Acquisition Coordinator, Department of Finance:*

"\* \* \* Assists the Director of Finance with the administrative details in planning and directing the purchase of new sites and buildings by the State Public Works Board; investigates and recommends sites and buildings for State purchase; assists in the administration of the program of management, maintenance, and care of properties purchased, pending their use in furtherance of the postwar construction program; \* \* \*."

A study of the procedures followed by the Division of Buildings and Grounds in several typical transactions indicates that the actual practices followed differ considerably from the specified duties of the positions as set forth above.

In the case of the 838 Santee Street lease and purchase, testimony from the several responsible officers of the Department of Finance is conflicting as to the way in which each participated in the formal procedure. For example, the Director of Finance denied any knowledge of the details of terms or provisions to be included in the lease or purchase of the particular building selected until after an attempt had been made to locate space generally through advertising. To have established such terms in advance, he stated, would have been bad procedure. However, another responsible official states that from the beginning he negotiated for space, including the Santee Street property, on terms and provisions in accordance with the director's instructions, particularly with reference to the inclusion of an option to purchase, and most particularly that the inclusion in the advertising of the information that the lease would contain such an option was on instructions from the director.

Another example relates to the matter of the amount of the fee paid to appraisers at the time the question of purchasing the Santee Street Building was under consideration. The official who was arranging for the appraisals under instructions from his immediate superior states that he had no authority to agree to the amount of the fees, and had the arrangements approved by his superior. This official, however,

denies having approved the amount of the fees, and insists his only connection with the transaction was to relay the Director of Finance's requests for appraisals on to his subordinate. In any case, why were the appraisals not secured by the Public Works Board, since they were purchase information, rather than by the people whose normal duties are confined to leasing?

The Department of Finance states that all agencies must submit requests for space justifying the need and setting forth the type, area, and location of space desired upon which the "requests are critically reviewed by the Building and Grounds Division" *before* "the requesting agencies are instructed to proceed with lease negotiations." An examination of lease files indicate that, in a number of instances, negotiations are well along before any formal request (Form 6) is submitted by the agency, while some files indicate that leases have been actually approved and executed without this formal request ever having been submitted, while in some cases the Division of Buildings and Grounds has had to actually request a Form 6 from the agency when the lease was ready to execute.

Chapter III, Paragraph 5 of the Bulletin of the Department of Finance pertaining to controls exercised in leasing property sets forth that:

"Leases are reviewed by the Division of Budgets and Accounts to determine the business soundness or merits of the transaction \* \* \*."

This review by the Division of Budgets and Accounts centers on the questions of whether the proposed lease is authorized by the Legislature as a part of an approved program; whether there is an appropriation with which to pay the rent; and whether the proposal is administratively sound from the standpoint that the requested space is of a kind and quantity necessary for the function to be accomplished. It does not necessarily go into the question of the soundness of the rental value in relation to the property value of the premises to be leased. This is to some extent a duplication of the work of the Division of Buildings and Grounds, but more important leaves an area of the transaction in some doubt; i.e., as to which division is ultimately responsible for the "business soundness" of the transaction.

It is of interest to note the following specifications of the positions concerned as set forth by the Personnel Board under the heading "Typical Tasks":

*Chief, Division of Buildings and Grounds:*

"Makes studies of the anticipated office building needs throughout the State \* \* \*."

*Deputy Chief, Division of Buildings and Grounds:*

"Assists in planning for future state office building needs."

*Architectural Property Analyst:*

"Makes studies and estimates present and future expansion requirements of buildings for state agencies \* \* \*."

There is no evidence that any comprehensive, detailed study and report has been made in accordance with the "typical tasks" as set forth above. There are no estimated periodic reports requested from the state agencies similar to the semi-annual reports required by the General Services Administration of federal agencies and described elsewhere in this report.



In order to determine the actual procedure followed by the Department of Finance in negotiating leases, investigation was made of a number of transactions. For the purpose of illustrating the procedures, and their effective organization for leasing, we have included in this report summaries of several of these transactions.

#### 965 MISSION STREET BUILDING

The building at 965 Mission Street, San Francisco, is a typical lease transaction involving amortized alteration costs.

The State entered into a 10-year lease of this building on July 8, 1946. The lease was to run for 10 years commencing December 1, 1946. The rental as set out in the lease was \$11,660 per month. On January 1, 1951, the amount was raised to \$11,805.90 by agreement between the parties. The lease further provided that the lessor would provide alterations up to a total cost of \$350,000 and the State agreed to pay for any excess cost of altering the building. The cost of alterations for which the State was obligated under the lease came to \$233,725, for a total alteration cost of \$583,725. Thus the total cost to the State under the lease amounts to \$1,632,925 for 10 years' occupancy. Under the terms of the lease the lessor furnishes all utilities and services.

Apart from the question of whether the lease was a good or a bad business deal for the State, there are several aspects of the negotiation of the lease which deserve consideration:

The first of these is the matter of the open end agreement on the part of the State to pay the excess cost of alterations above the \$350,000 to be provided by the lessor. This latter amount was based on preliminary estimates. The State thus entered into an agreement based on estimates which were exceeded by \$233,725 or 66 $\frac{2}{3}$  percent. While it is true that it took two years to complete the alterations and building costs increased during that time, only a very small part of the increase can be attributed to that factor. It should also be noted that the original agreement provided for occupancy on December 1, 1946, with the lease having been signed on July 8, 1946. It was provided that if the alterations were not completed by April 30, 1947, the State had the right to cancel the lease.

By the seventeenth of December, 1946, it was apparent that the December 1st deadline had not been met and that the April 30th deadline would not be, so the State waived its right to cancel and extended the time for completion to August 31, 1947.

The original lease had provided that the excess cost of alterations to be paid by the State would be added to the rent and prorated with the rent payments over the 10-year period. On February 24, 1947, another amendment to the lease was made providing for the State to pay the excess cost on completion. Apparently it had become evident by that date that the excess cost was going to amount to a sizeable sum.

On March 3, 1947, it was found necessary again to amend the lease. This amendment defined some allowable items of costs of alterations; provided that the State could collect \$300 for each day's delay, as liquidated damages, in the event the alterations were not completed



by the previously established deadline of August 1, 1947, and extended the deadline for securing the then necessary Civilian Production Administration authorization from November 1, 1946, to February 25, 1947, in apparent recognition of the fact that the authorization had not been secured by the November 1, 1946, date and that the State had not exercised its right to cancel for that failure. This amendment also changed the term of the lease to run for 10 years from September 1, 1947.

Further delay was encountered and it was necessary to extend the time for final completion to June 1, 1948, although this latter extension only involved certain elevator work and substantial occupancy was achieved in September, 1947.

The record of the occupancy of this building since that time is a long history of the dissatisfaction of the Department of Industrial Relations with the premises. Additional heating, ventilating, and air conditioning have been added. The elevator service is said to be inadequate. Windows have been weatherstripped. Entrance changes had to be made to prevent drafts. The lighting was inadequate, and even prior to occupancy, it was determined that there was not enough room, so that space in the basement which had been intended for automobile parking was converted to offices, and parking must be rented in the neighborhood.

This example illustrates the need for a firm policy with respect to improvements.

The Federal Government has established the policy that the government will not expend an amount equal to more than 25 percent of the first year's rent on alterations and improvements during the entire term of the lease. Had such a policy been in effect for the State: (1) the State could not have initially gone into a lease with an open end alteration cost provisions, or (2) the lessor would have had to provide the alterations at his own expense. Such a policy coupled with the provision that rent may not exceed a certain fixed ratio to the established market value of the property would have insured the State's interest.

It is difficult to judge the business aspects of this transaction since there is no record, in the files submitted to this office, of any other buildings which were considered as alternate propositions at the time the lease was entered into. The Division of Buildings and Grounds has stated that other buildings considered at the time were unsuitable. However, since there is a serious question as to the suitability of this building, there is reason to believe that inadequate investigation was made of the entire transaction. The absence of records tends to support this.

Procedures for the orderly assembling of information on available space and for the arrival at decisions through the comparison of the benefits and disadvantages to the State of an adequate number of proposals, and the maintenance of complete records of each transaction would permit the subsequent evaluation of any questioned transaction, and protect the division from unwarranted criticism.

**CAPLAN LOWE BUILDING**

A transaction having to do with the cancellation of a lease involves the Caplan Lowe Building in Fresno.

This building located at 1715 Fulton Street in Fresno was leased by the Department of Social Welfare for a five-year term from January 1, 1950 to December 31, 1954, with an option to renew for an additional five-year period. Subsequent to the execution of the lease but prior to the commencement of the term, the use for which the space was intended was obviated by the passage of Proposition 2 at the Special Election of that year. Thereafter, on July 1, 1950, the General Services Administration of the Federal Government leased the building for the Bureau of Reclamation on a sublease from the State with a year's term and option to renew from year to year. The sublease also provided for cancellation by the Federal Government on 30 days' notice. The sublease was extended in 1952 to June 30, 1953. An agreement was then entered into whereby the Federal Government agreed to extend the term to June 30, 1954, with an option to extend to December 31, 1954 and an option to extend to December 31, 1959. A right to cancel on 30 days' notice was retained for the two extensions which carried the term to December 31, 1954.

The Federal Government exercised this right to cancel as of November 1, 1953, whereupon the State immediately sought to cancel its own lease, effective the same date, and was able to do so without penalty.

Information was developed at that time showing that the lessors were willing to cancel without penalty because they were negotiating with a private corporation for a more advantageous lease, and in fact it is possible they might have paid a premium for the cancellation. The corporation was alternatively willing to sublease from the State for a one-year period if the State did not cancel.

At the time the agreement was made with the federal government giving them options on the space through 1959, the State was faced with the possibility that the Bureau of Reclamation would move on June 30, 1953, unless these options were given, leaving the State with a noncancellable lease running for an additional 18 months at a cost of \$3,040 per month. Nothing in the file indicates whether or not the State could have canceled at that time without penalty as it did four months later, or even whether that possibility was considered.

At that time the State was leasing almost 70,000 square feet of space in various locations in Fresno, exclusive of the 16,000 square feet in the Caplan Lowe Building. Of the 70,000 square feet, 10,214 square feet were on 30- to 90-day cancellable leases. Agencies using 17,963 square feet of space had leases which would expire within one year after the termination of the lease on December 31, 1954.

Had these requirements been consolidated into the Caplan Lowe Building, the space could have been completely utilized by June 1, 1954, and could have been partially utilized from July 1, 1953, on, starting at about 65 percent of capacity.

The data on how the State could utilize the space in the event of cancellation by the Federal Government was available at the time the decision to cancel was made. The differential in rents for the scattered quarters and for the Caplan Lowe Building was negligible. However,

savings for the item of parking cars alone would have been considerable, since more than adequate parking was included with the Caplan Lowe Building. It has also developed that a number of these smaller agencies in Fresno require more space than they now occupy.

The desirability of consolidating these small leases into one location is evident. Moreover, after summarily canceling the Caplan Lowe Building lease on November 1, 1953, the Division of Buildings and Ground is currently, and has been for several months, looking for space for these agencies in Fresno, to consolidate them into one building.

Thus, the State gave up the approximately one-year remaining of the original term of the Caplan Lowe Building lease, together with its option for an additional five years, at a time when the space could have been used advantageously at the same cost, and five months later was looking for approximately the same amount of space to achieve consolidation that had suggested itself at the time the cancellation was under consideration. It is now extremely doubtful that space can be leased in Fresno which will be as desirable for state purposes or as cheap as the Caplan Lowe Building. The best proposal so far considered is for 20 cents a square foot a month with very limited parking facilities, (i.e., 18 cars as against 80), as compared to 19 cents per square foot under the original Caplan Lowe lease.

#### LOS ANGELES WORKSHOP FOR THE BLIND

An example of a lease transaction resulting in a purchase is the building at 838 Santee Street, Los Angeles, which is utilized by the Department of Education as a work shop for the blind.

Deficiency of procedural control may be partially responsible for the fact that when this transaction was started late in 1948 it was with persons who had no valid interest in the building. They secured an option to purchase in January of 1949 apparently after they became satisfied that they could dispose of the building to the State. This option had been renewed for 30 days before the negotiations with the State culminated in signing the lease on June 22, 1949. The State negotiators failed to ascertain whether the persons with whom they were dealing actually had an option and were therefore able to effect a lease with the State. By not knowing the terms of the option they were unable to know that they could, during the period of negotiations, have dealt directly with the actual owners of the building, which in this case would unquestionably have been to the advantage of the State.

Failure to exercise procedural control may also partially account for the fact that the decision to lease and purchase the 838 Santee building had apparently been made before any general solicitation of offered of space for the intended purpose was made. Advertising appeared in Los Angeles newspapers on March 24, 1949 some months subsequent to the start of negotiations. No specific canvass or solicitation of building owners, managers, or industrial realtors, other than the newspaper ad, appears to have been made.

*The processing of the offers resulting from the above-mentioned advertising was apparently so casual that Department of Finance employees did not become aware that one of these offers was for the very building for which they had been negotiating for months, and was*



*being made on behalf of the actual owners.* In fact, the offer on behalf of the actual owners was never formally acknowledged.

The price at which the building was listed, together with the ultimate cost of alterations, would have made a total cost to the State of \$712,000 and there is every indication that the price could have been negotiated downward about \$100,000. This should be compared with the total cost of the transaction to the State of approximately \$1,300,000. This latter figure does include three years' rental before the purchase was consummated the value of which should not have exceeded \$160,000.

The examination of the Santee building transaction does not reveal any clear pattern for systematically arriving at administrative decisions. Much of the evidence seems to indicate that such decisions were made before information developed by the staff was assembled and submitted. In fact, it might be inferred that the staff was assigned to secure information to support the decisions already made. There is no record to show that the officials who made these decisions ever examined the basic information available. This basic information was apparently evaluated by the same persons who assembled it.

The examination of competing buildings was apparently completed in the space of a day or so, and the selection of buildings to be examined from among those offered, seems to have centered on those with obvious disabilities such as inadequate structural quality or poor location. Each of these buildings was apparently rejected individually since there is no record of an orderly comprehensive comparison of the comparable merits and demerits of the entire group. There is no indication that any consideration was given to such important factors as cost of maintenance and services or of vacancy factor during the term of the lease.

It appears that the failure to exercise reasonable procedural control and apply sound business practice to the negotiation and consummation of this lease and purchase was in large measure responsible for the excess cost to the State noted above.

#### FASHION LEAGUE BUILDING

In 1948 the Department of Finance was faced with the problem of finding additional office space in the Los Angeles area and as a major step toward the solution of this problem set about acquiring the Fashion League Building.

This building, located in Los Angeles at Second and Hill Streets, was acquired by the State on September 16, 1949. The method of acquisition was by eminent domain proceedings with a jury award in the amount of \$450,000 being paid as compensation to the prior owners. The acquisition was handled by the Right of Way Section of the Division of Highways. The purpose of the acquisition was to provide office space for state use in the Los Angeles area.

Prior to acquisition the Architectural Property Analyst of the Division of Buildings and Grounds inspected the building for the Division of Buildings and Grounds of the Department of Finance "to determine its nature for possible use as office quarters for the State," and in a report dated April 8, 1948, recommended that purchase be considered because of its location adjacent to the proposed site of a future state office building and because: "Its construction and plan layout make it



readily usable for state office purposes and would justify whatever expenditures that may be necessary to improve it up to accepted modern standards." The Architectural Property Analyst further notes that "The building would provide badly needed office space relatively soon."

In delineating the work necessary to improve the building, he notes that "additional fire escapes may be required. Structural analysis and detailed inspection of mechanical equipment may require additional work." There is nothing in the report, however, to indicate that this additional work would go beyond the scope of the previous statement that the "construction and plan layout make it readily usable for State office purposes and would justify *whatever expenditures* that may be necessary to improve it up to accepted modern standards." (Emphasis added.)

It should be noted that while the Architectural Property Analyst states that the purchase of the building would provide badly needed office space relatively soon, he also attached a list of the then tenants with the expiration dates of their leases, which clearly showed that the majority of the leases did not expire for approximately two more years.

Some time between the date of this report, April 8, 1948, and August 23, 1948, when the Public Works Board authorized the purchase of the building, the decision to so purchase was made. No other record of opinion with regard to the suitability of the building or the advisability of the State's purchasing the building appear in the files submitted to this office, and it appears reasonable to assume that the decision was based primarily on this report of the Department's Architectural Property Analyst. Appraisals of the property by the Division of Highways were authorized on April 20, 1948 and forwarded to the Department of Finance on July 27, 1948.

Following the acquisition in 1949, the Architectural Property Analyst did the preliminary work necessary to be able to report on December 30th that the estimated cost of the renovation and modernization to bring it up to modern standards with respect to fire prevention and safety as well as comfort and health would be \$996,800. If air conditioning were added the sum of \$342,000 would have to be added.

The last of the private tenancies in the building was terminated on February 28, 1951, at which time only the County of Los Angeles still occupied any space. Several proposals for rehabilitating the building were considered during 1951 with the Architectural Property Analyst recommending on December 12, 1951 that work to cost approximately \$500,000 be done at that time and the remainder of the work consisting of installation of partitions, floor covering, acoustic treatment, lighting and interior finish for the occupying agencies be done as required for these agencies.

The Budget Act of 1952, Item 361, appropriated \$600,000 to renovate the Fashion League Building, and the Budget Act of 1953, Item 342, appropriated an additional \$565,000 for a like purpose. In addition, \$227,000 was appropriated in Item 361 in the 1952 Budget Act for replacement of elevators. The total appropriation available in 1952 was \$827,000, and by 1953 had reached \$1,392,000.

On October 14, 1953, the Chief of the Buildings and Grounds Division of the Department of Finance asked for the approval of the Director of the Department of Finance to transfer the appropriation to the Division of Architecture so that the work could commence.

No answer to this request is available from the files. However, on February 10, 1954, the Division of Architecture transmitted to the Director of Finance a report on rehabilitation studies of the building, which set forth certain structural deficiencies not previously mentioned. It now estimated the entire cost of rehabilitation and remodeling for State office use to be \$1,708,000 or an increase over previous estimates of about \$316,000 due to the structural defects.

The pertinent questions to be asked are:

1. Why was the building purchased to alleviate a current need for office space in 1948 and 1949 when rehabilitation could not be started before 1951 at the earliest, and occupancy not until some time later than that?

2. Why were the plans for remodeling not completed until December, 1951?

3. Why was the work not started after the Legislature made its first appropriation in 1952?

4. Why did the Division of Architecture come in with an estimate including structural rehabilitation costs of an additional \$300,000 in 1954 after the Division of Buildings and Grounds had formally requested authorization to commence the work—a request that apparently went unanswered?

5. Why was this building scheduled for purchase by the State without first developing at least approximate estimates of the ultimate entire cost of the building *including* alterations, rather than consummating the transaction on the vague premise that it would justify any amount of alterations necessary to make it acceptable for State use?

It should be noted that the latest estimate of the cost of rehabilitation is \$17.58 per foot, to which should be added \$4.68, the original cost per square foot, for a total of \$22.26 per square foot. For this figure the State would get almost 100,000 square feet of modernized office space in an excellent Los Angeles location for state purposes. The building would comply with the Riley Act structurally.

Senate Bill No. 70 (1951) contained a provision to permit the sale of the building. However, this section was deleted. In the 1954 Regular Session Senate Bill No. 4 provided authorization for the sale of the building. The bill was amended in the Senate to provide that the sale price could not be below 90 percent of the average of three appraisals, and to allow the building to be leased for not more than 20 years. This bill died in the Assembly. At this same session, the Budget Act provided that the prior appropriations for alterations would revert to the General Fund.

A preliminary conclusion is that the State should not have purchased the building in the first instance without more detailed information as to the cost of rehabilitation than was apparently available. Failure to adequately investigate the structural condition of the building was indicative of inadequate procedural control of state real property acquisition activity.

The original mistakes have been compounded for a period of almost five years by failure to take effective action regarding the building. It is now and has been vacant and unused since 1951, while the State has been paying out rent for equivalent space in Los Angeles at a rate of almost \$200,000 a year.

This transaction, among other things, points up the need for thorough preliminary examination with proper comparisons between the cost of a new building and remodeling old structures.

#### FEDERAL GOVERNMENT REAL PROPERTY ACTIVITIES

A study of the procedures followed by the federal General Services Administration shows numerous ways in which the State's procedures could be revised to result in more efficient utilization of space, with attendant economies.

The essence of the program of the Real Estate Division of General Services Administration is stated to be long-range planning. At regular intervals, General Services Administration requires a report from the field agent in charge of each operating agency in the various cities involved. This report sets forth his best judgment as to space needs of his agency for the next five years. The agency has several programs to augment and supplement this long-range planning. One is a space availability program, the other a space utilization program.

In the space availability program, complete and continuing records are kept of all available space in the respective areas. Data for these records are obtained by daily scrutiny of newspaper ads, especially Sunday papers, from canvassing real estate boards, building owners' associations, and all industrial realtors. In addition, field men in the course of their travels note for these records all properties posted as available for rental or purchase.

In connection with the space utilization program, each agency on June 30th and December 31st of each year executes and submits a form which sets forth the total area they occupy, describes the space and the area being used for respective functions such as office, live or dead storage, garage, warehouse, laboratory, et cetera. It also enumerates the employees by grades. These reports help to establish a utilization pattern and also to determine which agency premises should be first inspected.

This inspection consists of checking the number of actual employees as against the number previously reported, watches for areas of bad utilization, for both the overcrowding as well as the assigning of too much area per employee. The analyst will template the space if, in his opinion, the potential savings from arrangements justifies it.

The field men check at least once a year on all agency occupancies to determine that the lease is still in force and that it has not been amended in any way. This is done by field operations men or by a building superintendent if the building has one. Agencies are required to notify the Real Estate Division of General Services Administration of any vacancy or contemplated cut-back in space or of lease terminations. The State Division of Buildings and Grounds has stated that, under present procedures, they are not always notified of lease terminations.

Under General Services Administration procedures, when an agency desires new or additional space, it files a formal request by executing



Standard Form 81. This differs from the State Form 6 in two rather important respects. The General Services Administration form contains all information necessary for a proper determination of the agency's needs and it is filled out and filed before any negotiations are entered into.

This request is then routed to the Assignment Branch of the General Services Administration's Real Estate Division where it is analyzed and reviewed. If it is determined that need for the space is justified, a check is made of all available space in the area that is owned or under lease by the government. If suitable space is available, it is called to the attention of the agency. It does not necessarily have to be "ideal" space. If it conforms to "normal" standards, the Real Estate Division can insist that it be occupied on the grounds that it is not justified in acquiring additional space when suitable "normal" space is available, nor is it justified in renting more expensive space if "normal" space is available at a cheaper rental.

Under the Economy Act of 1932, as amended, the Federal Government is restricted as to the rental which may be paid for any building and the amount that may be expended by the government for alterations. Under this act, no lease may be entered into which provides for an annual rental in excess of 15 percent of the *established market value* of the building. Owners are responsible for supplying appraisals as a guide to the contracting agency. In addition, the government makes a detailed estimate of the "material and time" costs of the subject building. Both sets of figures are then cross-checked with comparable buildings in the area.

Under the statutory limitations on alterations expenditures, the government may not expend for alterations during the entire term of the lease a sum in excess of 25 percent of the first year's rental.

Were these limitations in effect in State Government, substantial savings could have been effected by the State in recent years. Under the 15 percent rental limitation, the State would have saved approximately \$23,000 per year in rental on the 838 Santee Street lease in Los Angeles alone. In the case of the 965 Mission Street lease in San Francisco, the State would have been limited to an annual rental of \$80,000 for a saving of \$60,000 per year for the ten-year term of the lease. Under the terms of this lease, the State expended approximately \$233,000 for alterations in addition to the \$350,000 expended by the building owner. Had there been a 25 percent alteration expenditure limitation in effect, the State would have been limited to a \$35,000 alteration expenditure on the actual rental terms, or a saving of \$198,000.

Under established administrative policy, General Services Administration sets no "closing" date for the acceptance of proposals to lease or sell properties to the government. All offers are considered up to the date of the actual signing of the necessary papers.

The record, in the investigation of the 838 Santee lease, shows that offers of other properties during April were refused consideration in the grounds that a deal for 838 Santee had been "practically closed", despite the fact that the actual lease was not signed with the optionees of the building until June 22, 1949, two months later.



It is highly significant to note that one of these "declined offers" was being made by the actual owners of the 838 Santee property at a figure substantially lower than the figure at which the State was simultaneously negotiating with the optionees and lower than the figure at which the lease was ultimately negotiated.

Had the State followed the Federal Government policy, the cost to the State for this property would have been approximately fifty percent of what it ultimately cost the State, or a saving of \$635,000.

### **Analysis of Effects of Proposed Ballot Propositions Upon State's Finances**

#### **MEASURES TO BE VOTED UPON AT THE NOVEMBER, 1954 ELECTION**

Prepared by the Legislative Auditor  
September, 1954

#### **Proposition No. 1**

Senate Bill No. 26, (Ch. 28) 1954, 1st Ex. Session

#### **Veterans Bond Act of 1954**

Senate Bill No. 26 proposes for ratification by the voters an amendment to the Military and Veterans Code by adding Article 5e to Chapter 6 of Division 4, providing for a state bond issue of \$175,000,000 for the purpose of supplying additional funds to carry on the California Veterans Farm and Home Purchase Plan. Proceeds from the sale of such bonds are to be used by the State Department of Veterans Affairs in its plan for assisting California war veterans to acquire suitable farm or home property at low financing cost.

Although the bonds constitute general obligations of the State, they would be self-liquidating in that money advanced from the proceeds of bond sales for the purchase of a farm or home is to be repaid by the veteran at a low rate of interest through uniform monthly payments over a period of years. The monthly payments are to cover the cost of bond issuance, redemption and interest, and of administrative overhead so that the operation of the plan is self-supported.

A summary of the history of the plan for financing farms and homes for California veterans points out briefly the purpose, benefits, and operation of the plan as follows:

The California Veterans Farm and Home Purchase Plan was originally adopted by the Legislature in 1921 for the purpose of assisting qualified California veterans of any war to acquire suitable farms or homes at low financing cost.

The financing of the plan has since been accomplished through several issues of state general obligation bonds. As pointed out previously, although the bonds represent general obligations of the State, they are self-liquidating and, as such, are not a burden to the taxpayer so long as the Veterans Farm and Home Building Fund remains solvent.

A veteran eligible to participate in the plan may presently obtain an advance up to \$8,500 for the purchase of a home provided the total valuation of the home does not exceed \$12,500. In the case of farm purchases advances are made up to \$15,000 with a total valuation not exceeding \$18,500. The present rate of interest on advance is 3 percent.

This rate, however, is subject to periodic determination within a range of 2½ to 4 percent in accordance with provisions of the code and economic conditions.

From 1921 to date there has been a total of \$460,000,000 in state bonds authorized and sold benefiting more than 75,000 California veterans. Of this total in bonds sold, \$344,295,000 were outstanding as of May 31, 1954. The various issues, effective rates of interest, and totals of issues outstanding as of May 31, 1954, are shown in the following table.

<i>Bond issue</i>	<i>Amount authorized</i>	<i>Effective interest rate</i>	<i>Amount outstanding</i>
Veterans Bonds of 1921.....	\$10,000,000	4.38%	
Veterans Bonds of 1925.....	20,000,000	4.06	
Veterans Bonds of 1929.....	20,000,000	4.12	
Veterans Bonds of 1933.....	30,000,000	2.52	\$445,000
Veterans Bonds of 1943.....	30,000,000	1.08	19,000,000
Veterans Bonds of 1946.....	100,000,000	1.82	81,350,000
Veterans Bonds of 1949.....	100,000,000	1.74	93,500,000
Veterans Bonds of 1951.....	150,000,000	2.25	150,000,000

The need for additional funds for financing the California Veterans Farm and Home Purchase Plan is predicated upon demand for financing and the rate of investment of funds in property. The rate of investment in property is presently averaging between 6.5 and 7 millions of dollars per month whereas three years ago the rate averaged approximately 4.5 millions of dollars per month.

#### Proposition No. 2

*Senate Constitutional Amendment No. 3, (Ch. 11) 1954 1st Ex. Session*

#### State School Building Aid Bonds

Senate Constitutional Amendment No. 3 proposes to add Section 17 to Article XVI of the Constitution calling for ratification by the voters authorization for issuance and sale of state general obligation bonds in amount of \$100,000,000 for the purpose of providing loans and grants to school districts of the State for school building construction.

The adoption of this proposal will constitute the third authorization for issuance and sale of state bonds for public school building aid. In 1949 a total of \$250,000,000 was authorized for this purpose and the full amount has been sold. In 1952 a total of \$185,000,000 was authorized. However, a restriction as to the issuance and sale of \$20,000,000 of the 1952 authorization was imposed due to an advance of a like amount from the General Fund for school building aid. Seventy-five million dollars of this authorization has been sold, thus making a total of \$325,000,000 in state school bonds sold to date. If this amendment is adopted it will mean that the voters will have authorized state bond issues totaling more than one-half billion of dollars since 1949 to assist school districts in financing school building construction.

In looking at the State's bonded debt position, as of June 30, 1954, the schedule which follows presents a summary statement of the general purposes for which current issues of state general obligation bonds have been authorized, amounts unsold, amounts outstanding, and the sources of funding.

## State Bonded Debt Position—June 30, 1954

<i>Purpose</i>	<i>Amount unsold</i>	<i>Amount outstanding</i>	<i>Funded from</i>
State highways -----	----	\$18,575,000	As due— Motor Vehicle "in lieu" tax
State and university buildings-----	----	6,430,000)	Sinking funds
State parks -----	----	750,000)	
Tenth Olympiad -----	----	425,000)	
Public school building aid --	\$110,000,000*	311,400,000	In part, from Bond Retirement Fund and repayment of loans. Balance from General Fund.
San Francisco Harbor improvement	1,197,000	22,558,000	Self-liquidating
Veterans farm and home purchases	-	344,295,000	Self-liquidating
Totals -----	\$111,197,000	\$704,433,000	

\* Includes the \$20,000,000 restriction as previously mentioned.

NOTE: As of June 30, 1954, there were assets in sinking funds totaling approximately \$12,410,000 for bond redemption. In addition, there was a total of approximately \$47,900,000 in reserve for school bond retirement. This sum represented the balance of \$50,000,000 of General Fund money set aside by the 1952 Legislature to fund, in part, the school bond issues. However, legislative action on the 1954 Budget Act provided for the return of \$27,369,821 of this reserve to the General Fund in order to meet demands on the General Fund in the 1954-55 Fiscal Year. This action left a balance of approximately \$20,500,000 in reserve toward future redemption of the school bonds.

Although the state bond issues represent general obligations of the State, statutory provisions provide for debt service from specific revenues and special funds, as shown in the preceding schedule. However, the school building bond issues are funded to the extent of a \$20,500,000 balance in a school bond retirement fund with further redemption to be accomplished through repayment of advances from those school districts which have borrowed and which are able to repay. The exact amount to be expected in repayment from the school districts cannot be determined. However, estimates that have been projected for the current loans indicate that a substantial sum will have to be met from general tax revenues, although the Legislature has provided for redemption of the bonds, in part.

It is significant to note that in addition to these outstanding obligations, Proposition No. 1 on the 1954 ballot calls for authorization of an additional \$175,000,000 in veterans' issues, and Proposition No. 2 calls for authorization of an additional \$100,000,000 in school bonds.

### Proposition No. 3

*Senate Constitutional Amendment No. 4, (Ch. 33) 1954 1st Ex. Session*

#### Alcoholic Beverage Control

Senate Constitutional Amendment No. 4 proposes to separate alcoholic beverage control from the State Board of Equalization and to establish the Department of Alcoholic Beverage Control headed by a director appointed by the Governor with approval of the Senate and to serve at the Governor's pleasure. The director may also be removed by a majority vote of each house of the Legislature.

The amendment also establishes an Alcoholic Beverage Control Appeals Board of three members to be appointed by the Governor with consent of the Senate and removable in the same manner as the director. The board reviews appeals from department decisions ordering



any penalty assessment, or concerning the issuing, denying, transferring, suspending or revoking of any license for the manufacture, importation, or sale of intoxicating liquor.

The assessing and collecting excise taxes imposed on the manufacture, importation and sale of alcoholic beverages remains with the Board of Equalization.

The amendment becomes operative January 1, 1955.

**State Cost.** Because the amendment creates a separate department of government, there will be some apparent costs in salaries and expenses for the members of the Appeals Board, the director, other top staff positions and clerical help related to these. These should cost no more than approximately \$100,000 during the first six months of operation (January 1-June 30, 1955).

In the main, existing staff positions, equipment, etc., in the Alcoholic Beverage Control Division of the Board of Equalization will be transferred to the new department representing no new cost. Substantially the same laws will be administered. Whether this is greater or less than the present level of expenditure for the Alcoholic Beverage Control Division will depend upon policy as reflected in the budget submitted by the new director and as approved by the Legislature.

#### **Proposition No. 4**

##### **Proposed Initiative—Social Welfare—Aid to Needy Aged**

The initiative constitutional amendment regarding aid to needy aged to be submitted directly to the electorate provides for increasing the present \$80 statutory maximum for individual assistance grants to \$100. The state grant will be made after deducting all other income of the recipient except casual or inconsequential amounts. If the "actual need" of an applicant for aid is determined to exceed \$100 a month total income, including private sources, the Department of Social Welfare may allow him a grant in excess of the \$100, although the state assistance cannot exceed that amount.

Section II of the initiative measure empowers the Legislature to raise the state grant above \$100 but prevents it from making any reductions below that figure. The third section of the measure appropriates funds each month for the payment of benefits to those persons eligible for aid under terms of the Welfare and Institutions Code. Deductions of federal money or any other state funds going to the applicant are to be made from the grant. Section III also empowers the Legislature to determine the extent of county contribution to the cost of aid to the aged. The amendment is to become effective on the first day of the fourth month following the month it is adopted, or March 1, 1955.

Additional cost of the program under the provisions of this initiative amendment to the State Constitution, if adopted, is estimated by the State Department of Social Welfare to be approximately \$74,200,000 on a twelve month basis. This additional cost, rounded out, would be distributed: \$55,550,000 state cost, and \$9,250,000 county cost, while federal participation would increase by approximately \$9,400,000.

These estimates are derived by applying the average grant of \$69.22 per month paid to 271,641 old age recipients in December 1953, and assuming that the average grant would increase by \$20 per month. The



estimates assume also that at least 15,000 additional applicants might be attracted to the program, but due to other income, contributions of relatives, et cetera, the new applicants would perhaps receive an average old age security grant of around \$50 per month. With the application of these assumptions, the increase in the cost of the program would, then, be approximately as follows:

Present caseload (December 1953) -----	271,641 x 12 x \$20=	\$65,200,000 (rounded)
Estimated additional caseload -----	15,000 x 12 x \$50=	9,000,000
Total -----		<u>\$74,201,000</u>

There are unpredictable factors which may affect these estimates substantially such as (1) the number of additional persons who might be attracted to the program may be greater or smaller than the estimate, (2) the final interpretation that would be made of "actual need" by law or by rule and regulation, and (3) a possible change in the general economy of the nation which could either increase or decrease the number of recipients by reducing, eliminating or adding other means of support.

Other factors which might also affect the estimates of additional cost of the initiative if it is adopted, would be (1) the provision that "All money paid to a recipient of aid under this article is intended to help him meet his individual needs and is not paid for the benefit of, or to be construed as income to, any other person." It appears that this provision would affect those counties which consider the amount of aged assistance which is available to a family as deductible income for the purpose of computing the amount of general relief for which other members of the family are eligible. Secondly, the 1952 increase in federal participation in the old age security grant was due to expire October 1, 1954, but was extended by Congress for an additional two years. Although it would seem unlikely that the federal statute would be allowed to expire in 1956 without some substitute provided, under the provisions of this initiative, the State would be obligated to pick up the bill for added costs resulting from failure of the Congress to continue the present Federal Old Age Security payments made pursuant to the 1952 act. Presently existing state statutes, on the other hand, would enable the State to reduce old age security grants in proportion to the decrease in federal payments, in the event that federal payments were reduced for the reason cited above, or for the reason that living costs should decline, or for other reasons.

#### Proposition No. 5

*Senate Constitutional Amendment No. 23, (Ch. 156) 1953*

#### Tax Exemption—Vessels

Senate Constitutional Amendment No. 23 amends Section 4 of Article XIII, whereby the existing provision exempting from local property tax California registered freight and passenger ships of more than 50 tons burden is extended indefinitely. Otherwise, this exemption would expire on January 1, 1955.

This exemption has been in existence since 1914, at which time Section 4 of Article XIII was added to the Constitution providing a duration of the exemption through January 1, 1935. The section was amended in 1932 whereby the duration of the exemption was extended through January 1, 1955. The proposed amendment would eliminate the time limitation, thereby providing an indefinite exemption.

It is noted that Proposition No. 8, Senate Constitutional Amendment No. 32, proposes to add a provision, Section 4 (a), to Article XIII, whereby the exemption from local property taxation for such vessels would continue, but would include vessels engaged in deep-sea fishing outside California waters, and the tax exemption would be limited to vessels of more than 100 tons burden.

#### **Proposition No. 6**

*Assembly Constitutional Amendment No. 13, (Ch. 13) 1954, 1st Ex. Session*

#### **Salary of Members of Legislature**

Assembly Constitutional Amendment No. 13 amends subsection (b) of Section 2 of Article IV whereby each member of the Legislature shall receive \$500 for each month of the term for which he is elected.

This provision would increase the present salary of members of the Legislature from \$3,600 to \$6,000 annually.

Additional annual cost to the State would be \$288,000 plus some additional cost of the State's contribution to the Legislators' Retirement System.

#### **Proposition No. 7**

*Assembly Bill No. 39, (Ch. 58) 1954, 1st. Ex. Session*

#### **Land Titles—Torrens Act**

Assembly Bill No. 39 adds Section 116 to an initiative act commonly known as the Torrens Land Title Registration Law or Torrens Act which was originally enacted by the Legislature in 1897 and was extensively amended by the initiative in 1914.

The present act does not provide authorization to the Legislature to make any changes in the act. The proposed Section 116 will permit the Legislature to amend or repeal all or any part of the act at any time.

The provisions of this act do not appear to involve any cost to the State.

#### **Proposition No. 8**

*Senate Constitutional Amendment No. 32, (Ch. 157) 1953*

#### **Tax Exemption—Vessels**

Proposes to exempt from local property taxes those vessels of more than 100 tons burden which are registered in the State and are engaged in the transportation of freight or passengers or in commercial deep-sea fishing operations outside the territorial waters of the State.

This represents an enlargement of present provisions by raising the exemption from vessels over 50 tons to vessels over 100 tons and would include commercial deep-sea fishing vessels. While more complete figures are not available at this time, as an indication of tax loss to local governments, Los Angeles County estimates that the amendment would exempt from tax in the county vessels of the assessed value of \$1,000,000 which are presently taxed.

**Proposition No. 9***Assembly Constitutional Amendment No. 54, (Ch. 203) 1953***Tax Exemption—Church Property**

Proposes to exempt from local property taxation the land upon which a building to be used exclusively for religious worship is in the course of construction. Proposes, also, to exempt equipment connected with the said building.

Additional loss of tax revenue that may accrue through the adoption of this amendment is not available. Whether this would constitute an additional loss would depend upon county interpretation of the present provisions of the Constitution, and the extent to which exemption is presently granted as a matter of custom.

**Proposition No. 10***Assembly Constitutional Amendment No. 1, (Ch. 223) 1953***Terms of Office—State Officers**

Assembly Constitutional Amendment No. 1 amends Section 3, 4 and 5 of Article IV and Section 2 of Article V, relating to the term of office of state officers.

Section 3, Article IV, is amended whereby the terms of office of Members of the Assembly will be increased from two to four years, and half of the Members of the Assembly are to be elected every two years. Members elected in 1956 and thereafter would be chosen for a term of four years, but the seats of 40 members elected from the even-numbered districts in 1956 would be vacated at the end of 1958. Thereafter Members of the Assembly would be elected for a term of four years.

Section 4 and 5 of Article IV are amended whereby the terms of office of Members of the Senate will be increased from four to six years, and approximately one-third of the Members of the Senate are to be elected every two years. Of the 20 Senators from even-numbered districts to be elected in 1954, the seats of 13 Senators from Districts 2-26, inclusive, would be vacated at the end of 1958 and the seats of the remaining seven Senators (Districts 28-40) would be vacated at the end of 1960. Of the 20 Senators from odd-numbered districts to be elected in 1956, the seats of six Senators from Districts 1-11, inclusive, would be vacated at the end of 1960 and the seats of the remaining 14 Senators (District 13-39) would be vacated at the end of 1962. Thereafter the terms of all Senators would be six years.

Section 2 of Article V, is amended whereby no person except the incumbent of the Office of Governor at the time this provision takes effect will be eligible for Office of Governor for more than two successive terms.

Additional cost to the State, if any, would be negligible.

**Proposition No. 11***Assembly Constitutional Amendment No. 2, (Ch. 162) 1953***Tax Exemption—Disabled Veterans**

Proposes to authorize the Legislature to exempt from property taxes, in an amount not to exceed \$5,000, the home of a veteran with a permanent and total service-connected disability where the veteran, be-



cause of said disability, has received federal assistance in acquiring said property.

The provisions of this amendment represent a new exemption. By way of indicating an appraisal of possible tax loss, Los Angeles County estimates that there are approximately 400 individuals in the county who would qualify for this exemption and that it would remove from the tax base an assessed valuation of approximately \$2,000,000.

**Proposition No. 12**

*Assembly Constitutional Amendment No. 28, (Ch. 187) 1953*

**Voting Eligibility**

Assembly Constitutional Amendment No. 28 amends Section 1 of Article II relative to the right to vote, whereby the provision which denies a person convicted of any infamous crime to *ever exercise* the privileges of an elector, unless pardoned. This will amend the Constitution to state, in effect, that a person convicted of any infamous crime is denied the rights of an elector *while paying the penalties imposed by law for such conviction*.

This means that such person is denied the right to vote and the right to hold public office until the period during which he is paying such penalties has ended, at which time the restrictions would no longer hold.

The provisions of Section 21, of Article 22 of the Constitution concerning restrictions on the rights of persons convicted of embezzlement or misappropriation of public funds would not be affected by adoption of this amendment.

No apparent state cost.

**Proposition No. 13**

*Assembly Constitutional Amendment No. 20, (Ch. 99) 1953*

**Adoption of Charter—City of Vernon**

Assembly Constitutional Amendment No. 20 adds Section 8.1 to Article XI of the State Constitution authorizing the City of Vernon, in the County of Los Angeles to adopt a charter.

Provides method for amending charter. Authorizes charter to prescribe the manner, method, times, terms and eligibility in respect to election of members to the legislative body, the incurring of indebtedness or liability, and the exercitation of the powers of initiative and referendum.

No cost to the State.

**Proposition No. 14**

*Assembly Constitutional Amendment No. 53, (Ch. 185) 1953*

**Tax Exemption—College Buildings**

Proposes to exempt from local property taxation the land upon which a building to be used exclusively for educational purposes is in the course of construction on the assessment date.

This represents an enlargement of the present exemption and, while the amount of revenue loss to local governments is not available, the County of Los Angeles reports that this measure would exempt from taxation property of an assessed valuation of around \$50,000 in that county.



**Proposition No. 15***Assembly Constitutional Amendment No. 22, (Ch. 146) 1953***Property Tax Exemption—Welfare Purposes**

Proposes to exempt from property taxes buildings and equipment, together with the lands upon which located, in the course of construction on the assessment date when said property is to be used exclusively for religious, hospital or charitable purposes.

This is an enlargement of the present exemption and, while the amount of revenue loss to local governments is not available, Los Angeles County estimates that each year the amount of exempt property would be increased by \$500,000 assessed value in that county.

**Proposition No. 16***Senate Constitutional Amendment No. 30, (Ch. 191) 1953***Water Rights—Government Agencies**

Adds Section 4 to Article XIV relating to water and water rights. Requires local, state, or federal agencies acquiring any interest in real property in California to conform to state law concerning the acquisition, control, use, and distribution of water with respect to the land so acquired.

No ascertainable cost.

**Proposition No. 17***Assembly Constitutional Amendment No. 32, (Ch. 224) 1953***Highway Users Taxes for Vehicle Parking**

At present, under Article XXVI of the Constitution, money derived from highway users taxes, that is, gasoline tax, diesel tax, truck tax, and motor vehicle registration and weight fees, can be used only for construction and maintenance of public streets and highways.

This measure adds Section 2.5 to Article XXVI of the Constitution to permit the use of such money for the planning and construction of facilities for vehicle parking.

The amendment specifies no amount or formula for determining the amount which could be so used, merely stating that it shall be in such manner as the Legislature may provide.

To the extent that funds might be diverted to such usage the amounts available for construction and maintenance of highways, including county roads and city streets, would be reduced.

It is impossible to determine what additional cost might be involved as a result of this amendment until specific legislation is enacted to implement the provision, although it is probable that all necessary planning and construction could be handled by the existing staff of the Department of Public Works.

**Proposition No. 18***Assembly Constitutional Amendment No. 10, (Ch. 83) 1953***Property Rights—Resident Aliens**

Assembly Constitutional Amendment No. 10 amends Section 17 of Article I relating to rights of aliens.

This amendment will broaden the guarantee of equality of rights with respect to acquisition, possession, enjoyment, transmission, and inheritance of property other than real estate, whereby all resident aliens who are eligible to become citizens of the United States under

the naturalization laws would be extended the guarantee of rights the same as native born citizens. At present only foreigners of the white race and of African descent who are eligible to become citizens enjoy this constitutional guarantee, although Section 671 of the Civil Code presently provides such rights.

No cost to the State.

**Proposition No. 19**

*Assembly Constitutional Amendment No. 57, (Ch. 225) 1953*

**Judges—Inferior Courts**

Section 23 of Article VI of the Constitution presently requires a municipal court judge to have been admitted to practice law before the State Supreme Court for at least five years immediately preceding his election or appointment to such office. However, an exception to this requirement was approved by the voters November 7, 1950, at which time the voters approved the plan for reorganization of the inferior courts. The exception was made whereby an elected judge or justice who had served for five years immediately prior to that date, although not admitted to practice law, was made eligible to become the judge of any municipal court which superseded the then-existing court of which he was judge.

The proposed Constitutional Amendment would amend Section 23 of Article VI, whereby a judge who has served five years prior to November 7, 1950, and who has served continuously since November 7, 1950, as judge of a superseding justice court, is eligible to become the judge of a municipal court whenever such a court supersedes his justice court without having been admitted to practice law.

No cost to the State.

**Proposition No. 20**

*Senate Constitutional Amendment No. 27, (Ch. 174) 1953*

**County Charters**

Senate Constitutional Amendment No. 27 amends Section 7½ of Article XI relative to county charters by deleting a provision that board of freeholders to draft a new charter be nominated by petition and providing instead for nomination to be in the same manner as candidates for county offices. The time for preparation of such charter is extended from 120 days after declaration of election results to six months.

No cost to the State.

**Partial Report on a Study of the California Department of  
Motor Vehicles**

Prepared by the Legislative Auditor  
September 10, 1954

A study of the operations and procedures of the Department of Motor Vehicles is being conducted by the staff of the Legislative Budget Committee. The need for this study arises from the growth of the State and the necessity of the department to keep abreast of that growth as it affects vehicle registration and driver licensing.

### REASONS FOR STUDY

Motor vehicle registrations have grown from approximately 6,400 in 1906 to nearly 6,000,000 in 1953. At present there are over 6,000,000 drivers' licenses outstanding and the department issues almost 200,000 drivers' licenses per month.

In 1948 the department installed the mechanized system of handling registrations. During the first year of mechanization, approximately 4,234,000 vehicles were registered. Since 1948 vehicle registrations have increased approximately 1,766,000 or 41 percent. This increase has been absorbed by the punch-card system with a minimum amount of difficulty.

The conversion from the manual to the machine method of handling registrations was a very difficult period for the department. However, after some experience the operation became smooth and efficient. The mechanized system has not only proved capable of handling the huge increase in the number of registrations but it has processed the registrations more quickly than the manual system.

The pressure during the change to the punch-card system and the continued sharp increase in the volume of registrations has not permitted the department the time to review its procedures since mechanization. Other changes and improvements have been made, such as the establishment of the Division of Field Office Operations in 1951. But no over-all look at the whole procedure and the relationships between divisions has been made since the mechanized system was installed. It was our feeling that the time had come for a thorough review of the procedures of the entire department.

### COOPERATION RECEIVED

The project was discussed with the Director of the Department of Motor Vehicles and his staff to obtain their views so that the most thorough and effective study possible could be made. An agreement was reached with the director that the study would be cooperative. While the Budget Committee staff has actually made the study, it was possible only through the excellent cooperation that has been provided by the administrative officials of the department and all levels of employees. The task of analyzing the operations and procedures of the department has been made immeasurably easier by the assistance of the department staff. In addition to assistance, the employees of the department have made many suggestions, some of which are incorporated in our recommendations.

One phase of the survey has been a records management study. This portion of the study has been done through the cooperation and efforts of staff of the Secretary of State. Many hours of work and technical advice have been contributed by the records management specialists of the Secretary of State's office.

### PHASES OF THE STUDY

The study of the operations and procedures of the department has been divided into four phases. This report is a partial report embracing the findings and recommendations of two phases. They are:

1. Processing Registration Applications Received by Local Offices.

The area of activities covered by this phase begins with the receipt



of applications in the local offices and continues through the preparation of the monthly accounting reports by the tabulating section.

2. Records Management Study. This phase covers a file reference study of all registration files and a count and computation of the number of files and total square feet of floor space occupied by the files.

The other phases of the study, which are not complete and will follow in later reports, are as follows:

3. Driver Licensing. This will consist of a review of the procedures of licensing drivers and processing the applications.
4. Processing Applications by the Bureaus, and Mail Processing Procedures. The procedures followed by the processing bureaus and the method of handling mail applications will be covered by this phase of the study.

A fifth phase of the study as it was originally outlined, included a review of all forms aimed toward revision and consolidation. This phase, however, will not be completed this year.

In addition to Phases 1 and 2 of our study, this partial report contains:

1. A statement of a proposed registration procedure by the department.
2. A comparison by the Budget Committee staff of its recommended procedure with that proposed by the department.

Many meetings were held with the department's staff to discuss our recommendations and secure their opinions and, if possible, agreement. The statement of the department's proposed registration procedure enclosed in this report gives the department's official position with respect to some of our recommendations and outlines other changes the department considers desirable.

## REGISTRATION PROCEDURES

### Processing Registration Applications Received by Local Offices

The area of activities covered by this preliminary report on registration procedures begins with the receipt of applications in the local office through the preparation of the monthly accounting reports by the tabulating section. All procedures covered by the survey were reviewed both from the standpoint of the Manual of Accounting and the actual practice by the operating personnel.

The activities of the local offices were observed primarily at the Sacramento local office. Visits were made to the San Leandro, Oakland, Jackson, Placerville, and Santa Cruz local offices. A few hours at each of these offices indicated that the practices are uniform and that local offices follow the procedural instructions of the Accounting Manual very closely.

In addition to a thorough study of the activities and procedures of the Sacramento Area Control Office, a detailed review of the procedures of the Oakland Area Control Office was made. The operating procedures of these two area control offices were found to be uniform as required by the Accounting Manual.



The processing of normal, potential, and typing items was studied from the receipt of the item in the local office through the preparation of the monthly accounting reports. Miscellaneous items were examined from the receipt at the local office to their disposition by the Division of Registration. However, this report covers the processing of miscellaneous items only to their receipt by the departmental cashier in the Bureau of Accounting.

#### Summary of Recommendations

1. A thorough inspection of all applications should be made by an inspection clerk immediately following the rating of the applications by the rate clerks in the local office. The inspection now being made in the area control offices should be made only on a limited sample basis before the documents are processed by the tabulating section.
2. Typing certificates for nonresident vehicles and some original registrations in California in the local offices should be discontinued; these items should be processed as normal work.
3. Suspense receipts should be issued only to identify miscellaneous items for control purposes but not when the application is incomplete.
4. Forms 173, 173M, and 344 should be simplified and Form 386 should be discontinued.
5. The Sacramento area control office should be separated from the Bureau of Accounting and transferred to the Division of Field Office Operations.
6. The serial numbering of tabs should be discontinued and the tab should be issued bearing only the year number for which issued.
7. A duplicate account card should be reproduced to establish a reference file of current year registrations.
8. The present monthly accounting Reports No. 263, Number of Vehicles Registered by County, and No. 340, Statement of Transactions and Fees Collected as shown on Chart BB, should be prepared mechanically by the Tabulating Section as shown in Chart B.
9. The present registration processing shown on Chart AA should be streamlined. A recommended revision of the procedure is shown on Chart A.

The above summary of recommendations are discussed in detail and referred to by number in the following text.

#### Possible Savings

A firm estimate of potential savings is not available. The department has offered to make an estimate but has not yet been able to complete it.

Generally, the nature of the procedural recommendations contained in this report will not result in direct dollar savings through reduction in staff or equipment. However, we believe the recommendations will permit an increase in work load without an increase in the budget. The recommendation concerning typing will eliminate the need for typing approximately 200,000 certificates a year and the time to proofread the certificates. While the clerical time required to type and proofread these certificates is dispersed among most of the 97 local offices, three area offices, and the Sacramento headquarters, considerable man-hours will be saved which can be diverted to other activities, such as absorbing increased work load.

The recommendations concerning suspense receipts, forms revisions, elimination of tab number, and the establishment of an account card reference file, will reduce error and the quantity of work now being done throughout the department. This will permit greater accuracy and the ability to absorb more work load. The simplification of cashiering forms and establishment of an account card reference file should definitely result in lower costs for temporary help during the renewal period. Heretofore, the department's copy of the automobile renewal certificate has been filed manually. With the conversion to a punched card potential and the use of an account card reference file, this job will be done primarily by machines. Elimination of hand filing of the automobile potentials should remove the need for approximately 60 junior clerks hired as temporary help during the renewal period. These clerks would work three and one half months to file all the potentials. Approximately \$42,000 in temporary help will not be required if the department maintains a punched card reference file.

The proposed daily processing shown on Chart A will save many clerical hours annually in the three area control offices and could result in fewer budgeted positions. There is no way at present to compute the number, but by using a punched summary card to prepare control registers mechanically and eliminate "smooth" tabulations and the related individual clearance certification, savings would accrue. Other minor changes are included in the proposal.

In the Revenue Analysis Unit where the accounting reports are presently prepared manually, we feel two of the three clerical positions could be eliminated by processing the reports and related control registers mechanically as shown on Charts A and B.

## INSPECTION OF APPLICATIONS

### 1. Recommendation

A thorough inspection of all applications should be made by an inspection clerk immediately following the rating of the applications by the rate clerks in the local office. The inspection now being made in the area offices should be made only on a limited sample basis before the documents are processed by the tabulating section.

### Findings

1. The percentage of errors found after the application is accepted by a local office is generally low and appears to be reasonable.
2. Before an application is accepted by a local office it is reviewed for correctness and completeness and rated for fees by a rate clerk. In most offices inspection and rating is performed by the same clerk.
3. The present procedure provides for an inspection or review for correctness and completeness of all applications in the area offices after the fees have been collected.
4. Errors or omissions on applications are found at various points in the processing of applications. Errors may be found in the local office after the application is accepted, in the area office during the regular inspection and in the tabulating section where the documents are prepared.

5. An error discovered after the applicant leaves the office usually causes the transaction to be held out from the normal processing of other applications.
6. An item held out from the normal flow of work (a holdout) must then go through a more complicated and expensive administrative process to correct the error. Processing holdouts includes the typing of a holdout form, Form 369, establishing accounting controls, filing of uncleared holdouts, purging the file of cleared holdouts and adjusting the accounting controls.
7. Holdouts disrupt the normal processing of applications in that each time a holdout is made Forms 173 and 344, on which all cash and applications are listed and summarized, and the related block face cards must be changed.
8. The following table shows the number of local offices handled by each area control office and the number of employees in the local offices.

Area control office	One employee offices	Two employee offices	Three employee offices	Total offices three or less employees	Offices with four or more employees	Total offices
Los Angeles -----	3	4	2	9	26	35
Oakland -----	2	3	5	10	16	26
Sacramento -----	13	7	4	24	12	36
Totals -----	18	14	11	43	54	97

Not included in above figures:

- (1) Five offices operated by California Highway Patrol or county sheriffs
- (2) Local operations for drivers licensing only.

#### Reasons for Recommendations

1. Inspection following the rating, but prior to the collection of fees, will eliminate many holdouts now discovered in the area office and the tabulating section.
2. Reliance on the local offices to check documents thoroughly and keep holdouts to an absolute minimum is now in practice by the Oakland area office. The work of the larger local offices is not regularly inspected by the Oakland area, merely an occasional spot check.
3. The flow of documents from the local office through area to Sacramento will be speeded up.
4. Public will be better served by receiving documents at an earlier date.

#### Explanation of Recommendation

In every office where the personnel permits, every application should be completely inspected by an inspection clerk to establish its completeness and correctness before the applicant pays his fees. If an application is incomplete and cannot be completed immediately by the applicant, the application and all documents should be returned to the applicant and held by the applicant until completed. The inspection clerk should review all documents and applications after the rate clerk determines the fees. If an application is incomplete, the applicant will be requested to retain the documents and complete the application. To avoid penalties or to indicate that the department has taken notice of the application, the clerk may stamp the application or documents with an official stamp to the effect "Not subject to penalties if completed in \_\_\_\_\_ days—date." In one-man offices the inspection will continue to be performed by the area office. A *sample* inspection of the other offices will also be conducted.



**TYPING****2. Recommendation**

Typing certificates for nonresident vehicles and certain original registrations in California in the local offices should be discontinued; these items should be processed as normal work.

**Findings**

1. Certificates for nonresident vehicles and the original registrations in California are currently being typed in local offices.
2. All other applications (except specials) are processed by the area control offices and the certificates produced on tabulating machines in Sacramento.
3. This immediate and special service for two classes of vehicle registrations, nonresident and some original registrations in California, which comprise less than 10 percent of all registrations exclusive of potentials, is in effect because of two policies:
  - a. In prior years it was necessary to type new registrations, nonresident and original registrations in California certificates in the local offices to lessen the volume of work processed by the tabulating section. Conversion from a manual method to punched cards created unforeseen problems which resulted in a backlog in the tabulating section.
  - b. New vehicle registrations have been processed by the tabulating section since the backlog of work was eliminated, and the typing of these certificates in the local offices was discontinued. Typing the comparatively small volume of nonresidents and original registration in California certificates was continued because these groups could be processed by the typing method with available clerical man-hours. It was also felt that typing nonresident certificates would provide better service to the public.
4. Special and urgent requests for certificates are now handled by an existing procedure wherein the processing time is considerably less than the normal procedure and somewhat longer than the typing procedure. The certificates are sent into Sacramento from the local office without going through the area offices and are produced on tabulating machines. This procedure has satisfied the public.
5. The separation of certain applications for typing diverts those items from the normal flow of work. This diversion requires special and separate procedures which result in a more complicated and expensive administrative process.

**Reasons for Recommendations**

1. The tabulating section is now capable of processing all certificates.
2. Since there is a special procedure for rush applications, there is no justification for handling an entire category of applications by a special procedure.
3. Elimination of typing certificates in local offices will release clerical man-hours for other activities such as the proposed inspection prior to collection of fees on applications.
4. The process will be simplified and work reduced throughout the entire procedure by combining the typing applications with normal applications and the preparing of certificates on tabulating machines.



The following sections will be affected: receiving local office, area office, and the accounting office.

5. Elimination of typing will establish a uniform procedure for all applications except specials and potentials.

### **SUSPENSE RECEIPTS**

#### **3. Recommendation**

Suspense receipts should be issued only to identify miscellaneous items for control purposes, but not when the application is incomplete.

#### **Findings**

1. Suspense receipts are presently issued in local offices for two general types of transactions:
  - a. The applicant has not completed the application but deposits the required fees to avoid penalties; this is the RDF transaction.
  - b. The applicant submits a completed application with fees to a local office and the application is sent to Sacramento headquarters for subsequent verification and processing.
2. Suspense receipts are issued in three copies: the original is an accounting document from which controls are established, the duplicate is a temporary receipt to operate and the triplicate is a receipt which the applicant must return with the completed documents.
3. Accounting controls of cash are established with the original copy of the suspense receipt by the Bureau of Accounting. The original is then filed resulting in a record of the disposition of the item. When the applicant returns the triplicate copy with the completed documents, it is considered as money, and is accounted for as such on the Form 173 under scrip. The Bureau of Accounting matches the triplicate to the original suspense receipt and pulls the original receipt from the file and reduces the accounting controls.
4. Considerable man-hours are consumed in preparation of the suspense receipts (there are fourteen entries to be made to fill out a suspense receipt), accounting for them, establishing accounting controls, filing and purging the files.
5. The present procedure for processing suspense receipts is shown on Chart CC.

#### **Reasons for Recommendations**

1. Issuance of suspense receipts for Reports of Deposit of Fees (RDF) creates a complicated and expensive procedure to account for applications and money not processed through normal channels.
2. Discontinuance of RDF's would eliminate the need for accounting controls on the outstanding balance of the suspense receipt file as cash will not be accepted without a complete application.
3. Transactions wherein a receipt is issued for processing controls in headquarters can be handled by a more economical system.

#### **Explanation of Recommendation**

1. An application with documents and fees would not be accepted unless all documents were prepared and complete. This procedure of refusing applications until they are complete is presently being followed in handling transfers in all cases.

2. Where it is desirable to avoid the payment of penalties by an applicant who has to complete his application, the application would be stamped as follows: "Not subject to penalties if cleared in \_\_\_\_\_ days—date." The time limit to avoid penalties would be subject to the discretion of the director.
3. Where completed application requiring processing in the Sacramento headquarters is accepted in the local office, a suspense receipt will be issued. The purpose of the suspense receipt will be to control the application while it is being processed in headquarters.
4. The file process shown on Chart CC would still apply but all accounting controls of cash would be omitted.

#### FORMS REVISION

##### 4. Recommendation

Forms 173, 173M and Form 344 should be simplified and Form 386 should be discontinued.

##### Findings

1. The purpose of these cashiering forms is to report the cash collected on the applications processed in the local office.
2. Completion of Form 173.
  - a. Entry requirements are as follows:

T/C Column	Type of Clearance
Column 1	cash
Column 2	scrip amount of suspense receipt used in lieu of cash
Column 3	refund order-entry of amount of refund
Column 4	record serially numbered receipt or refund order
Column 5-10	tab and/or license plate issued
Column 11	last license number
  - b. In order to compute the summary information of the total line it is necessary for the clerk to select and count the number of transactions and add the amounts of cash by type of transaction.
  - c. Based upon 1953 registrations, approximately 50 million numerical digits of reference numbers were entered on Forms 173 by all the cashiers in the department.
3. Form 173M serves to record registration items which cannot clear through the regular process, special permits and drivers licenses issued. This is a cashiering form exclusively.
4. Form 344 is a reporting form. It summarizes the work transacted by a local office for a day. Tear-off sections of the form on which is entered the number and value of applications for the types of work: normal, typing and potential, are used to route these types of applications to certain groups for processing.

##### Reasons for Recommendation

1. The cashiering forms are cumbersome and complicated to fill out:
  - a. Reference information and cashiering information are combined on forms which should be exclusively cashiering forms.
  - b. Procedures following in handling registrations and the collection of cash make the form complicated. Examples of these procedures are: typing documents in the field and issuing suspense receipts which are used later as scrip.

2. Other recommendations in this study will have the effect of simplifying the cashiering forms, e.g.:
  - a. Discontinuing typing in local offices.
  - b. Discontinuing use of suspense receipt as scrip.
  - c. Changes in the flow and processing of normal and potential work.
3. The reduction of information to be recorded on these forms through other recommendations in this study permits the elimination of many columns of information and the consolidation of the forms 173 and 386.
4. Form 173 is revised to eliminate columns 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11.
  - a. Elimination of suspense receipts to be used as scrip will eliminate column 2.
  - b. Recording the refund number on the 173 will be meaningless with the revised form in that transactions will not be tied by line number to the 173. This eliminates the need for column 3.
  - c. Eliminating the use of suspense receipts as scrip and not recording refund orders will render column 4 unnecessary.
  - d. By establishing the account card reference file, it is unnecessary to record tab or license number issued or the last license number. Form 173 is therefore reduced to a listing of the amount of each transaction.

Since only amounts are recorded, the type of transaction e.g., normal or potential, may be separated for simplicity of recording. During the renewal period, the form may be used completely for potentials and or normal work; during the remainder of the year it may be used for normal work.

Certain necessary elements of Form 386 are incorporated into the 173 so that a cashier's work for a day may be totaled on the 173.

- a. A cashier's transactions for a day including the miscellaneous work taken in may be totaled.
- b. Recording the cash turned in on Form 311 provides a total for all cash which must be balanced to the amount of applications handled.

In addition, space is provided for an inventory report of the number of tabs and plates issued and serial numbered receipts used by the cashier for the day.

5. Form 386 is incorporated into Form 173.
6. Form 173M is reduced to columns 1, 2, 3, 4, and 8. The remaining columns, 5, 6, 7, and 9 may be eliminated because of the recommendations affecting suspense receipts and refund orders.
7. Form 344 may be reduced in size and content by discontinuing typing in the local offices and altering the procedure for processing the flow of work from local offices to the tabulating section.

#### SACRAMENTO AREA CONTROL OFFICE

##### 5. Recommendation

The Sacramento area control office should be separated from the Bureau of Accounting and transferred to the Division of Field Office Operations.

##### Findings

1. The State is divided into three geographical areas for administrative and procedural control of the field offices of the department. Each local office is in one of these geographical areas.

2. An area control office operates in each geographical area to coordinate and control the processing activities of the local offices. The area control offices are located in Los Angeles, Oakland and Sacramento.
3. The area control offices serve primarily as control centers for the purposes of:
  - a. Inspecting and coding the applications received by the local offices.
  - b. Certifying to the correctness of the balance between the amount of fees to be charged and to the amount of money collected in a local office.
4. The place in the organizational structure of these three area control offices is not consistent:
  - a. The Los Angeles and Oakland area offices are a part of the Division of Field Office operations and are directed by officials of that division.
  - b. The Sacramento area office which serves some 36 local offices in the Central Valley is a section of the Bureau of Accounting, and receives direction from the departmental accounting officer.
5. The activities of the local offices throughout the State are identical regardless of area. The activities of three area control offices are identical except that the Sacramento area control office performs an additional function of receiving and controlling all balanced area work.
6. The present organizational structure lends itself to confused lines of authority and unsatisfactory coordination between the Sacramento area control office and the office of Chief of the Division of Field Office Operations.
7. The original organization of the Sacramento area control office included the accounting activities of inventory control and preparation of departmental accounting reports in addition to the regular area activities. Inventory and accounting report activities have been separated from the Sacramento area control office and established as sections of the Bureau of Accounting.
8. The physical location of the Sacramento area control office in the headquarters building tends to distort the organizational position of that office.

#### Reasons for Recommendation

1. The activities of the Sacramento area control office are not accounting activities:
  - a. The area control offices serve as processing centers for local office work within the scope of field office responsibilities.
  - b. Area control offices merely review the rating, the collecting of fees and processing of the transactions received at the local offices.
  - c. Basic accounting controls do not rest with the area control offices. Bank deposit slips are sent directly to the Bureau of Accounting by the local offices. Cashier's daily statements are mailed directly from the local office to the Bureau of Accounting.
2. Transferring the Sacramento area control office to Field Office headquarters will correct the confusion in the lines of authority.
3. No evidence is available to indicate that accounting controls are weakened because the Los Angeles and Oakland area control offices are under the Division of Field Office Operations.



**ELIMINATION OF SERIAL NUMBER ON TAB****6. Recommendation**

The serial numbering of tabs should be discontinued and the tab should be issued bearing only the year number for which issued.

**Findings**

1. The tab is issued currently bearing an identification number in addition to the year number for which issued.
2. The identification number is currently used for the following purposes:
  - a. Accounting for the tabs
  - b. Cross reference between annual registration and license number
  - c. Reference to office and date of transaction
3. The widespread use of the tab number for the above purposes has led to the following conditions:
  - a. The tab number has tended to replace the license number in many instances as the basic registration number.
  - b. It has caused the establishment of special files for cross-reference from tab number to license number.
  - c. The public has experienced some confusion in distinguishing between the registration number and the tab number when dealing with the department.
  - d. The existence of the number has caused the department to go beyond normal and economical limits to satisfy, through reference and search of documents, the requests from the public.
  - e. Recording tab numbers by cashiers and other clerks in all phases of the registration process is expensive and cumbersome.
  - f. Mail procedure is costly and complicated by the necessity of matching the tab number on the documents, the envelope and the tab.
  - g. The daily posting to inventory records of the tabs issued as shown on Form 173 serves no necessary inventory function but rather makes the inventory records a reference file.

**Reasons for Recommendation**

1. Cashiers can concentrate only on receiving and recording the money and issuing tabs and plates. The necessity for posting approximately 12 million digits of tab numbers annually on the Form 173 will be eliminated.
2. Some special files may be discontinued.
  - a. Sacramento Tab File—Punched card file of approximately 500,000 or more cards annually.
  - b. Verification Pool 173 file.
3. Considerable reference to tab number to find other information will be automatically eliminated.
  - a. It will be unnecessary to go to accounting file of Form 173 to get office and date of transaction.
  - b. It will be unnecessary to search for tab number in the Verification Pool Form 173 file.
  - c. All matching of tab number to registration certificate will be unnecessary.
4. Daily postings by serial numbers to inventory records will be unnecessary.

5. Reference emphasis will be placed completely on license number.
6. Issuing the wrong tab number for the number stamped on the registration slip, which is a frequent error during renewal time, will be eliminated. Many man-hours required to correct these errors will not be used during the rest of the year.
7. The time spent in correcting the errors arising from transposition of tab numbers will be eliminated.

#### **Proposed Procedure to Replace Use of Tab Number**

1. Reference to current year registration will be made to account card reference file. A duplicate account card will be placed in file in license number order for reference.
  - a. The account card will show current year registration, date and place of registration.
  - b. The account card file will be available as rapidly as Form 173's are currently available to the verification pool. (See Page 24.)
2. Inventory control.
  - a. Accountability for tabs will be maintained by quantity control.
  - b. Number of tabs used by each cashier will be reported daily on Form 173.
  - c. The local office manager may maintain an inventory control for all cashiers.
  - d. The regular monthly physical inventory will be submitted to the inventory section in Sacramento.

#### **REFERENCE ACCOUNT CARD FILE**

##### **7. Recommendation**

A duplicate account card should be reproduced to establish a reference file of current year registrations.

##### **Findings**

1. The existing procedure used to verify current year registration when the basic documents are not in file is to refer to the tab number and find the record of the transaction on the Cashier's Daily Record of Applications Received and Plates Issued (Form 173).
2. It has been proposed that the serial numbering of tabs be discontinued; it therefore follows that an alternative method must be established to provide a ready reference to current year registration for transactions wherein the documents are not in file.
3. It is anticipated by the department that all potentials will be prepared on a pre-punched tabulating card with a tear-off stub.

#### **Proposed Procedure for Establishing a Reference Account Card File**

1. Reference to current year registration will be made to an account card reference file.
2. A duplicate account card will be reproduced from the stub potential and from the account card punched for all normal items. It will have the same information punched as at present, which includes: date and office of current year registration, license number, and fees paid.
3. A reference file of account cards in license number order will be set up as registrations are processed. See Chart "C" for details.

4. The account card file will be available as rapidly as the applications and potentials are received by the tabulating section. It is anticipated that the account card file will be available as rapidly as the Form 173's are currently available to the verification pool. The following time processing chart for the renewal period provides an estimate of the comparison of the maximum time to establish a reference file by the present system with the Form 173's as opposed to the proposed use of the duplicate account card.

Chart I			
Maximum Time to Establish Reference File During Renewal Period			
Existing Form 173 Procedure		Proposed Account Card Procedure	
Function	Days	Function	Days
Receiving Office		Receiving Office	
Transaction -----	1	Transaction -----	1
Balancing and preparation -----	1-5	Balancing and preparation -----	1-3
Mail to Sacramento -----	2	Mail to Sacramento -----	2
Sacramento		Sacramento	
Inventory Section posting -----	2	Receive log and establish control	2
File		File	
Verification Pool Form 173 file	2	Process and sort A/C to file ---	3
	12		11

## PREPARATION OF PERIODIC ACCOUNTING REPORTS

### 8. Recommendations

The present monthly accounting reports No. 263, Number of Vehicles Registered by County, and No. 340, Statement of Transactions and Fees Collected, should be prepared mechanically by the Tabulating Section.

### Findings

1. The basic information included in the final reports is currently punched in tabulating cards.
2. The present mechanically prepared accounting reports are not finished reports; merely posting media to be used by the Bureau of Accounting.
3. Manual postings are made to six different sets of working papers and adding machine tapes are prepared on each set. These forms include: (1) Breakdown of Transactions, Registrations, and Fees Collected; (2) Area Recap Sheet; (3) Work Sheet of Forms 340, and 263; and (4) final report on Forms 340 and 263. Due to the amount of manual work, posting errors are made and many hours are spent in isolating these errors.
4. The final reports 340 and 263 are typewritten on ditto masters and the required number of copies run off and distributed.
5. Reports for a given reporting period are not issued until three to four weeks after the closing of the reporting period.
6. Tabulating cards used to prepare the present reports are hand filed and kept by the Bureau of Accounting.
7. All control totals are prepared by adding machine tapes run from postings of the daily reports.
8. Due to limited counter capacity of the tabulators, major totals are established by the Tabulating Section by running the cards through the machines a second time. This does not assure the minor totals

balancing to the major totals, so the Bureau of Accounting adds the fees manually to balance to the major totals. At least the "total fees" should have the major total printed on the original run to insure a balance when the cards are rerun.

9. The annual report entitled "Statistical Record on Motive Power, Body Type, and Weight Divisions" is also manually prepared and issued after many manual operations.

#### Reasons for Recommendations

1. The final reports can be mechanically prepared as easily as the intermediate reports now being prepared, by punching cards for the adjustments.
2. Control of the reports can also be on a mechanical basis. This would be achieved by preparing control summary cards during the preparation of the daily clearance.
3. The time spent in preparing these reports can be greatly reduced by mechanical processing. The final reports can be issued within a few days after the time the present intermediate reports are released from the tabulating section.

#### RECORDS MANAGEMENT STUDY

Proper filing procedures and records management is becoming increasingly important to government in view of the increasing need for records and the rate at which these records are produced. State agencies must be constantly aware of the growing costs of maintaining files and records. The National Records Management Council provides some examples of the extremely high cost of keeping records. The council reports that producing the average business letter ranges from 80 cents to \$1.30. Carbon copies comprise about one-third of the 3,000 to 4,000 pieces of paper in the ordinary file drawer. The cost to create the contents of such a drawer is about \$1,000 and the annual upkeep on fifty file cabinets is estimated at \$12,000.

Microfilming of old records has been used to save space. However, the National Records Management Council finds that it may be much cheaper to store the original records. The cost of preparing, filming, inspecting, and indexing a four-drawer cabinet runs \$80 or more. In low cost storage space this four-drawer file cabinet could be stored for many years.

Records are the backbone of the Department of Motor Vehicles. Registration and licensing cannot be done without files and records. With the increasing number of automobiles being registered and drivers being licensed, the records of the department continue to expand. With these considerations in mind a records study of the department was undertaken by this office. The study was undertaken to determine:

1. The number of records housed by the department (a) in office and (b) in warehouse.
2. The number of inactive records now being housed in office space which could be transferred to a low-cost records center.
3. Establishment of a records center for inactive records.
4. Retention schedules established for all record groups.



## Findings

1. A physical inventory of the records of the Division of Registration and the department accounting section was made. This inventory showed that these two groups have 18,816.72 cubic feet of records in the Motor Vehicles Building at 24th and Broadway. Another 6,457 cubic feet were in storage at 1122 R Street. Thus 75 percent of the records are in the office and 25 percent in the warehouse.
2. A reference study disclosed that the preponderance of records presently maintained in the office building were too active to be placed in a records center; the following record groups, however, on the basis of activity at the time the study was conducted, had a reference ratio of 10 references per cubic foot of records stored per year or less.

<i>Bureau</i>	<i>Record group</i>	<i>Cubic feet of records</i>
No. 11	Cancellation notices -----	6.00
	Bonded reconditioners (copies of bonds, etc.) -----	9.60
	Supervisors' file (personnel, etc.) -----	2.00
	Audit sheets from dealers -----	33.60
	Dealers' correspondence (new) -----	
	Engine number assignments (reg 242) -----	128.00
	Dealer tabs -----	5.50
	Dealers' plates assigned -----	45.00
	Block tapes -----	7.46
	Cash books (reg 173) -----	2.00
No. 4	Suspense account (reg 173M) -----	
	Suspense receipt (reg 331) -----	
No. 6	Unclaimed plates and tabs -----	36.00
	Personnel file -----	3.20
	Unclaimed pink slips -----	6.20
	Out cards -----	2.79
No. 7	Key punch analyzing numerical license tab (temporary files) under cover plates issued -----	0.66
No. 18	Certificate of description (factory deliveries) -----	3.20
No. 19	Teletypes -----	25.60
Accounting	Auto club cashed (form No. 230) -----	7.20
	Hold-outs (form No. 369) 1950-51 -----	11.16
	Cashier's miscellaneous receipt and suspense slip, 1950 -----	59.00
	Cashier's miscellaneous receipt and suspense slip, 1952 -----	71.40
	Cashier's miscellaneous receipt and suspense slip, 1951 -----	77.20
	Summaries of clearances (recap A-129) -----	38.40
	Cash deposit sheets, Financial Responsibility -----	33.60
	Printing Transfers -----	2.00

3. The records center now being operated by the department is located at 1122 R Street, and houses about 6,457 cubic feet of records, having a floor area of 3,600 square feet with a ceiling height of 12 feet, giving a ratio of almost seven cubic feet of records stored to one square foot of floor area occupied. This building is all wood with tar paper roof structure which is unsuitable for a records center. It was discovered that during the reference reporting period the following records groups which comprise 830.78 cubic feet of records center space had no reference made to them.

- a. Director's office files;
- b. Departmental personnel files;
- c. Departmental teletype files;
- d. Bureau of Accounting files;

- e. Division of Drivers License copy files;
- f. California Highway Patrol accident report files.

The above categories with the exception of the "personnel files and director's files" all have retention schedules and will be disposed of at the expiration date. The bulk of the reference requests are made to the three years of "Master application files," which constitutes about 99 percent of the entire work load of the employees at this location.

Requests for information from the Motor Vehicle storage center come from four general sources. They are: Department of Motor Vehicles units, listing services licensed by the department, other state departments, and law enforcement agencies. Most of the requests are via telephone and may be answered within a few minutes. In cases where records must be transmitted to the department, the center has an automobile and one messenger at its disposal. The delivery of a record from the center to the department building usually takes about thirty minutes, and at the most not more than two hours. By this means the record center is presently able to deliver information about as quickly as it might be gained from within the office building. This operation, although presently occupying undesirable quarters and being a considerable fire hazard, is providing the department with a limited low-cost records center.

4. Retention schedules for records were established in 1951 with the appointment of a records officer for the department. At that time an inventory of record groups was made by the records officer in cooperation with personnel of the Central Records Depository. Since then 786 tons of records have been systematically disposed of. When this study was begun it was recommended that these 1951 retention schedules be reviewed and if possible the categories marked "Indefinite" be given a retention period. This review has been completed and 24 more record groups previously marked "Indefinite" have had a retention period assigned. Retention periods, with very few exceptions, have been established for all record groups.

#### RECOMMENDATIONS

1. In general, records in the Department of Motor Vehicles offices that have a reference activity of less than 10 per year per cubic foot should be transferred to a records center.

#### Reasons for Recommendation

The proportion of records housed in the office building is extremely high according to standards established by private enterprise. This factor may be justified however on the premise that the department's principal business is record keeping. In industry, records usually are a by-product of the manufacturing process, etc., and consequently a better distribution percentage is possible. It is important here to make every effort to weed out as many records as possible for storage and limited use in a more economical facility. Office space is currently valued at 15¢ per square foot and warehouse space at 4¢ per square foot, according to figures quoted by the Department of Finance, based on historic rates charged by the Division of Buildings and Grounds. These charges are considerably lower than current rentals charged the State. In the downtown Sacramento area the average cost of office space

is approximately 24¢ per square foot, while warehouse facilities rent for about 10¢ per square foot.

The value of office space released through transfer of records is not always apparent to management. The DuPont Company found that five standard file cabinets occupied the amount of floor space required for one person. Obviously, storage of records in a warehouse facility offers substantial savings in office costs.

Assuming that the records listed in paragraph 2 of the "Findings" of this report could be transferred to a records center, the resulting estimated space savings amount to 300 square feet or the space required for twelve clerks.

In addition to savings in space, the equipment now in use in the office area to house these records could be released and re-used in many cases by other bureaus now seeking additional filing cabinets.

2. The present building housing the so-called warehouse records should be abandoned and the records be moved to the state warehouse at 1108 R Street, preferably to the second floor. This area is now being occupied by the Department of Education textbook warehouse, which office is expecting to move to new quarters about the beginning of 1955. If this space could be obtained by the Department of Motor Vehicles, very little remodeling would be required.

#### Reason for Recommendation

All records are stored in wooden or cardboard file cases and there is not proper heating, cooling, or lighting. Due to these and other undesirable working conditions, the turnover in personnel is considerable. The building housing these records is all wood with tar paper roof construction. The further use of these premises for records storage could mean the loss by fire of all documents stored there. As a matter of vital records protection the department should vacate these quarters as soon as possible.

The area recommended for occupancy is already equipped with heating, lighting, and all other necessary utilities. It should be pointed out that the building is a concrete and steel structure with an adequate fire protection system and is being used as a records center for more than 26 state agencies at the present time. The average temperature and humidity of the building have been tested and found to be almost ideal for records storage. The fire control system in use is a modern locator type which does not employ the use of automatic sprinklers. This is one of the most important features of a desirable records storage area. It has been the sad experience of many companies to discover after a fire that most of the damage to their records was caused by automatic sprinklers, other water damage, and salvage operations, rather than the blaze itself.

Furthermore, the center would be contiguous to the Central Records Depository of the Secretary of State. This agency has been operating a records center since 1928 for many state departments and would be in a position to offer help in records disposition and other problems of the department.

The filing equipment now in use consists of various types of cardboard and wooden containers which do not offer adequate protection and are hard to use and costly. It is recommended that for the three



years of "Master application files" a metal transfer case be employed such as that being presently used in the Central Record Depository for the filing of checks. This would obviate the difficulty now being experienced in administering this active file and eliminate building the wooden trays now housing these records. It would thereby eliminate another item of special equipment and allow greater filing ease. This is easily justified by the activity of the records alone.

The balance of records in the center should be stored in standard records center cardboard cartons and placed on shelves. These cartons are so constructed that they will accommodate one cubic foot of records, either legal or letter size. They afford protection from water and dust and have been successfully used by many large corporations. Cartons may be purchased locally and range in price from 13 cents to 26 cents each.

The establishment of the records center in a building so far removed from the office may seem an inconvenience, but it is a practice rapidly gaining favor in industry and government. It will be necessary, of course, for records center personnel to be able to give rapid and accurate service via telephone. This is being done with success in large installations by equipping their centers with numerous telephone jacks and giving clerks head sets.

Consideration should be given to increasing the use of telephone reference in the department's records center. A sample of requests for information from the center showed that approximately 7 percent were telephone requests and 93 percent were by letter or memo. Considerable savings would result if these percentages were reversed. With the proper telephone installation at the records center and the training of bureau personnel in making requests, all interdepartmental requests could be handled by telephone. Training of records center personnel giving information to requestors via telephone should be encouraged, while transmitting documents to the office should be held to an absolute minimum.

The efficient operation of the records center will encourage transfer of additional record groups from the office and should, in time, eliminate costly additions to the present office structure.

#### **DEPARTMENT'S PROPOSED REGISTRATION PROCEDURE**

Since 1948, applications for the renewal of registrations have been produced from a master punch card deck on a two-part form which has been referred to as a "Potential Registration Card." The form is of conventional certificate size and is produced on IBM alphabetical accounting machines.

The plan is to produce the "Potential Registration Card" on a two-part conventional 80-column IBM punched card. The first part is to contain 51 columns, reflecting all information required by statute; the second part to contain 29 columns, reflecting all information required by statute with the exception of the name and address of the registered owner—instructions to the registered owner will appear on this part of the form that he is to print or type his name in the space provided.



When the punched card potential is presented with fees, the cashier will validate both parts, place assigned tab number on 51-column part and retain for transmittal to Sacramento, return to applicant the 29-column part with assigned tab.

There has been one obstacle to this plan to date. That has been our inability to process the 51-column card. However, the IBM people have guaranteed to have the required equipment in operation on a schedule satisfactory to us. We have been further assured that there is no speculation as to what results can be expected from the machines.

Attached is a flow chart showing the planned mechanical procedure to be followed. Also reflected is the plan of the so-called normal work (work other than potentials).

A complete revision in our field office accounting procedure, toward the end of simplification, is planned to be effective contemporaneously. This plan in detail is:

1. Use of Form 173M will be discontinued and all suspense receipt, caravan permit, one continuous trip permit, and driver's license items will be entered in sequence together with the normal items on the Form 173.
2. It is hoped that typing of ownership certificates in the field offices can be discontinued. Documents will be produced mechanically. Documents may be typed in field offices for hardship cases only in accordance with present regulations and controls. If typing of items must continue, they will be listed in sequence with the normal items on the Form 173, but will be segregated in the area offices where the typing will be done.
3. A new duplicate cashier's temporary receipt shall be used for each transaction other than potentials and Sacramento miscellaneous items. Upon these receipts will be indicated:
  - (a) Amount of money collected
  - (b) Whether collection is in the form of cash, check, or money order
  - (c) The number and value of scrip used in connection with the transaction
  - (d) The serial numbers of plates and/or tabs issued. (By numbering machine)
  - (e) Serial number and value of refund order involved
  - (f) Make of vehicle
  - (g) Last license plate number prior to transaction
  - (h) Engine number of vehicle
  - (i) Initials and number of cashier
4. Distribution of copies of cashier's temporary receipt.
  - (a) Original to applicant with instructions to type or print name and address of registered owner on face of receipt and to carry in certificate holder in the vehicle. Cashier will write name and address of registered owner on the face of all receipts, so as to appear on all copies, when the fees were accepted in the form of a personal check. In the case of mail items involving tab and/or plate issue, the name and address will be typed on all copies of the receipts, and the originals will be mailed to the registered owners.

- (b) The duplicates will be assembled, together with the control copies of the miscellaneous items, and forwarded with the duplicate copy of the Form 173, to the departmental cashier in Sacramento. Potential items will also be transmitted at the same time. These duplicates will eventually be routed to the inventory control unit where they will be filed numerically and will serve as a post audit media.
5. Transactions will be cashiered as at present, but with the following variations and exceptions:
- (a) All transactions, including those now shown on form 173M with the exception of potential items will be listed in sequence on the form 173. The last line on the 173 will be reserved for potential items and the last tab and plate numbers issued. "Thirteenth month" items will be listed on a special 173 as at present. The last license number column will be used to show suspense receipt, caravan permit, one continuous trip permit, and driver's license application numbers. Partitioned containers should be used and the applications should be placed in them face down so as to maintain their sequence continuity by transaction type.
  - (b) The duplicate cashier's receipts should be assembled so that at the end of the day they can be included with the various miscellaneous items, potential items and the duplicate copy of form 173 and forwarded to the departmental cashier in Sacramento.
  - (c) When a refund is due a refund order shall be prepared and stapled to the face of the application and the refund order number and value shall be noted on the application. If scrip is involved, the serial number of the scrip will be noted on the application, and the scrip serial number will be noted on the refund order if one is involved.
  - (d) In stamping the plate or tab issued number on the cashier's temporary receipt, since the form is designed as a one time snap out carbon form, it may be stamped on the original only and the impression will show adequately on the duplicate.
  - (e) The revised procedure contemplates no scrip or refund orders applying to potential clearances. Therefore, should a potential renewal transaction be submitted with scrip, both copies of the potential should be picked up, a cashier's temporary receipt issued, and the transaction handled as a normal item.
  - (f) In the case of a potential cashier during renewal period, the listing on the form 173 will merely show the beginning and ending tab numbers issued, number of items, and total amount collected.
6. The work of the control cashiers will follow the same pattern as at present, except that it will not be necessary to prepare a form 173M since all items will be listed on the 173. The different types of receipts will be bundled separately, and adding machine tapes run on each, for each 173. The totals of these bundles will be entered on the 173 in the space now labeled "typing." The proof on the 173 will therefore be potentials plus normals, plus miscel-

## CASHIER'S DAILY RECORD OF APPLICATIONS RECEIVED AND PLATES ISSUED

ID #

WORK DATE

PAGE

OFFICE

DATE

PAGE NO

NO

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
TC	1 CASH	2 SCHIP	3 REFUND	4 REFUND	5 TAB	6 TAB	7 COPL	8 COPL	9 COPL	10 COPL	11 COPL	12 COPL	13 COPL	14 COPL	15 COPL	16 COPL	17 COPL	18 COPL	19 COPL	20 COPL
1	2	9																		
2	31																			
3	31																			
4	34																			
5	24																			
6	15																			
7	2																			
8	2																			
9	3																			
10	26																			
11	3																			
12	9																			
13	50																			
14	44																			
15	23																			
16	1																			
17	12																			
18	3																			
19																				
20																				

48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46
47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69
70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92

48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46
47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69
70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92

DEPARTMENT OF MOTOR VEHICLES





laneous (including caravan permits, OCT permits, and DL applications) will equal columns 1 plus 2 on the 173.

The normal items and the original 173 will go to the area office, while the duplicate 173, together with potentials, duplicate temporary receipts, and miscellaneous items will go to the departmental cashier in Sacramento.

**COMPARISON OF THE RECOMMENDATIONS OF THE LEGISLATIVE  
AUDITOR AND THE PROPOSED PROCEDURE OF THE  
DEPARTMENT OF MOTOR VEHICLES**

1. Inspection of applications in local offices.

No comment was made on this recommendation in the Department of Motor Vehicles proposal; therefore it is assumed to be accepted.

2. Typing certificates in local offices.

The Department of Motor Vehicles proposal will allow typing of hardship cases rather than the use of their present procedure for processing "rush" items mechanically, as recommended by the Legislative Auditor. This special processing results in added costs to the department due to the limited volume and slows down the processing of all other normal work.

3. Suspense receipts issued for control purposes only.

No comment was made on this recommendation in the Department of Motor Vehicles proposal except the indication of its use on their revised forms. In verbal discussions it was indicated the use of this form could be lessened but not eliminated.

4. Revision of forms 173, 173M, and 344 and  
Elimination of form 386.

a. Form 173

(1) Legislative Auditor's staff proposes a form which greatly simplifies the work of a counter cashier. The only entries necessary for each regular transaction would be the amount of cash and a check mark if a tab was issued. In addition, it provides space for four times as many entries per form 173 than the present form. In the lower portion of the form, entries will be made when that particular form is filled, or at the end of the day's work, showing inventory data for control purposes.

(2) Department of Motor Vehicles proposes the same form 173 as used at present with the exception of a column for entering the last license number and substitutes a column for entering a receipt number.

The use of this form has been changed by entering all types of items (such as drivers licences, caravan permits etc., in addition to the normal items) on the form 173 which results in a complicated set of entries for subsequent processing. However, if the procedure proposed for potentials, i. e., to post daily to the form 173 the total of all potentials handled, were applied to all normal work, a more efficient cashiering form would result.

## b. Form 173M

- (1) The Legislative Auditor proposes a simplified form for controlling miscellaneous items processed. It represents some savings to the Department of Motor Vehicles in posting the transactions, as some fields were eliminated by reducing the work on suspense receipts and refund orders.
- (2) Department of Motor Vehicles has eliminated form 173M but posts each transaction to the form 173 showing the receipt number and the related information. In our opinion, no savings has been achieved by eliminating the form 173M as it complicates the use of the form 173.

## c. Form 344

It is assumed this revised form has been accepted as no comment was made in the Department of Motor Vehicles proposal. However, if typing of ownership certificates is continued, it would be necessary to revert to the form 344 presently used.

## d. Form 386

- (1) The Legislative Auditor's recommendation eliminates Form 386 as it is a working paper to consolidate a days work for a cashier. The need no longer exists for this consolidation as the Form 173 we propose increases the number of entries on each form four times that of the present 173. This volume of space for entries will allow a cashier to enter a complete days work on a single form with very few exceptions.
- (2) Department of Motor Vehicles proposal includes the use of the present Form 386. It will be strictly a working paper as a cashier will use more Forms 173 than at the present time, thus more consolidations will be necessary at the end of the day.

## 5. Separation of Sacramento Area Control Office from Bureau of Accounting.

- a. The Legislative Auditor's staff proposes to place the Sacramento area control office in the Division of Field Office Operations. This standardizes all area control offices, as the Oakland and Los Angeles offices are currently a part of Field Office operations and are directed by officials of that division.
- b. Department of Motor Vehicles has not mentioned this recommendation in their proposal; however we assume from our discussions some change will take place in the organizational structure in the near future, but the acceptance of the above proposal appears unlikely.

## 6. Elimination of Serial Number on Tabs.

- a. Although the Legislative Auditor's staff recommends the elimination of the serial number on the tabs, the order for 1955 tabs has already been placed and production started with a serial number. The department has verbally agreed to hold all tab number references to a minimum, although their proposal states they will stamp this number on the departmental copy of the potential registration card and on the temporary cashier's receipt if a tab is issued. The registrant's copy of the potential registration card will *not* have the tab number

stamped as in former years. This change should eliminate many intermediate references to a tab number reference file as the registrant should submit the license number when requesting information from the department.

In our opinion stamping the tab number on any registration form is unnecessary and serves no particular purpose. It is only an intermediate reference to obtain information for checking another file (e.g., License Number).

7. Reference Account Card File

- a. The Legislative Auditor proposes a duplicate set of account cards be prepared daily and maintained in license number sequence by mechanical means. All references for payment of fees would be referred to this file instead of the Verification Pool 173 file which is maintained manually.
- b. Department of Motor Vehicles proposes a 51-column tab card reference file on which the registrant's name and address appear, all information describing the vehicle and the name and address of the legal owner if other than the registered owner. This document is part of an 80-column card potential mailed to each registrant at the renewal period and has certain information prepunched for subsequent mechanical processing. When the registrant renews his vehicle, the small 29-column stub would be validated and returned to the registrant; the large part retained by the department for reproducing a single account card and the establishing of the reference file.

This procedure has one main advantage over our proposal; it is an original savings of nearly 4,500,000 tabulating cards or approximately \$6,000. However there are also disadvantages. If the money is saved at this point, it will mean the preparation of 2,500,000 51-column cards for all normal items processed during the year in order to have a single reference file on the same size form. This will reduce the above savings by approximately \$3,500 and also result in two different types of processing for potential and normal items.

If the above cards are not prepared for normal items, 2,500,000 pieces of paper of a different size than the card file will have to be handfiled to have a single reference file. This combined file would not be as satisfactory for clerks trying to obtain information. Also no further mechanical processing could be performed once the paper forms had been interfiled.

8. Preparation of Periodic Accounting Reports.

It has been agreed verbally that in the future the accounting reports will be prepared mechanically.

9. Duplicate Temporary Cashier's Receipt.

- a. This subject was not included in the Legislative Auditor's proposal.
- b. The Department of Motor Vehicles proposes the preparation and issuance of a two part temporary cashier's receipt for all money received for a normal item. The original copy would be given to the registrant and the duplicate retained by the department. This receipt has spaces for entering all information relating to a vehicle including name and address of registered



owner if a personal check was accepted in payment of fees and on all mail requests for tabs and/or plates.

This proposal has the following disadvantages:

- (1) Approximately \$7,500 annually would be spent for postage to mail this receipt to the registered owner. At the present time, no receipt is mailed to the registered owner when his application is received in the mail as it is only a few days until the applicant receives his final papers for the transaction.
- (2) Additional time of cashiers in filling in the added information on the receipt will reduce the volume of work completed daily.
- (3) The proposal establishes a file of duplicate\* receipts filed numerically as post audit media. This file would consist of approximately  $2\frac{1}{2}$  million receipts per year. It is our opinion that the receipts should be held in blocks as received from the local offices. No expensive filing equipment would be necessary if the sole purpose is for post audit. In our discussions with Department of Motor Vehicles personnel it was pointed out that these receipts would be used for some verification. Because of the amount of information on the receipt it could establish a reference file 15 to 20 times as large as the present Verification Pool 173 file, if the sequence of the receipts was changed to license or tab number. In our proposal, the present Verification Pool 173 file would be eliminated and the verification information obtained from a mechanically processed tabulating card file.
- (4) This proposed duplicate cashier's temporary receipt, which is a one time snap out carbon form, will approximately double the form cost over the present one part form and would be more costly than having a clerk insert carbon paper in a pad of receipts as she uses them. In our opinion, the duplicate copy of the receipt is unnecessary for reference purposes as the information contained can be secured from other sources.

### **Financial Condition of the State With Particular Reference to the General Fund**

Prepared by Legislative Auditor, September, 1954

Estimates of income and outgo from the General Fund for the next two Fiscal Years, 1955-56 and 1956-57, show that new sources of revenue must be found or drastic economies effected by the Legislature if the State is not to end this two-year period seriously in the red. While estimates are necessarily subject to change at a later date when fiscal trends may be more accurately determined, the basic financial problem has been apparent for more than a year, and only by using all available reserves can the possibility of deficit be avoided even at the end of the next fiscal year. Balanced budgets have been possible for the last several years only because of the availability of accumulated reserves. With these reserves exhausted at the end of 1955-56, the State will be faced



with deficit budgets after that date. A deficit of 192 million dollars by June 30, 1957, is entirely possible.

To illustrate the assumptions presented herein, a schedule, with supplemental data, which is attached, contains preliminary assumptions as to the condition of the General Fund for the fiscal periods ending 1955, 1956, and 1957. The 1954-55 Fiscal Year figures are shown in the schedule to indicate the bases for assumptions.

#### Revenues

As shown in this schedule, the total revenue for the General Fund is assumed at 798 million dollars annually for both 1955-56 and 1956-57. This figure is approximately the same as that shown in the Controller's preliminary report on the General Fund at the close of the 1953-54 Fiscal Year. It is significant to note here that this figure is 14 million dollars short of the latest budget estimate of General Fund revenue for 1953-54. It is further pointed out that, although the preliminary report of the Controller presents revenue collections on a cash basis rather than an accrual basis, it is unlikely that there will be any substantial change from the 798 million dollars figure when adjusted for year-end accruals.

#### Expenditures

In projecting expenditures, or General Fund outgo, it is assumed that outgo for 1955-56 and 1956-57 would be based on the same level of service as that authorized for the 1954-55 Fiscal Year, allowing for the effect of population growth on state institutions with 30 million dollars in each of the two years to meet additional cost of average daily attendance apportionments reflecting enrollments in the public schools, and 30 million dollars per year from the General Fund for capital outlay.

In applying these assumptions, it would appear, then, that the General Fund outgo for 1955-56 might rise as high as 937.5 million dollars, thereby creating a deficit of about 140 million dollars in the year. Projecting this assumed deficit into the 1956-57 Fiscal Year, with revenues estimated at 798 million dollars and outgo assumed to reach 980 million dollars, the 1956-57 fiscal period would end with an assumed deficit of around 310 million dollars. These assumptions, however, do not consider any other means for financing the General Fund. By way of meeting the assumed deficit of 140 million dollars in 1955-56, it is estimated in the schedule attached hereto that there will be approximately 133 million dollars in reserve money that might be made available to take care of the deficit in 1955-56. There may also be some savings available from current appropriations. By applying the reserve money, then, the assumed deficit at the end of 1955-56 would be 10 million dollars and the assumed deficit at the end of 1956-57 would be reduced to 182 million dollars, while the reserves would be depleted. Thus, with these assumptions, it is conceivable that the General Fund may be balanced for 1955-56 only by using up the reserves or by making drastic budget reductions, but could not be balanced beyond that time without new or additional taxes. The alternative would be to adopt legislation either reducing fixed charges to the General Fund, or transferring money from other funds to the General Fund.

It is noted that the preliminary assumptions do not refer to any possible effect on the General Fund if certain ballot measures are adopted by the voters at the 1954 general election. The measure which would be most costly to the General Fund, if adopted, is Proposition No. 4, the social welfare aid to needy aged initiative. According to estimates, if the initiative is adopted, the General Fund could be called upon to finance perhaps as much as 20 million dollars in additional grants-in-aid in the current (1954-55) Fiscal Year, as the provisions of the act would become operative March 1, 1955, while the schedule of assumptions already indicates an assumed deficit of around 3 million dollars for 1954-55. The next year's cost of this initiative would approximate 60 million dollars so that if it were adopted the State's prospective deficit would be 90 million dollars, even if all available reserves are used. Under the same conditions, the prospective deficit at the end of the Fiscal Year 1956-57 would be 332 million dollars.

Proposition No. 2, calling for ratification of a 100 million dollars state school building aid bond authorization, if adopted, will also place additional burden upon the General Fund. The additional cost to the General Fund for the school bond issues would be on an amortizing basis over a period of years, during which time the General Fund would be reimbursed to a considerable extent by the school districts of the State which borrow.

Some of the remaining 18 propositions might affect additional General Fund costs, but only to a comparatively minor degree and are, therefore, not discussed here.

**Preliminary Assumptions as to General Fund Condition for the Fiscal Periods Ending June 30, 1955, 1956 and 1957**

	(In millions)		
	1954-55	1955-56	1956-57
Assumed Income * (Adjusted to Controller's statement June 30, 1954)	\$798.0*	\$798.0	\$798.0
Assumed Outgo (Authorized for 1954-55)	884.7	937.5 <sup>a</sup>	980.0 <sup>a</sup>
Assumed Deficiency of Revenues	—\$86.7	—\$139.5	—\$182.0
Assumed Beginning Surplus (+) or Deficit (—)	+54.4	—3.5	—10.0
Transfer from Other Funds	+28.8	+133.0 <sup>b</sup>	--
Assumed Deficit	—\$3.5	—\$10.0	—\$192.0

<sup>a</sup> Assumes 30 million dollars for capital outlay.

<sup>b</sup> Estimate of reserve moneys in sufficient amount as of June 30, 1955, to meet the assumed deficit in the 1955-56 Fiscal Year, shown in millions as follows:

Revenue Deficiency Reserve (Rainy Day) Fund	\$75.0
School Bond Retirement Fund	19.0
Special Reserve in Teachers' Permanent Fund	39.0
Total	\$133.0

NOTE: The impounded tidelands revenues are not considered here, but, under existing provisions of law, they would have some effect on the amount assumed to be needed from the General Fund for capital outlay when the money is released to the State.

**Supplemental Table I—General Fund Expenditures—Comparison of Outgo  
With Budget Estimates for the 1953-54 Fiscal Year**

(In millions)

	<i>Budget estimate per 1954-55 Budget</i>	<i>Outgo June 30, 1954 reported on cash basis</i>	<i>Outgo under estimates</i>
State operations (Includes expenditures for capital outlay from the General Fund) ..	\$256.9	\$253.0	—\$3.9
Local assistance .....	559.3	553.9	—5.4
<b>Total direct expenditures</b> .....	<b>\$816.2</b>	<b>\$806.9</b>	<b>—\$9.3</b>
Transfers to other funds.....	35.2	35.1	—0.1
<b>Totals</b> .....	<b>\$851.4</b>	<b>\$842.0</b>	<b>—\$9.4</b>

NOTE: Expenditures for the 1953-54 Fiscal Year are those reported by the Controller on a cash basis to June 30, 1954, and are therefore subject to adjustment after accounting year end accruals.

**Supplemental Table II—General Fund Condition, 1953-54**

(1953-54 Surplus Revised on Basis of Controller's  
Preliminary Report for June 30, 1954)

(In millions)

	<i>Budget estimate per 1954-55 Budget</i>	<i>Based on Controller's report</i>
Beginning surplus .....	\$97.4	\$98.6
Income .....	812.0	797.8
<b>Total available</b> .....	<b>\$909.4</b>	<b>\$896.4</b>
Outgo .....	851.4	842.0
<b>Ending surplus, June 30, 1954</b> .....	<b>\$58.0</b>	<b>\$54.4</b>

**Supplemental Table III—General Fund Revenue—Comparison of Receipts With  
Budget Estimates for the 1953-54 Fiscal Year**

(In millions)

<i>Source of Revenue</i>	<i>Budget estimate per 1954-55 Budget</i>	<i>Cash collections June 30, 1954 per Controller</i>	<i>Collections under estimates</i>
Retail sales and use tax.....	\$467.1	\$463.8	—\$3.3
Bank and corporation income taxes .....	128.0	125.8	—2.2
Personal income tax.....	102.0	96.3	—5.7
Insurance companies tax.....	34.3	34.3	—
Inheritance and gift taxes.....	26.9	25.5	—1.4
Alcoholic beverage tax.....	20.1	19.5	—0.6
Pari-mutuel taxes .....	4.4	4.0	—0.4
Private car tax .....	1.2	1.2	—
Departmental revenue and miscellaneous .....	28.0	27.4	—0.6
<b>Totals</b> .....	<b>\$812.0</b>	<b>\$797.8</b>	<b>—\$14.2</b>

NOTE: Revenue collections for the 1953-54 Fiscal Year are reported by the Controller on a cash basis to June 30th, and are therefore subject to adjustment after accounting year end accruals.

**Supplemental Table IV—General Fund Condition, 1954-55**

(1954-55 Surplus Revised on Basis of Controller's Preliminary Report for June 30, 1954)

(In millions)

	<i>Budget estimates 1954-55</i>	<i>Assumed for 1954-55</i>
Beginning surplus -----	\$58.0	\$54.4
Income -----	802.8	798.0
	<hr/>	<hr/>
Transfers from other funds-----	\$860.8	\$852.4
	28.8	28.8
	<hr/>	<hr/>
Total available -----	\$889.6	\$881.2
Outgo -----	884.7	884.7 *
	<hr/>	<hr/>
Ending surplus (+) or deficit (—)-----	+\$4.9	—\$3.5

\* Assumes expenditures to be made in full as authorized.

**Interim Report on Study of Space Utilization and Costs in State-owned and Leased Office Space**

Prepared By Legislative Auditor, September 10, 1954

The purpose of this study is to provide, first, a comparative cost study of representative rental properties of the State of California. Since this cost study indicates wide variations in both space costs and space utilization, the report will also attempt to develop a standard of measurement which is designed to facilitate analysis of space costs and space utilization and which could be used administratively to secure greater uniformity in state leases.

The development of a comparative cost study pointed up immediately one notable deficiency in the existing state leasing procedure. This is the lack of uniformity or standardization in the methods of describing or accounting for usable office space. In order to make possible valid comparison of various leased spaces, an attempt has been made to convert all such space to a common denominator which takes into account both unit costs and unit space utilization. The General Services Administration of the Federal Government, in its attempts to procure leased space, uses a form entitled "Space Offering Invitation," numbered R9-147. In this form, on page 2, Section 1-A, the term *net usable square footage* is defined as "to exclude such areas as corridors, elevators, stairways, mechanical equipment rooms, custodial space, janitor closets, rest rooms, sanitary facilities, et cetera." We have used this measure, as defined, as the common denominator for assaying the various spaces considered in this study.

As a consequence of the use of this common denominator, individual rentals on an annual cost-per-square-foot basis quoted in this report may be at variance with the figures provided by the State Department of Finance. However, as quoted in this study they will be reasonably accurate comparisons with each other in that they will reflect costs for identical or identically described spaces.

This progress report covers the first of a series of surveys to be made. This initial survey was made in the City of Los Angeles, including adjacent Long Beach. Unfortunately, the only large state-owned office space in this city, which is the State Building on First Street between



Broadway and Spring Streets, is currently in the process of undergoing extensive internal alterations and repartitioning. It is not presently known what personnel and agencies will occupy the altered space, nor is it possible to operate at present under normal arrangements. This makes it impossible to evaluate the cost of the net usable area or to determine the ultimate occupancy factor of the area. However, comparisons have been made between the costs of leased private space and state-owned space on the basis of the state-owned Division of Highways Building on Spring Street. A future progress report covering the City of Sacramento will, we hope, enable us to make broader and better comparisons.

While the common practice in comparing one leased space with another is to use the annual cost per square foot of net usable area, upon examination it becomes immediately apparent that this basis is an extremely unreliable one. The reason for this is that the shape of a building or the already existing space layout within the building, and the type of space, such as open loft or highly partitioned, are important influences on the number of personnel that may be housed adequately in any given number of net usable square feet. As a consequence, space which appears to be priced at a relatively low cost per square foot may, because of its poor utilization factor, actually be more costly to lease than space which appears to be relatively high in cost per square foot, but which has a very good utilization factor.

In view of the inadequacy of using cost per square foot as a means of comparison, an attempt has been to establish some other factor which would provide a more accurate basis for comparing one rental space with another, or rental space with state-owned space. For this purpose the rental cost per employee per month was established as a unit of measurement. This figure includes not only the cost per square foot but also the space utilization efficiency of the area as measured by the number of square feet required to house each employee in each of the different leases considered. In Table A the cost per employee per month is shown in the next to the last column.

Table A is tabulated on the basis of indicating not only the total of spaces rented within one building, which is necessary to compare the space utilization on the several buildings, but also the individual agency space allocations in each building. This makes possible comparisons of the utilization of space between agencies within the one building, as indicated by the differences in areas required per employee and the cost per employee per month. The following paragraphs explain each column in Table A.

Column "1" headed "net square feet" indicates the net usable square footage used by each agency in accordance with the definition given at the beginning of this report. The figure in any one case may be at considerable variance with the figure shown in the actual lease, for a number of reasons: the lease may be based on gross square footage, or the space in the lease may be based on the owner's historical net usable square footage, which may have been altered physically by the removal of partitions, but never changed on his records, or the State may actually be using, as net usable space, certain areas which the

owner has always designated as nonrentable. Nevertheless, the State is making routine office use of the space and it is, therefore, included within the definition mentioned earlier.

Column "2" headed "rental per month" shows the total rental paid by the agency for the space used, regardless of the method used for computing the space used. In most cases in the table, the rental is the actual amount paid by the agency to the owner of the building. In some cases where the State Department of Finance leases an entire building and then apportions space within that building to the various agencies, the rental shown is the pro-rata amount determined by the Department of Finance. This column represents the total paid by the agency, regardless of the method used for determining the amount of space.

Column "3" headed "maintenance cost per month" represents one-twelfth of the total yearly cost of maintaining and operating the building based upon figures supplied by the Division of Buildings and Grounds of the Department of Finance. The figures were derived from the last completed Fiscal Year, 1953-54. As such they may not represent the average yearly cost during the tenure of the lease since, in some years, the cost may be higher because of unusual maintenance factors such as extensive paint work or extensive repartitioning at state expense. However, we believe that for purposes of this study the figure will be adequate to demonstrate the situations that exist. Most of the space leased by the State includes all services furnished by the landlord. In the instances where the State leases an entire building the State usually provides its own maintenance and upkeep rather than have the landlord include it in his rental rate. Where more than one agency occupies a building which is completely under lease by the State, no attempt has been made to break down the monthly maintenance cost proportionately for each agency; instead it is shown for the entire building.

Column "4" headed "total cost per square foot per month" results from the total of the second and third columns divided by the square footage shown in the first column.

Column "5" headed "area for public use" indicates the number of square feet set aside for general public use within the total net usable area occupied by the agency. This is space which normally does not house personnel, but which may be used by the public as a waiting room or as a room in which to fill out papers or forms, or as a room within which the public may be interviewed by personnel which has regularly assigned space in another part of the office, or as a hearing room. The purpose of showing this public use area and deducting it from the total of net usable area is to prevent distortions in comparisons between space utilizations of any two agencies. For instance, if one agency was charged with a considerable amount of area dedicated to public use because of the nature of its relationship with the general public, and another agency had little or no area dedicated to this purpose because it is not required by its relationship to the public, the comparison between these two agencies for purposes of determining the number of square feet occupied by each employee would be unfairly distorted if the area devoted to public use were not subtracted before the comparison was made.

Column "6" headed "net area used by employees" represents the total net usable area assigned to the agency, less any area dedicated for public use, as has been described in the previous paragraph.

Column "7" headed "number of employees housed" indicates the total number of employees authorized as of the current fiscal year. This number is divided into two categories labeled "executive" and "clerical." We have defined "executive" as all those positions having a title which does not include the words secretary, stenographer, typist, or clerk. Clerical positions are obviously any which contain any or all of the four words previously mentioned.

Column "8" headed "area per employee" results from the division of the "net area used by employees" by the total number of positions shown in the prior column. It will be noted that these figures run from a low of approximately 71 square feet per employee in the Department of Social Welfare office in the Cairns Building at Sixth and Main Streets in Los Angeles, to a high of approximately 1,631 square feet in the Office of Civil Defense housed in the old radio and television broadcasting studios on top of Mt. Lee. Actually, we do not consider the latter a proper example of the utilization of office space, since it is primarily standby specialized functional space which would be manned by volunteer personnel only in event of a disaster. A more proper figure for the upper extreme would be the 372 square feet shown for the office of Industrial Relations in the Jergins Trust Building in Long Beach.

Column "9" headed "cost per employee per month" is simply the multiplication of the average number of square feet per employee by the cost per square foot per month.

This is the figure which we have previously stated is the one which more nearly makes an accurate comparison among various types of space for the purpose of determining that which is the most economical for the State to use.

The final column headed "annual cost per square foot" is self-explanatory and was included so that comparisons could be made among various leased spaces on what is currently the common basis for comparison.

#### Cost Comparisons

This section discusses two categories of cost comparison. First is the comparison between (a) space leased with all services furnished, and (b) space leased with no services furnished, but services to be furnished by the State at its own expense; and second is a tentative comparison between (a) costs of the State owning and servicing space and (b) leasing space with all services furnished.

The office building at Eleventh and Grand Streets in Los Angeles, which is leased in its entirety by the State, is occupied on the basis of no services whatever being furnished by the landlord. All services of whatever type, which would include cleaning, repairs, operation and maintenance, are furnished by the State. For a ten-month period from July 1, 1953 to April 30, 1954, the State expended in this building approximately \$58,393 for all maintenance services. Of this amount,



only a few thousand dollars was expended for painting, decorating, alterations, and repairs of machinery and equipment. Since this is a new building in the sense that it was completely rehabilitated before the State's occupancy about one year ago, it may well be expected that the cost of repairs, painting, alterations, and other types of non-service maintenance will grow year by year. On the basis of the first year's experience, the cost to the State of providing the services and maintenance for this building has been at the annual rate of approximately \$1.10 per net usable square foot of area. This figure, however, represents only the direct charges involved in the operation. It is estimated that the overhead costs occasioned by the Division of Buildings and Grounds, including the State's contribution to the retirement fund for janitorial and other regularly employed positions, would add at least 20 percent to that cost, making it approximately \$1.32 per square foot annually.

The Black Building in Los Angeles, which is also leased on the basis of the State supplying all services and maintenance, experienced a cost of \$104,929 during the 10-month period from July 1, 1953 to April 30, 1954, the bulk of which was for regular cleaning and other service types of maintenance work. A comparatively small portion of it was devoted to alterations, repairs, and non-service types of maintenance. These were direct costs only, which resulted in a cost of approximately \$2.10 per square foot of net usable space annually. To this must be added the 20 percent overhead, making a total of \$2.52. In addition, there has been expended for this building, since 1946, over \$336,000 in capital outlay for repairs, alterations and improvements to the space in this building as part of the State's obligation under the lease. Since the lease period is 10 years, amortizing this investment over a 10-year period would add another 56 cents per square foot annually, making a total of \$3.08 per net square foot of usable area annually for maintenance, repairs, and upkeep, exclusive of rental costs.

Neither of these two buildings can be compared in quality of construction and finish, nor quality of available service, with the Times-Mirror Building in Los Angeles, where the State pays an average rate of \$3.33 per net square foot of usable space annually, which includes mechanically refrigerated air conditioning. In the Tishman Building, which is more or less comparable to the Times-Mirror Building in quality, the cost to the State is \$3.56 per net square foot annually. Turning to comparisons with buildings which are more nearly of the quality of the Eleventh and Grand Building and the Black Building, it will be observed that in the Spring Arcade Building the State is paying an average of \$2.95 per net square foot of usable area annually, which includes all services, and in the Cairns Building the State is paying \$2.04 per net square foot of usable area annually. We believe that these comparisons are fairly strong indications that it may be uneconomical for the State to provide its own maintenance and other services in space which it leases, and that it may be desirable to negotiate all its leases, whether for partial space in a building or for the entire building, on the basis of the landlord providing all services.



Determining whether it is economical for the State to own and operate its office space, as against leasing privately owned space for the bulk of its needs, involves many difficult research problems. For instance, when the State owns the space it does not pay taxes on the property, nor does it pay for the various types of insurance which the average private owner considers it necessary to carry. Furthermore, in providing its own janitorial and other types of maintenance service, the State tends to set an artificially high standard of service which appears to be at considerable variance with standard commercial practice in private office buildings.

In order to compare the relative cost to the State to own and operate office space, the Department of Public Works Building at 120 South Spring Street in Los Angeles can be used as an example. This building has 141,718 square feet of gross area, and 91,180 square feet of net usable area, or a utilization factor of approximately 65 percent. For the 1953-54 Fiscal Year, the cost of light, heat, power, water, miscellaneous building supplies, janitor supplies, elevator service, salaries of janitors and other building maintenance people, and State Police service, was a total of \$187,615. This does not include any repairs, alterations, repainting, et cetera, which may have taken place either during the 1953-54 Fiscal Year or in the period between the time the building was completed and occupied and the present, since these figures were not readily available. Nevertheless, these determinable expenditures result in a cost per net usable square foot of \$2.06 annually. To this must be added 20 percent overhead, as previously described, which brings the cost to approximately \$2.47 per net usable square foot of area annually, for maintenance and operation alone.

Let us assume, very conservatively, that a building of this type has a hundred year life expectancy and, disregarding the actual cost of constructing this building, let us also assume that it is possible to produce an equivalent gross area at \$16 per gross square foot for the completed project. This would be a cost of \$2,267,488, to which should be added \$200,000 as the cost of the land, making a total of \$2,467,488 to be invested. The surplus funds of the Teachers' Retirement and the State Retirement Fund are invested with an average return of 3 percent per annum. Applying the same percentage for interest purposes on the investment cost of this hypothetical building would bring a yield of \$74,024 annually. A 2 percent yield would be \$49,349.

The annual depreciation cost of the building, on the basis of a 100-year life expectancy for the building, would be \$22,674. This represents, on the basis of 91,180 square feet of net usable area, an annual cost of \$1.06 per net usable square foot using a 3 percent interest cost. The latter figure, when added to the cost of maintenance, makes a total of \$3.53 per net usable square foot annually, which does not include taxes on the real estate and building, insurance costs, and a number of other intangibles. If, for purposes of illustration, a 2 percent interest cost is used, the annual net usable per square foot figure is \$3.26.

Among the intangible factors which appear to make ownership less economical is the fact that, when the State builds and owns an office

building, there is a tendency to include in it many types of spaces which receive comparatively intermittent use and which normally it would not lease. This factor tends to increase the cost per month per employee housed. Another intangible is the tendency, when building and owning, to provide excessively large spaces for certain categories of employees. This, too, results in a higher cost per month per employee. It may be that in building and owning, the agencies affected are not as acutely cognizant of the annual costs of such practices as they are when they see these costs set forth as monthly or annual rental of leased private space.

On the other hand, a building which is designed for a specific state purpose may be more economically arranged for the work of the agency, although in a general office type building this is not a major factor. The need for flexibility ordinarily will demand a standard loft type building whether state-owned or leased.

When the cost of \$3.53 per net usable square foot shown above is compared with leased space, such as in the Times Mirror Building, where the rate which the State pays includes taxes and insurance premiums, it becomes questionable that state ownership and operation of normal, typical office space is an economical practice. The fact should be stressed, however, that the example given above and the conclusions drawn therefrom are tentative and subject to further revision as additional examples are studied.

#### Interim Conclusions

A detailed perusal of Table A, together with its pertinent footnotes, clearly indicates that there is a very wide variation in both the average area provided per employee and the cost per month of housing each employee among the various agencies and leases in the Los Angeles area. In order to avoid the distortions which might be occasioned by the inclusion of small office units in the tabulation, agency areas under 1,000 square feet have been deliberately eliminated from this table. The exceptions occur as the result of small agency offices which occupy space in buildings which are completely under lease by the State. Actually, the Black Building is the only one in which this situation occurs.

It will be noted that the average area occupied by each employee in the Los Angeles area is approximately 139 square feet of net usable space, which excludes space dedicated to public use. It will also be noted that the lowest space occupied per employee is in the Department of Social Welfare in the Cairns Building at approximately 72 square feet. We suggest that an average of between 100 and 110 square feet of net usable space per employee would provide adequate and comfortable accommodations in which the employee should be able to function with a reasonable degree of efficiency. We would like to point out that the actual space occupied by a desk and chair is not over 50 square feet. The balance of the space would allow for circulation area, file cabinets, bookcase and office machine area, and a proportionate share of conference rooms and other spaces not used on a full-time basis.

It will also be noted that there is a very wide variation among annual costs per square foot, which run from a low of 70 cents per square foot in the Department of Employment office at 1100 South Flower Street, to a high of \$5.74 in the Black Building. Furthermore, there is a wide variation in the cost per employee per month, running from a low of \$8.95 per month in the employment office at Huntington Park, to a high of \$92.87 per month for the Department of Corrections in the Black Building. Although there are valid factors which account in part for the differences, these wide variations suggest serious shortcomings, both in the method of procuring space and the method of utilizing such space to the fullest possible advantage. Furthermore, these comparisons demonstrate that the annual cost per square foot is in itself an inadequate criterion for judging the actual value of space. For instance, the Times Mirror Building is thought of as a top-quality building which includes air conditioning. The cost of space in this building is \$3.50 per square foot annually. By the proper utilization of the space and by taking advantage of space which the landlord does not ordinarily consider rentable, the cost per employee, in the case of Professional and Vocational Standards, is \$36.67 per month, whereas in the Spring Arcade Building, at \$2.79 per square foot, the cost in the Department of Mental Hygiene office is \$51.92 per month per employee. By the same token, the average cost per month per employee for all agencies in the Times Mirror Building is \$46.36, which compares with \$53.16 in the Spring Arcade Building, \$53.34 in the Black Building, and \$75.73 in the Eleventh and Grand Building, the latter three not including air conditioning in the services offered.

It appears from the foregoing that in a number of cases the State is "over-paying" for some of its leased space and is under-using some of its leased space. The indications are, therefore, that the procedures and methods by which the State acquires the use of office space by lease should be improved so as to insure that the State will get space at the most reasonable cost possible and that it will use such space to its maximum practical capacity. In making a determination of the comparative cost of rental properties the use of the "cost per employee per month" as a unit of measurement is extremely valuable and to the extent that standards of utilization can be developed this type of analysis may provide a basis for significant improvement in state rental practices.





Table A—Compilation of Cost and Utilization Factors for Selected Leased Office Premises in Los Angeles—Continued

Agency*	Building and address	(1) Net square feet	(2) Rental per month	(3) Maintenance cost per month	(4) Total cost per square foot per month	(5) Area for public use	(6) Net area used by employees	(7) Number employees housed		(8) (6) ÷ (7) area per employee	(9) Cost per employee per month	(10) Annual cost per square foot
								Exec.	Cler.			
Investment <sup>1</sup> ..	Times Mirror Bldg. .... (8th F.)	13,200	\$3,850.00	.....	2,916	500	12,700	38	36	171.62	\$50.04	\$3.50
P. & A. Standards <sup>2</sup> ..	Times Mirror Bldg. .... (7th F.)	11,017.58	3,510.21	.....	2,909	250	13,798	70	21	186.20	36.37	3.00
Horse Race <sup>3</sup> ..	Times Mirror Bldg. .... (7th F.)	1,350.95	329.79	.....	2,198	400	960	3	3	160.00	39.97	3.00
Public Utilities ..	Times Mirror Bldg. .... (10th F.)	13,200	3,850.00	.....	2,916	400	12,800	61	22	154.21	41.37	3.50
Public Utilities, Field Section ..	Times Mirror Bldg. .... (9th F.)	4,509	1,315.16	.....	2,916	2,300	2,200	18	5	96.04	28.01	3.50
Agriculture <sup>4</sup> ..	Times Mirror Bldg. .... (9th F.)	8,691	2,544.84	.....	2,916	760	7,931	70	11	97.91	28.55	3.50
Water Pollution <sup>5</sup> ..	Springs Arcade Building ..	1,500	375.00	.....	2,500	611	856	5	2	132.29	30.57	3.00
Mental Hygiene ..	Springs Arcade Building ..	2,900	675.00	.....	2,517	.....	2,900	8	5	223.08	51.92	2.70
Controller <sup>6</sup> ..	Springs Arcade Building ..	4,170	1,117.50	.....	2,500	100	1,370	1	20	208.10	52.03	3.00
Investments ..	Springs Arcade Building ..	9,300	2,345.00	.....	2,500	1,800	7,500	17	17	220.59	56.15	3.00
Social Welfare <sup>7</sup> ..	Carnis Building, 6th & Main ..	19,400	3,298.00	.....	1,700	1,021	17,779	155	92	71.09	12.19	2.04
Controller ..	Roxan Building ..	6,955	1,810.00	.....	1,500	650	6,315	15	19	185.74	48.27	3.12
Controller ..	National Title Building ..	1,122	237.00	.....	1,665	300	1,122	6	3	124.66	20.77	2.00
Public Works ..	Wilson Building ..	8,215	1,880.48	.....	2,291	400	7,815	47	4	153.82	35.24	2.75
Investments ..	Fox Building, 6th & S. Hill St. ....	1,807.5	515.00	.....	2,849	300	1,807	12	3	120.50	31.33	3.12
Investments ..	215 West 6th Street ..	1,700	400.00	.....	2,032	300	1,400	9	2	127.27	20.93	2.82
Employment ..	519-27 South Flower, L.A. ....	45,000	8,100.00	2,714.83	2,063	8,900	36,500	128	67	187.16	44.98	2.88
Employment ..	1100 South Flower, L.A. ....	66,500	1,550.00	2,316.11	1,055	15,000	51,500	173	83	201.17	11.77	0.70
Employment ..	845-27 South Flower, L.A. ....	11,322	1,995.81	731.30	2,108	11,322	11,322	67	37	108.86	26.22	2.89
Employment ..	912-16 South Indiana, L.A. ....	6,000	600.00	419.76	1,709	2,400	3,750	31	9	93.75	16.87	2.16
Employment ..	114th South Hill Street, L.A. ....	15,000	1,050.00	775.05	1,217	6,000	9,000	35	9	204.54	24.89	1.46
Employment ..	1320 Santee Street, L.A. ....	3,021	700.00	145.31	2,705	1,000	2,021	5	2	289.14	80.81	3.35
Agriculture, Field ..	Farmers National Bank Bldg., L.A. ....	1,018	180.00	.....	1,717	100	918	7	1	118.50	20.38	2.06
Agriculture, Chemistry ..	Farmers Merch. Nat'l Bank, L.A. ....	1,024	195.00	.....	1,604	120	904	6	2	113.00	21.52	2.28

Table A—Compilation of Cost and Utilization Factors for Selected Leased Office Premises in Los Angeles—Continued

Agency*	Building and address	(1) Net square feet	(2) Rental per month	(3) Maintenance cost per month	(4) Total cost per square foot per month	(5) Area for public use	(6) Net area used by employees	(7) Number employees		(8) (6)÷(7) area per employee	(9) Cost per employee per month	(10) Annual cost per square feet
								Exec.	Cler.			
Nat. Resources <sup>1</sup>	1015 W. Olympic, L. A.	6,280	\$1,225.00	---	.1950	150	6,130	13	9	278.63	\$54.33	2.34
Employment	Santa Monica, 1920 Main St.	10,000	675.00	\$303.97	.1068	4,000	6,000	28	6	176.47	18.85	1.28
Employment	Wilmingon, 445 N. Marine Ave.	10,000	800.00	417.08	.1217	3,000	6,000	29	5	176.47	21.48	1.46
Employment	Alhambra	6,800	660.00	---	.1000	3,000	3,600	13	4	211.76	21.48	1.20
Employment	Huntington Park	12,900	1,104.00	---	.0852	4,500	8,400	62	18	105.00	8.95	1.02
Employment	Compton	3,400	366.00	186.95	.1626	1,200	2,200	20	5	88.00	14.31	1.95
Mental Hygiene	965 N. Vermont, L. A.	5,667.88	1,324.05	194.09	.2678	1,471	4,196	16	7	182.47	48.87	3.21
Mental Hygiene	6758 Hollywood Blvd., L. A.	1,126	260.00	---	.2309	150	1,006	8	3	91.45	21.94	2.77
Public Health	1925 Beverly Blvd., L. A.	5,306	835.83	---	.1575	150	5,156	15	3	286.44	45.11	1.24
Public Works <sup>1</sup>	Tishman Bldg., L. A.	25,248	7,500.00	---	.2950	1,374	23,674	188	23	112.20	33.32	3.56
Mental Hygiene	6925 E. Whittier Blvd., L. A.	1,150	175.00	---	.1521	175	975	3	1	213.75	37.07	1.83
Ind. Relations	Jergins Trust, L. B.	2,100	525.00	---	.2500	240	1,860	3	2	372.00	93.00	3.00
Law	Jergins Trust, L. B.	1,374	313.73	---	.2283	240	1,134	2	3	226.80	50.76	2.69
Vets' Affairs	Hartwell Bldg., L. B.	3,674	788.00	---	.2144	550	3,124	12	7	161.42	35.35	2.57
Franchise Tax	Hartwell Bldg., L. B.	1,040	221.00	---	.2084	160	900	5	2	184.57	26.79	2.50
Education	215 American Avenue, L. B.	1,748	469.75	---	.2691	240	1,548	8	5	119.08	31.52	2.75
Equalization <sup>1</sup>	4335 Atlantic Blvd., L. A.	5,930	1,327.00	---	.2237	612	5,318	8	11	279.89	69.84	2.63
	Totals	510,711.34	\$99,088.07 \$126,551.85	\$37,463.78	---	68,526	436,011	2,234	911 3,145	Gross	---	---
Average Los Angeles												
Area					.2477							
Education	972 N. Vermont, L. A.	12,320	\$500.00	---	.0611	200	12,120	14	1	138.65	\$34.34	\$2.97
Civil Defense	3800 Mt. Lee Drive, L. A.	14,680	1,050.00	\$305.00	.0923	---	14,680	6	3	908.00 1,631.11	52.67 150.55	0.77 1.11

\* Indicates footnote numbers following the table.

## Footnotes for Preceding Table

- <sup>1</sup> The space shown for the Division of Architecture includes 3,080 square feet of net usable space which is actually unoccupied. In addition, the agency could give up approximately 2,600 square feet of space which is being occupied too loosely without in any way overcrowding the remaining space. This would reduce the area per employee and the cost per employee per month by approximately 15 percent.
- <sup>2</sup> The Fire Marshal's office has a comparatively small number of employees, but a rather high space per employee. In addition, five of their employees are out of the office entirely at least three days out of each week. This further increases the appearance of excess area in this agency.
- <sup>3</sup> Colorado River Board, which shows a very high area per employee and a comparatively high cost per employee per month, despite one of the lowest costs per square foot, can be explained partly by the fact that a very large area is set aside as a law library, which is also used as a board hearing room. If this room were eliminated from the calculations, both of the figures mentioned would be reduced to a considerable extent.
- <sup>4</sup> The Department of Mental Hygiene offices in the Homer Laughlin Building provide space for employees which is somewhat in excess of the amount hereafter mentioned. Nevertheless, they appear to be somewhat crowded because of the poor layout of the area which is available. Actually, offices for this agency could be in a comparatively tight space, since most of the executive positions are psychiatric social workers who are out of the office from one third to one half of the time.
- <sup>5</sup> The offices of the Board of Equalization in the Black Building appear to indicate a rather tight situation, with an average of approximately 83 square feet per employee. However, about half of their positions work outside of the office about 50 percent of the time, and use a "squad room" setup in the office as required. As a consequence, space is not as tight as it appears to be.
- <sup>6</sup> The office of Industrial Relations in the Black Building appears to indicate a rather tight space situation with approximately 73 square feet per employee and consequently, a low cost per month per employee, despite the highest square foot cost of any space which the State has under lease in Los Angeles. However, 55 of the 75 executive positions shown are safety engineers who work mostly in the field and share desk space in the office on a rigid rotational system by which the 75 engineers use only 21 desks. On this basis the space is actually not crowded, and it might be said by deducting 34 positions from the total of 106, which represents the difference between the 75 engineers and the 21 desks, there results an average of over 100 square feet per employee in the office at any one time.
- <sup>7</sup> The total maintenance cost shown for the Black Building is composed of \$10,192.02 as an average monthly cost for ordinary maintenance during the 1952-53 Fiscal Year, and \$2,806.06 as an average monthly cost of repairs and alterations. The Department of Finance has expended approximately \$336,000 from 1945 through 1953 for various capital improvements, such as alterations of partitions, improvements to heating and ventilating, major paint jobs, etcetera. This figure, divided by 120 months which represents the period of the lease, gives \$2,806.06 as a monthly average cost for the capital improvements. These factors, together with the comparatively high rental rate, result in the unusually high cost of \$5.71 per net square foot of usable space per year.
- <sup>8</sup> The offices of the Department of Investment in the Times Mirror Building appear to indicate a fairly high area per employee of approximately 172 square feet. It should be pointed out that this department has a very large filing section which occupies approximately 20 percent of the total available net usable area. However, even allowing for this unusual need for file space, the area per employee is still too high. To some extent this is the result of excess area being provided for some of the executive positions.
- <sup>9</sup> The offices of the Department of Professional and Vocational Standards on the seventh floor of the Times Mirror Building appear to indicate a reasonable area per employee. However, actually the area per employee is considerably greater because of the fact that, of the total number of 54 employees, 35 positions are not normally housed in these offices, but are in the field over 65 percent of their time, and when they are required to be in the office, they generally use the table in the conference room. As a consequence, there is an excessive amount of space for the people who are regularly housed in this office. Essentially, it should be pointed out that the total footage shown for this agency exceeds the standard amount of 13,200 because of the fact that use is being made of area which the owner normally considered nonrentable, and for which no extra charge was made. This results in the lower figure of \$3 per square foot annually. Instead of \$3.20.
- <sup>10</sup> The offices of the Horse Racing Board, also on the seventh floor of the Times Mirror Building, represent a further utilization of space for which the State does not pay specific rental. The apparently high area per employee actually results in a fairly crowded condition because of the fact that an unusual number of tile cabinets are required for the records of the board.
- <sup>11</sup> The offices of the Department of Agriculture on the ninth floor of the Times Mirror Building have the lowest area per employee of any of the agencies housed in this building. While the average area per employee appears to be in line with the amount recommended previously in this report, there are times when the area appears to be excessive because of the fact that the 70 "executive" positions are out of the office 50 percent of the time.
- <sup>12</sup> The offices of the Water Pollution Control Board in the Spring Avenue Building indicate a fairly good utilization factor in that the area per employee is approximately 122 square feet, and the cost per employee per month is \$3.05. The nature of the work of this organization requires a hearing room, which accounts for the fact that only somewhat more than half the total space occupied by the agency is actually given over to employee use, the balance of it being used for a board hearing room and other public space.
- <sup>13</sup> The offices of the Controller in the Siring Arcade Building indicate what appears to be a very high area per employee of 208 square feet. However, two-thirds of the total floor space is devoted to I. E. M. equipment, the cabinets and storage space, within which only four of the employees are actually assigned on a full time basis. Consequently, the actual utilization of the balance of the office area is quite good.
- <sup>14</sup> The offices of the Department of Social Welfare in the Carver Building at Sixth and Main Street, into which the agency recently moved, indicate the best utilization of space of all those shown in the table, being approximately 72 square feet per employee. While this may seem comparatively tight, 65 people out of a total of 218 spend 10 to 50 per-

## Footnotes for Preceding Table—Continued

ent of their time in the field. Nevertheless, each of these persons is assigned a desk. According to a statement made by the management of this office, as well as by the statements of various individuals in the office, the employees using this space do not consider themselves crowded and are, in fact, quite satisfied with the situation. Furthermore, the layout of the space is such that a very ample corridor is included, for which the State does not specifically pay, but which could be readily utilized for housing additional employees. This is possible because the State rents the entire floor, and the corridor is under control by reason of doors which separate it from the elevator lobby. It will be seen that this particular space enjoys one of the lowest rates paid by the State for typical office space. Even though the building does not have air conditioning and may not be considered quite as modern as many other buildings, the space is functionally efficient and, as has been stated, appeared to be extremely satisfactory to the personnel using it.

<sup>16</sup> The offices of the Department of Natural Resources, which is, in this case, entirely the Division of Oil and Gas, are in an old four "flat" building which was converted to office use. We have not been able to obtain the actual net usable area. The gross area of the building is 6,000 feet, with an additional 280 feet in a small "out" building. Assuming 70 percent net usable area as an average, approximately 4,200 square feet would be net usable area. Deducting from this 150 square feet for public area leaves 4,050 square feet to be utilized by 22 people. This produces an average of 184 square feet per person. In view of the fact that most of the employees in this office are in an engineering category who require both desks and drafting tables, as well as extensive storage area for maps and plans, the number of square feet per employee is probably justifiable. However, as a matter apart from utilization of the space it should be pointed out that the rental rate for a building of this type appears to be extremely high in relation to the quality of the space.

<sup>18</sup> The offices of the Department of Public Health, 1026 Beverly Boulevard, show an unusually high area per employee, primarily because of the fact that about 40 percent of the net usable area is in laboratory space which is not practical to calculate on an

average area per employee. It is interesting to note in passing that no janitorial service is provided for this building, and that the laboratory assistants and others do all the janitorial work, either by taking time off from their regular jobs, which tends to hamper the laboratory work, or by doing the work on their own time. Further, it is interesting to note that the rate for the building is really quite low, since included in the cost is approximately 2,500 square feet of garage space, which is not shown on the table.

<sup>17</sup> The offices of the Department of Public Works in the Tishman Building are of recent occupancy. The interesting factor in connection with them is the fact that despite a fairly high cost of \$3.56 per square foot of net usable space, the high degree of utilization resulting in approximately 112 square feet per employee produces a fairly reasonable monthly cost per employee of \$33.32. This is possible largely as a result of the fact that the area was wide open, loft type of space, which was partially partitioned to suit the needs of the agency. This is a good example of the point we have made previously, that the cost per square foot alone is not a decisive factor.

<sup>18</sup> The offices of the Board of Equalization, at 4335 Atlantic Boulevard, indicate a rather high area per employee of approximately 280 square feet. However, there are 21 auditors attached to this office who are not shown on this table, but who come into the office possibly 30 percent of their time, and nine desk spaces are provided for them. In addition, there are five Liquor Control officers who are not shown on the table and who are provided with some space during the time that they are in the office, which is somewhat less than 20 percent of their total available time.

Taking these things into consideration, the area per employee is considerably less excessive than appears to be the case. Also, the cost per employee is deceptive for the same reasons.

<sup>19</sup> The offices of the Department of Education, at 972 North Vermont, and Civil Defense, on top of Mt. Lee, were excluded from the averages arrived at in the tabulation because it was felt that they are not representative office space and, therefore, would improperly distort the purpose for which this table was compiled.



Table "B"

Building	Agency	Sq. ft. charged to agency by finance	Apparent annual cost per sq. ft.	Actual net usable sq. ft.	Actual cost annu- ally per sq. ft.
11th and Grand.....	Architecture.....	52,050.46	\$3.23	40,134.55	\$4.19
	Fire Marshall.....	4,110	3.23	3,169.06	4.19
	Education.....	5,280	3.23	4,070.89	4.19
	Veterans' Affairs.....	11,116.75	3.23	8,571.79	4.19
Black.....	Equalization.....	48,486.35	\$2.35	37,894	\$3.01
	Controller.....	799	2.20	592	2.97
	Agriculture.....	518.25	2.20	384	2.97
	Rec. Commission.....	696.40	2.20	516	2.97
	Education.....	8,156.96	2.20	6,044	2.97
	Finance.....	3,424.91	2.20	2,752	2.74
	Ind. Relations.....	10,474.52	2.20	7,761	2.97
	Prof. Vocations.....	208.70	2.96	208	2.97
	Corrections.....	1,470.98	2.20	1,090	2.97
Rowan Building..... 965 N. Vermont 1926 N. Beverly 1015 W. Olympic	Controller.....	8,405	\$2.58	6,965	\$3.12
	Mental Hygiene.....	6,305	2.52	5,667.88	2.80
	Public Health.....	8,100	1.24	5,306	1.89
	Natural Resources.....	6,280	2.34	4,200	3.50

The above table is included to demonstrate the inconsistencies in methods of determining square footage and allocating same to using agencies. The first column has no recognizable standard basis for determination of the figures. The third column is in accordance with the standard definition used at the beginning of this report.

### Survey of Status of Research and Programs Concerned With Alcoholism

Prepared by the Legislative Auditor September, 1954

#### INTRODUCTION

##### Scope of the Study

At the 1953 General Session of the Legislature the Assembly Ways and Means Committee requested the Legislative Auditor to make a study of alcoholism and to render a report thereon to the Legislature at the 1955 General Session.

The Legislative Auditor was also instructed to make this report available, at the earliest possible date, to the State Alcoholic Rehabilitation Commission created by Act of the Legislature in the 1954 Session for the Commission's use in establishing a proposed program.

This study has sought to determine from authoritative sources answers to the following questions. What is alcoholism? What are the characteristics of the alcoholic population? How can alcoholism be treated? What is being done about alcoholism by government and private organizations throughout the United States? What has and is being done about alcoholism in California? What should be done hereafter?

The material in this report was gathered by: (a) a study of the mass of scientific, semi-scientific and popular literature on alcoholism, (b) staff consultations at the Yale Center of Alcohol Studies and at

alcoholic clinics in Massachusetts, New York and Connecticut; (c) contacts by mail with many of the other state programs on alcoholism, (d) study of the various public and private reports on alcoholism in California, (e) personal interviews throughout California with many officials of public (State, county and city) and private programs on alcoholism and private citizens interested in and concerned with the problems of alcoholism.

A list of persons and organizations contacted is contained in Appendix II.

#### FINDINGS

Our examination of alcoholism in California and throughout the United States has resulted in several determinations that may be summarized as follows:

1. There appears to be no single definition for alcoholism that is acceptable to both medical men and informed laymen.
2. The typical alcoholic does not exist. Alcoholics come from all levels of society, intelligence, economic background, occupation, and age. Excessive drinking is their common characteristic.
3. The causes of alcoholism are largely unknown. Because of this, any treatment program could reasonably pursue several possible therapies.
4. At present there is no positive cure for alcoholism nor is there general agreement on the criteria for recovery.
5. Until, for some reason, the alcoholic has a desire to stop drinking, little can be done for him.
6. Alcoholism is a form of pleasure addiction not entirely unlike gluttony, sex perversion, and the use of narcotics.
7. The usual alcoholic stereotype, the destitute individual associated with skid row, probably accounts for no more than 20 percent of the total number of alcoholics, the remaining 80 percent being by and large, persons with financial assets.
8. Reliable statistics are lacking regarding the cost of alcoholism and the numbers of alcoholics in California and throughout the United States.
9. Some type of governmental program concerned with alcoholism has been activated in 38 states, and many studies are being conducted which bear generally on the problem in all states.
10. Many professional, industrial and voluntary organizations throughout the United States are attacking the problems of alcoholism with varying degrees of effort and success.
11. Several methods of constraining or ministering to alcoholics are used by government in California:
  - (a) The courts commit alcoholics to state mental hospitals. Most persons consulted agreed that this costly type of treatment is unsatisfactory for nonpsychotic alcoholics.
  - (b) An alcoholic out-patient clinic is operated by the City and County of San Francisco, another by San Mateo County.
  - (c) Alameda County's sheriff operates an alcoholic rehabilitation program in cooperation with the county jail farm.
  - (d) Similar farms, with varying treatment programs, are operating in Los Angeles City and County.

- (e) Otherwise, on the local level, excessive drinkers apparently are processed through a minimal detention program, e.g., "drunk tank," and released.
12. Among private programs, Alcoholics Anonymous appears to have enjoyed a significant success, although many alcoholics do not respond to this type of approach.
  13. No treatment program that has been attempted in California has had a follow-up sufficient to establish an acceptable statistical basis by which to measure the program's accomplishment.
  14. There has been no effective coordination of the existing alcoholic programs in California, and no apparent agreement as to the best way to attack the problem.
  15. Alcoholism has not received specific and significant emphasis in California's medical schools. Medical school graduates and the medical profession as a whole, therefore, have shown little productive interest in or concern with alcoholism. Only recently does it appear that alcoholism has gained status as an independent medical problem, rather than being merely identified as the causative agent for other medical problems, e.g., cirrhosis of the liver.
  16. Private and public hospitals in California have been reluctant to treat alcoholics and it is questionable whether significant results are being obtained in most private sanitoriums.
  17. Although specific industrial programs do exist, industry as a whole in California has not shown great interest in establishing special programs concerned with the problems created for it by alcoholism.
  18. Under existing state law, the teaching of any specific material on alcoholism at any specified grade is not required in California's schools, although "instruction upon the nature of alcohol \* \* \* shall be included in the curriculum of all elementary and secondary schools."
  19. There was no consensus among those contacted as to what role, if any, the State should play in an alcoholic program.

#### CONCLUSIONS AND RECOMMENDATIONS

By creating the Alcoholic Rehabilitation Commission at the 1954 Extraordinary Session (see Appendix I) the California Legislature has established the State's responsibility with regard to alcoholism, and this commission, therefore, becomes the agency to examine in detail the problems of alcoholism and to propose a coordinated program directed toward solution of the problem. Although the act creating this commission authorizes it to "engage in all phases of the treatment and rehabilitation of alcoholics \* \* \*" assurances were given to the legislative committees considering this proposed legislation in the 1954 Session that no actual program of treatment would be undertaken by the commission prior to the 1955 Session of the Legislature. At this session proposals for implementing the duties outlined in the legislation would be incorporated in the Budget Bill or other proposed legislation with statements of justification and need supplied by the commission.

Because of the unknowns that characterize alcoholism and the lack of coordination and cooperation among the existing alcoholic programs in California, we believe that the Alcoholic Rehabilitation Commission



can be of material assistance in securing a greater degree of coordination in the activities of those public and private bodies working in the field of alcoholism. This state-initiated action by the commission should contemplate a close cooperative relationship with other state agencies concerned—Public Health, Mental Hygiene, Corrections, Social Welfare, Education, etc.—city and county governments, local law enforcement agencies, private organizations such as Alcoholics Anonymous and the National Committee for Alcoholism, interested civic groups, hospitals, sanitoriums, industries, the legal and medical professions, and the clergy.

Since there is no single, accepted prevention and treatment program, the State must not only necessarily adopt a trial and error approach to the problem, but should give very careful study to various proposals before recommending specific programs. It is our opinion that any state program directed to the best interests of both the alcoholic and the public should consider the advisability of:

- A. Reviewing basic research studies made by other agencies or institutions throughout the country to approach systematically a determination of the major causes of alcoholism.
- B. Added attention in medical and nursing schools to the treatment and prevention of alcoholism.
- C. An educational program designed to bring public recognition and understanding of the nature and effect of alcoholism.
- D. A treatment program designed to provide immediate (even though experimental) therapy for alcoholics.
- E. Out-patient clinics to serve as screening centers, treatment units, social service units and training units for workers in the field of alcoholism.
- F. Limited hospital facilities for those alcoholics who require hospitalization.
- G. Continued and expanded state mental hospital treatment for psychotic alcoholics, with reduced mental hospital admissions of non-psychotic alcoholics.
- H. Convalescent centers for those patients needing some institutional care before returning to their home environment.
- I. Custodial units, such as farms or camps, for alcoholics requiring incarceration in a minimum security facility.

The experimental nature of any alcoholic program embarked upon by the State justifies extreme caution. Since alcoholism may be considered a local as well as a state responsibility, and since potential program costs are great, local facilities might be utilized through state-local matching arrangements. However, if the State should establish a matching fund program, it should also establish rigid standards for record keeping and patient follow-up. As has been noted, a principal characteristic of treatment programs in California is the lack of statistical information adequate for program evaluation.

As has been indicated elsewhere in this report, the establishment of clinics has been one of the principal means employed throughout the country for the treatment of alcoholics. The responsibility for financing any clinic program is one which might fall either to the State or to local government. To date, some clinics in other states have been estab-



lished as part of city or county government. On the other hand, some states have established state-sponsored clinic programs. The treatment of alcoholism by means of clinics is closely related to the establishment of a system of clinics for the early treatment of mental illness.

In some respects the treatment of alcoholism may be properly regarded as an adjunct of the mental hygiene program, since psychiatric factors are generally present in alcoholism. For a number of years the State of California has operated several mental hygiene clinics. There has been great pressure to increase the number of clinics and considerable study has been and is currently being made of the proper relationship between the State and local government for the purpose of financing these clinics. Legislation has been introduced providing for abandonment of the existing policy of complete state support and the substitution of a joint state-local responsibility. It is expected that the 1955 Session of the Legislature will consider bills providing for a state subvention to local governments for the establishment and maintenance of such clinics on a basis similar to that recently established in New York.

Basically, the alcoholic clinic, or the mental hygiene clinic, can be regarded, from the standpoint of fiscal responsibility, in one of two ways. First, it can be regarded as an extension of the public health function, which in California is financed by both state and local funds, the State in this case assuming responsibility for providing consultative and certain central services and a subvention to local health departments. Secondly, the clinic can be regarded as an early treatment phase of an integrated mental hygiene program which is almost exclusively a state responsibility.

To the extent that it may be legislative policy to establish alcoholic clinics, it is our recommendation that the question of the State's responsibility for financing such clinics should be directly related to the establishment of legislative policy as to the financing of mental hygiene clinics. There is no reason why a similar policy should not exist in the case of both types of clinics.

#### PROBLEMS OF ALCOHOLISM

At least since the beginning of recorded time, alcohol and fermented beverages have been used by human beings in one form or another and have served a variety of purposes in nearly all societies. Despite both moral and legal pressures, alcohol consumption has persisted and has increased.

Alcoholism has been called one of the major public health problems in the United States.<sup>1</sup> The following estimates indicate the magnitude of the problems raised by overindulgence. Out of a population of 110 million people 15 years of age and over in the United States, there are an estimated 60 to 70 million drinkers, of which approximately four million are alcoholics. Among these four million are some 750,000 who, in consequence of prolonged excessive drinking, have developed a bodily disease or severe mental disorder. These are chronic alcoholic addicts.<sup>2</sup>

<sup>1</sup> Marty Mann, "Can We Conquer Alcoholism," issued by the National Committee on Alcoholism, 1951.

<sup>2</sup> E. M. Jellinek and Mark Keller, "Rates of Alcoholism in the United States of America, 1940-48," *Quarterly Journal of Studies on Alcohol*, (March, 1952), pp. 52-53.

Although recent estimates are not available, as long ago as 1944 the estimated economic loss in this country resulting from alcoholism—institutional care, support, accidents, loss in wages—was one billion dollars.<sup>3</sup> Added to this is the unmeasurable but staggering social loss from broken homes, effects on children, increased crime and the like.

*Definition of Alcoholism.* What is an alcoholic? There is no complete and concise answer to this question. The alcoholism subcommittee of the World Health Organization supplies the broadest, and probably most useful definition—alcoholism is any form of drinking which in its extent goes beyond the traditional and customary “dietary” use and which exceeds the social drinking customs of the community.<sup>4</sup> In other words, an alcoholic is anyone whose drinking interferes with an adjusted life.<sup>5</sup>

In recent years alcoholism has gained status as a “disease”. Dr. E. M. Jellinek, one of the foremost authorities on alcoholism, points out that the disease concept of alcoholism can be extended only to excessive drinking in which there is physical or psychological pathology in the drinking behavior. Two categories of alcoholics are distinguished by Jellinek, “alcohol addicts” and “habitual symptomatic excessive drinkers” (or non-addictive alcoholics). In both groups excessive drinking is regarded as symptomatic of underlying social or psychological pathology. For the “alcohol addicts” loss of control over the alcohol intake occurs after several years of excessive drinking, while this phenomenon never occurs in the other group.

The disease conception of alcohol addiction applies not to the excessive drinking, but to the “loss of control” which occurs among “alcohol addicts,” whereby the uncontrolled drinking is superimposed upon those abnormal psychological conditions of which excessive drinking is a symptom.<sup>6</sup>

As yet no exact single cause for alcoholism has been discovered, although the possible causes probably lie within four major fields: (1) physiological malfunction, with emphasis upon endocrine and metabolic imbalances; (2) psychological deviations, with emphasis on the field of early personality development; (3) a combination of socio-cultural and psychological factors; (4) a combination of all these phases.<sup>7</sup>

Most experts agree that at least two or more of the above fields are involved, and many feel that all of these factors are involved in a total personality disorder called “alcoholism.”

*Types of Drinkers.*<sup>8</sup> Although alcoholism is a complex phenomenon about which much is unknown, there is general agreement that (1) alcoholism develops in a progressive manner, (2) alcoholism involves dif-

<sup>3</sup> Veterans Administration, *The Management of Alcoholism*, Technical Bulletin 10-67 (Washington, D. C.: Veterans Administration, 1950), p. 1.

<sup>4</sup> Expert Committee on Mental Health, *Report on the First Session of the Alcoholism Subcommittee*, p. 5. World Health Organization Technical Report Series, No. 42, September, 1951.

<sup>5</sup> Alton L. Blakeslee, “Alcoholism—A Sickness That Can Be Beaten,” *Public Affairs Pamphlets*, No. 118, 1952, p. 3.

<sup>6</sup> Expert Committee on Mental Health, Alcoholism Subcommittee, *Second Report*, Annex 2, “The Phases of Alcohol Addiction.” World Health Organization Technical Report Series, No. 48, August, 1952.

<sup>7</sup> Report of the Subcommittee on the Problems of Alcoholism, The Chronic Disease Committee, American Medical Association (1951), p. 3.

<sup>8</sup> The following section is based largely on Selden D. Bacon, *The Administration of Alcoholism Rehabilitation Programs* (New Haven, 1949), pp. 5-14.

ferent factors in different persons, and (3) there is no such thing as a typical alcoholic.

Dr. Selden D. Bacon, Director of the Yale Center of Alcohol Studies, has derived an informative, though admittedly arbitrary, classification of chronic problem drinkers. He concludes that 32 percent of the total number of alcoholics are alcohol addicts, while an additional 20 percent are alcohol addicts with complications and are, therefore, *chronic* alcohol addicts. The remaining 48 percent, which Bacon calls non-addicted chronic problem drinkers, include social misfit drinkers, symptomatic drinkers and pre-addicts.

According to Bacon, drinkers become alcoholics in three ways. Firstly, symptomatic drinkers are psycho-neurotic; the individual concerned is obviously maladjusted on an emotional level prior to his chronic, heavy drinking. Although the problems are not created by drinking or by drinking behaviour, drinking has become a major means for coping with them. Eventually, excessive drinking, while not solving the original problems, will cause new ones. When alcohol is used as the major technique for adjusting to these problems caused by alcohol, then the stage called alcohol addiction has been reached.

The second path to alcoholism is taken by individuals who had few if any obvious characteristics of emotional maladjustment during early adulthood. Over a long period of time, this person drinks both for pleasure and to obtain some relief from tension, fears, shyness, etc. It becomes progressively easier to cover up personality weaknesses through the use of alcohol. Finally, slight added strain will topple his personality—new problems cause greater alcoholic intake, and the alcoholic cycle is underway.

The third path to alcoholism results from the impact of a crisis on an adult whose personality cannot stand the blow. The death of a loved one, economic loss or war disasters may set off a rapidly developing alcoholism.

Bacon calls certain other excessive drinkers "quasi-alcoholics" to distinguish them from the groups described above. For example, non-alcoholics who become drunk, e.g. drunken drivers, while posing serious problems for society, are not properly included within the classification "alcoholic." In the same way, morons, psychotics and feeble-minded persons who drink to excess should not be considered true alcoholics.

Traditionally, the public has considered the problem of alcoholism to be manifest almost solely in the skid row bum. Recent evidence tends to change that picture. The skid row habitué, besides accounting for only about 20 percent of the excessive drinkers in the United States, presents a basically different problem from other alcoholics.

A study of homeless men on skid row by Straus and McCarthy shows that although most of them are chronic excessive drinkers, a substantial portion are not alcoholic addicts. Rather than seek the maximum effect from alcohol, they are instead more interested in obtaining a constant plane of relief or escape. Most of these men have experienced early family disorganization, lack of marital or religious ties and absence of



close personal associations. In other words, the under-socialized homeless man has no particular stake in society and, therefore, has no great incentive to stop drinking. Obviously, his situation differs from that of the alcoholic who has or had skills, a job, a home and a family.<sup>9</sup>

*Characteristics of the Alcoholic Population.* The common alcoholic stereotypes, derived from very limited segments of the overall alcoholic population, are misleading. Since there is no "typical" alcoholic, it is impossible to construct a hypothetical age, sex, occupation and family background which will characterize all alcoholics. In the past, the alcoholic was manifestly the skid row derelict or the psychotic mental patient. Recent scientific work in the field, as indicated earlier, shows that the derelict, the psychotic, the feeble-minded and the severe neurotic are on the extreme fringe of alcoholism, and probably should not be called alcoholics.

It must be borne in mind that no long-range studies of the characteristics of alcoholics have yet been made. Perhaps, however, the following data on excessive drinkers treated in public clinics and skid row homeless men, as shown in three isolated studies, will serve to indicate the differences between the groups and the danger in generalizing about "alcoholics."

The clinic patients displayed a relatively high degree of social and occupational participation. Over half of these patients were married and living with their wives when first seen in the clinics. The percentage who had never married was no greater than normal expectancy. Three-fourths of them were living in an established household. Nine out of 10 had lived in their present town of residence for at least two years.

On the contrary, of the homeless men about 55 percent had never married while the other 45 percent were either widowed, divorced or separated from their wives. Among men of similar age in the general population roughly three-quarters would be married and living with their wives and only about 10 percent would have broken marriages.

Nearly a fourth of the clinic patients were under 35 and nearly two-thirds were under 45 years of age, while fewer than 20 percent were aged 50 or over. The greatest concentration of men was found between the ages of 39 and 40. Among the homeless men, however, only one out of five was under 40 while half were 50 or over.

Among the clinic patients 62 percent were steadily employed when first seen in the clinics. Of these, three out of five reported steady employment for at least the last three years, and a fourth for 10 years or more. Eighty percent of this group had held jobs requiring definite skills or responsibilities. The recent jobs of two-thirds of these men were classified as skilled work or above; 20 percent were professional, managerial or proprietary personnel; and only 17 percent were in the category of unskilled labor.

In contrast, the skid row men were all without any kind of steady employment; at least half of them had never held any type of work

<sup>9</sup> Robert Straus and Raymond G. McCarthy, "Nonaddictive Pathological Drinking Patterns of Homeless Men," *Quarterly Journal of Studies on Alcohol*, (December, 1951), pp. 601-611.



above the level of unskilled labor; and only 10 percent had ever been employed in white collar, managerial or professional jobs.<sup>10</sup>

In regard to the sex of alcoholics, most estimates give a ratio of about five and one-half men to one woman.<sup>11</sup> One authority believes, however, that there are at least as many women as men alcoholics. For one thing, women have easier access to alcohol while at home alone. Because the social stigma against women alcoholics is so severe, her trouble is kept secret even from her physician by the woman, her husband and family.<sup>12</sup> It is true that although men patients now far outnumber women in alcoholic clinics, the number of female alcoholic patients appearing for treatment in hospitals and clinics is steadily increasing.

Alcoholism is found throughout the country but is noticeably greater in incidence in urban areas. The strain of city life or the breakdown of social organization in urban areas may result in more individual maladjustment than in rural society. Or the city may attract a high proportion of variant personalities from rural sections. No direct significance can be attached to this situation nor does it detract from the alcoholism problem present in rural areas.<sup>13</sup>

Rates of alcoholic addiction differ greatly among groups with different cultural backgrounds. Irish, Poles and so-called native white Americans have high rates. Greeks and Italians have low rates, while alcoholism is rare among Jews. As assimilation to American culture increases, the varying rates of addiction tend to approach the average American rate.<sup>14</sup>

Studies show that alcoholics come from all levels of the population insofar as family background, wealth, education and age are concerned. Although many of them are regularly employed in industry, they are not steady workers. Alcoholics have high rates of absenteeism, high accident and spoilage rates with a resultant poor effect on morale. Therefore, even if the alcoholic is married, educated, intelligent, living with his family and employed—and many are—his excessive drinking is causing problems for him, his family, and his associates and employer.<sup>15</sup>

### TREATMENT OF ALCOHOLISM

Some general observations must be made when considering the treatment and rehabilitation of alcoholics. Since society insists upon the use of alcoholic beverages and since no single cause for alcoholism has been discovered, a simple panacea for the problems of excessive drinking does not exist, and no one treatment program has gained general acceptance. Until such time as research may be able to determine the actual cause or causes, the primary prevention of alcoholism leans heavily upon new educational material for the schools and the general public.

<sup>10</sup> The foregoing material on the Characteristics of the Alcoholic Population is based on Robert Straus and Selden D. Bacon, "Alcoholism and Social Stability. A Study of Occupational Integration in 2,023 Male Clinic Patients," *Quarterly Journal of Studies on Alcohol* (June, 1951), pp. 231-260; Robert Straus, "Alcohol and the Homeless Man," *Quarterly Journal of Studies on Alcohol* (September, 1946), pp. 360-404; Straus and McCarthy, "Nonaddictive Pathological Drinking Patterns," pp. 601-611.

<sup>11</sup> National Committee for Education on Alcoholism, *Facts on Alcoholism*.

<sup>12</sup> Marvin A. Block, "Alcoholism: The Physician's Duty," *G.P.* (September, 1952), pp. 55-56.

<sup>13</sup> Selden D. Bacon, "Alcoholism: Its Extent, Therapy and Prevention," *Federal Probation* (April-June, 1947).

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

Alcoholism does respond in many cases to the techniques of secondary prevention—that is, arresting the course of an existing illness through the avoidance of progressive deterioration and complications. The concept, “rehabilitation of alcoholics,” is based on the theory that although no known cure for compulsive drinking exists, many alcoholics can abstain and become again useful members of society. Ordinarily, this means that an alcoholic, if he is to recover completely, must completely forswear alcohol.

*The Importance of Diagnosis.*<sup>16</sup> Proper diagnosis is generally considered the key to the successful treatment of an alcoholic. The greatest number of patients are lost at the diagnostic interview. If diagnosis is too brusque and formal, sentimental or preaching, it will be of little value.

If treatment is to have a reasonable chance of success, diagnosis must establish (a) if the patient actually is an alcoholic, and (b) which one of several possible categories the patient belongs in. The treatment unit may, after all, receive diabetics or persons with head injuries whose symptoms resemble those of alcoholism, but who obviously are not alcoholics.

Any treatment facility for alcoholics must provide, as far as possible, proper categorization of patients. Feeble-minded, psychotic and severely neurotic alcoholics present special problems. Such patients must receive treatment for their underlying mental illnesses of which excessive drinking is but a surface manifestation. They are properly cared for in mental institutions.

The social misfit, skid row drinker, also presents a unique problem calling for specialized techniques. Most skid row drinkers will not respond to the same kind of treatment which is often effective with those excessive drinkers possessing special skills, jobs, families and education. Many think that the social misfits are best handled in some kind of institutionalized setting, such as rehabilitation farms.

Again it must be emphasized that each alcoholic is an individual problem; no one treatment is satisfactory for all. The problem involves medical, psychological, psychiatric, financial, religious, social, private and public help. In any alcoholism program, proper diagnosis will play an important part.

*Acute Intoxication.*<sup>17</sup> Episodes of acute intoxication usually can and should be handled according to orthodox rules of medicine and nursing. Many clinics and hospitals, however, will not even accept intoxicated persons. Where such patients are accepted and given medical treatment, it is difficult to evaluate the impact on the patient of the physicians or nurses who treat him while he is inebriated. In any event, the condition of acute alcoholic intoxication is seldom in itself threatening to life.

*Hang-over.*<sup>18</sup> Usually the alcoholic patient will come to the attention of the doctor, not during acute intoxication, but while suffering a hang-over. The hang-over (when alcohol has disappeared from the blood) in

<sup>16</sup> Selden D. Bacon, *The Administration of Alcoholism Rehabilitation Programs*, (New Haven, 1949), p. 20.

<sup>17</sup> Esther P. Walcott, and Robert Straus, “Use of a Hospital Facility in Conjunction with Outpatient Clinics in the Treatment of Alcoholics,” *Quarterly Journal of Studies on Alcohol* (March, 1952), pp. 60-67; Yvelin Gardner, “Modern Advances in the Field of Alcoholism,” *Southern Medical Journal* (May, 1953), pp. 418-422.

<sup>18</sup> Giorgio Lolli, “The Treatment of Alcohol Addiction,” *Quarterly Journal of Studies on Alcohol* (September, 1952), p. 466.

contrast to acute intoxication (which is characterized by intense pleasure) represents that phase of alcohol addiction highlighted by unadulterated physical and mental pain. Consequently, the hang-over presents both a medical and psychological problem.

At the hang-over stage when the defenses of the patient are lowest, he is most susceptible to therapeutic approaches, either medical or psychological. It is believed that the psychological approaches which are most successful in the treatment of alcohol addiction are begun at the hang-over phase.

*Temporary Sobriety.* When the patient is temporarily sober, he needs professional, medical, psychological and social help to avoid repetition of drinking.

*Medical Treatment.*<sup>19</sup> Medication is important in the treatment of alcoholism, both in its intrinsic value and for its added psychological effects. Physicians have found that, by and large, the diseases that accompany chronic alcoholism come primarily from malnutrition. Unfortunately, while the high calory content of alcohol satisfies the hunger pangs of the excessive drinker, alcohol contains none of the essential proteins, vitamins and other nutrients. The treatment of the accompanying diseases, therefore, requires careful use of diet and vitamins, together with good general medical and psychiatric nursing care.

*Conditioned-reflex Therapy.*<sup>20</sup> One of the oldest methods of treating alcoholism is the so-called conditioned-reflex therapy in which alcohol and nausea are closely associated, so as to create an aversion to drinking. In repeated sessions, the patient is given a dose of emetine or apomorphine, and immediately thereafter either smells, sees or drinks an alcoholic beverage. Although the nausea and vomiting which follow are caused by the emetine or apomorphine, the nausea becomes associated in the patient's mind with the beverage and an aversion is developed. This treatment must be repeated from time to time to keep the aversion alive. Many persons in the field feel that if this method is not combined with psychological approaches, the aversion will be overcome by the overwhelming pressure of the addictive urge to drink.

*Antabuse*<sup>21</sup> (*Disulfam*). Antabuse is a drug that taken internally will, by itself, generally cause no ill effects. If, however, after antabuse is taken over a period of days, the patient drinks even a small amount of alcohol, serious and dangerous bodily reactions of a shock-like nature will ensue. To demonstrate the power of the drug, patients are given antabuse and then moderate amounts of alcohol in a test situation. The repulsive experience they then endure is designed to convince them of the necessity for abstinence. In usage for only a few years, this method of treatment has received both favorable and unfavorable reports.

Certain limitations to the use of antabuse are as follows. (1) If used improperly antabuse is a dangerous drug. For example, home treatment may result in overdosage with tragic results. (2) The drug cannot be used on individuals suffering from cardiovascular or liver disorders. (3) Sudden acute flare-ups of psychotic complications may occur, possibly due to the toxic action of the drug.

<sup>19</sup> *Ibid.*, pp. 466-467.

<sup>20</sup> *Ibid.*, p. 467; National Committee on Alcoholism, *What the General Practitioner Can Do About Alcoholism*.

<sup>21</sup> Lolli, "The Treatment of Alcohol Addiction," pp. 467-468.



It is entirely possible for the patient to stop taking antabuse for a few days after which time he may commence drinking again with no reactions from the drug. Authorities believe, therefore, that it should be used only in selected and carefully screened cases as an auxiliary to psychological approaches.

*Psychological Approaches.*<sup>22</sup> A variety of psychological approaches may be used in the treatment of alcohol addiction. These approaches rest on two principles: (1) therapy should aim at total and permanent abstinence, and (2) the alcohol addict can remain abstinent only if there are favorable readjustments in his personality.

Some addictive drinkers can reach the desired goal of abstinence only through psychotherapy. The psychiatric approach stresses the need for dealing with neurotic or psychotic complications unrelated or only indirectly related to alcohol addiction. Deeply probing psychoanalytic techniques are uneconomical and usually impossible to apply because of the instability and low tolerance to stress of the addictive drinker. Whenever painful experiences are brought to consciousness, the alcoholic will usually relapse into drinking.

Psychiatrists and psychiatrically trained social workers are commonly used to apply psychological approaches to the addictive drinker.

Permanent sobriety and helpful personality changes in the alcoholic often result from psychological approaches which do not make use of trained psychiatrists or psychologists. These methods will be discussed below.

*Religious Approaches.*<sup>23</sup> The number of alcoholics helped to abstinence through religious approaches is unknown, although it is probably greater than generally believed.

In the past, religious approaches such as the Salvation Army and the various missions have accounted for almost all of the successes achieved among skid row alcoholics. Alcoholics Anonymous, employing partly religious (though nonsectarian) and partly psychological methods, has been quite successful among both skid row drinkers and those who have not yet "hit bottom."

*Alcoholics Anonymous.*<sup>24</sup> Alcoholics Anonymous conducts a program for the treatment of excessive drinking that has been singularly successful.

If an alcoholic calls A. A. and asks for help, one or two members will call on him, tell him of their own bouts with drinking, and show him some pamphlets outlining the A. A. program. He will then be invited to the next meeting. A. A., he will find, has no membership dues, no complicated organization. The alcoholic will learn that the A. A. program has only two requirements: (1) the alcoholic, by admitting that he is helpless where alcohol is concerned, must turn to a power greater than himself for help, and (2) he must undertake to remake his life as well as he can with the help of the A. A. members.

At the A. A. meeting, the alcoholic will find intelligent, well-dressed people speaking humbly about how they learned to live without alcohol. He will develop new friendships on a nondrinking basis. Soon—if he is the type of alcoholic to whom A. A. appeals, and there are many of

<sup>22</sup> *Ibid.*, p. 468; Veterans Administration, *The Management of Alcoholism*, p. 19.

<sup>23</sup> *Ibid.*, pp. 18-19; Lolli, "The Treatment of Alcohol Addiction," pp. 468-470.

<sup>24</sup> *Ibid.*, p. 471.



these—the satisfactions he gets from not drinking will increase, and complete rehabilitation very frequently results. Eventually, as part of the A. A. plan of treatment, he will tell other newcomers about A. A.

*The Role of the Outpatient Clinic.*<sup>28</sup> Many, though not all, workers in the field of alcoholism consider the outpatient clinic to be the basic unit of a rehabilitation service for alcoholics. The reasoning behind this conclusion lies in the nature of alcoholism itself. Although no specific cause for alcoholism has yet been found, it is obvious that psychological and social problems are deeply involved.

Rehabilitation is directed to these problems. This may involve prolonged psychological treatment, it may call for psychological and social reorientation of the individual's family, or it may involve a change of environment. In other words, rehabilitation may start anywhere, but it must continue in and be oriented to the individual's ordinary life situation. The alcoholic may have to be hospitalized for a period or held in some other type of institution, but if rehabilitation is ever to succeed, the individual must be "followed-up" with help in his own environment. This becomes the work of the outpatient clinic.

The success of the outpatient clinic and the entire rehabilitation program will depend on at least three important factors, (a) the coordination of all available agencies, (b) the establishment of an effective diagnostic and referral center, and (c) the training of qualified personnel to undertake these duties.

#### **Alcoholism Programs in the United States<sup>29</sup>**

A number of programs, both governmental and private, have been initiated within the past few years in an attempt to understand and provide remedies for alcoholism and its related problems. Government programs are characteristically most significant at the state level although several local governments as well as the Federal Government have instituted projects directed toward problems of alcoholism. The number of studies being made in the many states which have programs indicates the fruitfulness of a state program undertaking to concentrate on a review and analyses of the results of these studies, rather than possibly duplicating them.

#### **State Alcoholism Programs**

In the brief period since the close of World War II many states have taken specific actions directed at alcoholism. With the pioneering efforts of the Connecticut Commission on Alcoholism as a precedent, 38 states and the District of Columbia have statutory expressions pertaining to alcoholism. Programs that have been initiated by such state legislation generally fall into four classifications, (1) study group activities, (2) state hospital program activities, (3) special agency activities, and (4) integrated agency activities. These program types and activities of selected states participating in each are described briefly hereafter.

<sup>28</sup> The Alcoholic Foundation, Inc., A.A. (New York, 1943); Raymond G. McCarthy, *Facts About Alcohol* (Chicago, 1951), p. 45.

<sup>29</sup> This chapter is based in large part on Ralph M. Henderson and Robert Straus, "Programs on Alcoholism in the United States, 1952," *Quarterly Journal of Studies on Alcohol* (September, 1952), pp. 472-495; Licensed Beverage Industries, Inc., *State Programs on Alcoholism Research, Treatment and Rehabilitation* (New York, 1953); Ernest A. Shepherd, "State Programs on Alcoholism," *State Government*, (October, 1950).

**(1) Study Group Activities**

Ten states—Arizona, California, Colorado, Florida, Illinois, Kentucky, Minnesota, Montana, Ohio and South Carolina—are preparing or have recently completed studies on alcoholism. The groups responsible for these studies were appointed by the states' legislatures, governors, or by both, usually on a limited term basis, and generally were directed to examine the problem of alcoholism and to prepare a report and make recommendations. Four of these states—California, Illinois, Minnesota, and Montana—also have state hospital program activities related to alcoholism. That many states have approached the alcoholism program through study groups is shown by the fact that eight additional states—Maine, New Hampshire, New Jersey, New Mexico, New York, Rhode Island, Vermont and Virginia—had study groups prior to the establishment of permanent state alcoholic programs.

Selected state study groups are described briefly hereafter.

*Kentucky: Alcoholism Study Commission.*<sup>27</sup> The commission was created in June, 1952 by the state legislature. The 11 members, appointed by the governor, were leaders in industrial medicine, psychiatry, social work, mental health, law, religion, alcoholic beverage industry and government. The staff of the Legislative Research Commission performed the necessary research and clerical work for the commission, and recommendations were formulated by the commission on the basis of the staff report.

The study was financed by \$10,000 from the general fund. In October, 1953, the Alcoholic Study Commission submitted its report and recommendations.

*New Hampshire: Liquor Research Commission.*<sup>28</sup> During 1945-47 the New Hampshire Liquor Research Commission collected information on the problem of alcoholism in New Hampshire and submitted its report and recommendations to the 1947 legislature.

The original seven-member commission, appointed by the governor with the consent of the legislature, included a state legislator, the state hospital superintendent, the chairman of the State Liquor Commission, a pastor, a college president, a newspaperman and a retired mail carrier. The commission hired investigators from the universities to help with the staff work. As a result of the commission's findings, the New Hampshire Commission on Alcoholism was established in 1947 and subsequently was incorporated within the State Department of Health. Funds are appropriated from the General Fund.

*New Jersey: Commission on Alcoholism and Promotion of Temperance.* This commission was established by statute in 1945. For three years, operating under an appropriation of approximately \$25,000 a year from the state's General Fund, the commission served essentially as a study and investigating group drawing heavily upon the technical services of Rutgers University and also upon out-of-state programs and professional persons.

As a result of the commission's studies, the legislature, in 1948, replaced it with a Bureau of Alcoholism in the State Department of

<sup>27</sup> Kentucky Legislative Research Commission, *Alcoholism*, Research Publication No. 35 (Frankfort, 1953).

<sup>28</sup> New Hampshire State Department of Health, Division on Alcoholism, *New Hampshire's Modern Approach to Alcoholism* (Concord, 1952).

Health which is charged with the conduct of a broad research, treatment and education program.

*Virginia.*<sup>29</sup> In 1948 Virginia established a precedent by creating the first alcoholism research and treatment program within a state health agency. Since its inception, the Division of Alcohol Studies and Rehabilitation in the State Department of Health has served as a model for many other states.

The 1948 action was preceded by legislation in 1947 which had assigned study of the alcohol problem in Virginia to the State Advisory Legislative Council. The 1948 legislation was the outgrowth of recommendations of this group.

### (2) State Hospital Program Activities

Ten states—Arkansas, California, Idaho, Illinois, Iowa, Minnesota, Mississippi, Montana, Nebraska, and Texas—have special statutes authorizing or directing the acceptance of alcoholic patients, including non-psychotic alcoholics, at state mental hospitals. Among these ten states, California, Illinois, Minnesota and Montana are at present studying the problem of alcoholism with a view toward broadening or revising the state alcoholic program. California, Minnesota and Mississippi have limited special treatment programs for alcoholics within the mental institutions.

### (3) Special Agency Activities

Eleven states have created new and independent permanent agencies of government charged with one or more of the following: study of the problems of alcoholism; establishment or operation of facilities for the treatment, care and rehabilitation of alcoholics; conducting research into the problems of alcoholism; and development of programs of public information, education and prevention. These eleven states are: Alabama, Connecticut, Georgia, Louisiana, Maine, Michigan, New Mexico, North Dakota, Oregon, Utah and Vermont. Prior to the establishment of permanent special agencies, commissions had been created in New Mexico and Vermont to study the problem of alcoholism.

Selected state special agencies are described briefly hereafter.

*Connecticut: Connecticut Commission on Alcoholism.*<sup>30</sup> In 1945 the Connecticut Legislature established the Board of Trustees of the State Fund for Inebriates. Two years later legislative action changed the board into a five-member Commission on Alcoholism appointed by the governor. Funds are derived from 9 percent of the revenue collected by the State Liquor Control Commission from liquor permit fees. The annual budget for 1951-52 was \$300,000.

The commission has focused its attention on rehabilitation (not, however, to the exclusion of research and education), feeling that the recovered alcoholic and his family provide the best public information, education and propaganda on alcoholism as a sickness. The so-called "middle group" of alcoholics—those beyond the incipient stage and not quite in the late chronic stage—has received the major share of the commission's attention.

<sup>29</sup> "Development of the Virginia State Program for Treatment of Alcoholics," *Quarterly Journal of Studies on Alcohol* (June, 1950), pp. 361-365.

<sup>30</sup> Connecticut Commission on Alcoholism, *Alcoholism is Everybody's Business: Connecticut's Treatment Program*, (Hartford, 1952).



A 50-bed hospital, built and operated by the commission, is reserved exclusively to the treatment of male and female alcoholic patients. Outpatient facilities include five full-time community clinics operated in the major population centers of the state. There are approximately 1,000 in-patient admissions and approximately 1,200 new out-patient cases per year.

The state program is administered by an executive director employed by the commission. The clinics are staffed with psychiatrists, psychiatric social workers and consulting psychologists. In the field of education, the commission distributes literature, sends speakers to various parts of the state and holds public meetings and conferences. Educational material is developed in cooperation with the State Education Department. Medical, psychiatric and sociological research has been carried out by staff members of the commission in cooperation with the Yale Center of Alcoholic Studies. The commission also renders a consulting and advisory service to other public agencies such as the State Tuberculosis Commission, the State Motor Vehicle Commission, the New Haven County Jail and the Connecticut State Farm for Women.

*New Mexico: Commission on Alcoholism.*<sup>31</sup> This commission was established by the New Mexico Legislature in 1949. It consists of five members and must include two physicians and two recovered alcoholics. The biennial budget of \$5,000 for 1949-50 was appropriated from the general fund. In 1951 a special additional tax was imposed on all alcoholic beverages. From June, 1951, to April, 1952, over \$150,000 which was paid into the commission's fund was tied up by an injunction based on a suit challenging constitutionality of the legislation. The State Supreme Court has upheld the constitutionality of the law, thereby freeing the impounded funds for the use of the commission.

The commission is operating two in-patient rehabilitation centers and two information offices for counseling and out-patient services. During the first 11 months of operation, approximately 800 patients received treatment at the rehabilitation centers, while about 200 persons received counsel and medical services on an out-patient basis. Educational activities of the commission include public meetings throughout the state; preparation of press and radio releases and the use of motion pictures; and the issuance of a monthly bulletin to over 2,500 persons.

*Oregon: Oregon Alcohol Education Committee:* This committee, created in 1943, is a division of the Liquor Control Commission but operates independently. The work of the five-man committee appointed by the governor is carried out by a director of activities, education director and medical director. The 1951-52 biennial budget of \$120,000 comes from Liquor Control Commission revenues.

After three years of educational activities, the committee made a study of the medical problems and needs of problem drinkers and submitted its report and recommendations to the Legislature. In 1947 the committee was authorized to establish treatment facilities for alcoholics.

Since 1947 the committee has operated the Oregon State Alcoholic Rehabilitation Clinic in Portland, an out-patient treatment service.

<sup>31</sup> New Mexico Commission on Alcoholism, *Bulletin*.



When necessary, arrangements are made through the clinic for hospitalization of patients in general hospitals. For the year ending February 29, 1952, 12 cases were hospitalized for an average of three days each, while 249 new cases and 42 reopened cases were handled by the clinic. The clinic operates on an out-patient basis utilizing therapeutic and counseling methods. Clinic personnel include a psychiatrist who acts as medical director, a psychologist, and a social worker.

An education program is carried out in close cooperation with the Oregon school system, and a newsletter published monthly by the committee is circulated widely throughout the state.

*Utah: Utah State Board on Alcoholism.*<sup>32</sup> This five-member board, appointed by the governor, was established in 1947 within the State Welfare Commission. By action of the state legislature in 1949, however, the board was made a separate agency of the government. The biennial budget of \$50,000 (1951-52) was appropriated from general funds.

The purpose of the present program is education, research, and limited diagnostic treatment services, with major efforts of the Utah Board in the fields of public education directed toward the prevention of alcoholism. This has been carried out by conducting public meetings, institutes, and forums; by distributing large quantities of popular scientific literature; by establishing an information center; and by working closely with Alcoholics Anonymous, the high schools, women's clubs, health, welfare, and educational agencies throughout the state. An out-patient clinic in Salt Lake City provides some psychiatric counseling and diagnosis, and limited research has been undertaken in cooperation with the University of Utah Schools of Medicine and Social Studies.

#### (4) Integrated Agency Activities

Alcoholism programs in 11 states—including research, education, rehabilitation, and treatment—have been placed within existing agencies of government, such as health, mental hygiene, welfare, or the hospitals, thus avoiding the creation of additional separate state agencies. These 11 states are: Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Virginia, and Wisconsin. In New Hampshire, New Jersey, New York, Rhode Island, and Virginia, commissions to study the problem of alcoholism preceded the establishment of the permanent program. Massachusetts and New Hampshire, which began with separate commissions, integrated the commissions into their state health departments.

Selected examples of the integrated agency program are described hereafter.

*Massachusetts: Division on Alcoholism, Department of Public Health.*<sup>33</sup> In 1950, the Massachusetts Legislature authorized the Department of Public Health to develop a program on alcoholism. The legislation was supported by the Massachusetts Commission on Alcoholism (which had been created by the Legislature in 1948 to study the

<sup>32</sup> Utah State Board on Alcoholism, *Alcoholism in Utah* (Salt Lake City, 1952).

<sup>33</sup> Massachusetts Department of Public Health, Division of Alcoholism, *Report of Activities for Fiscal Year 1952-1953* (Boston, 1953).

problem), and by other interested organizations and individuals. For the Fiscal Year 1953-54, \$93,125 was made available for the work of the division in the Public Health Department budget.

The alcoholic program in Massachusetts consists mainly of the establishment and maintenance of out-patient clinics for alcoholism within cooperating general hospitals. In-patient facilities are available at participating hospitals on a supplementary basis. The Department of Health sets the standards for the clinics, supervises their activities, and subsidizes, almost entirely, their cost of operation. Clinics are presently operating at six different hospitals under the sponsorship of the department. The number of persons served during 1951 was approximately 425.

The division's educational activities have consisted primarily of cooperation with various organizations and institutions directly or indirectly concerned with problems of alcoholism.

A clinical research study is being carried on to evaluate A. C. E. (adrenal cortex extract) and A. C. T. H. (adrenocorticotrophic hormone) in the treatment of various acute toxic conditions and as follow-up therapy.

*New Jersey: Alcoholism Control Program, Division of Preventable Diseases, State Department of Health.* As the result of a three-year study by a Commission on Alcoholism established by legislative action in 1945, the 1948 Legislature created the Alcoholism Control Program within the State Department of Health. The Alcoholic Division is charged with the conduct of a broad research, treatment, and education program. The annual budget of approximately \$20,000 is part of the Health Department appropriations.

Two out-patient clinics located in general hospitals have been established. These are study clinics for selected patients. The number of persons served during the first year of operation of the first of these two clinics was 80. Clinic out-patients are admitted to hospital wards for specific therapy where needed. Acutely intoxicated patients are not admitted.

Educational literature is provided to schools, libraries, and other institutions, and an intensive professional educational program is conducted for county medical societies. Liaison has been established between the alcoholism program and municipal private welfare agencies, industrial personnel, Alcoholics Anonymous, and other agencies.

*New York: New York State Program on Alcoholism.*<sup>34</sup> An act of the New York Legislature (March, 1952) authorized the New York State Mental Health Commission to formulate a program for the diagnosis, treatment and rehabilitation of alcoholics. The commission was created within the Department of Mental Hygiene in 1949 and is composed of the Commissioner of Mental Hygiene (chairman) and Commissioners of Health, Social Welfare, Correction and Education.

A sum of \$145,000 from general funds has been appropriated for the work of the commission in the field of alcoholism. Of this amount, \$100,000 is being used for the establishment of outpatient clinic services with the stipulations that (1) clinics shall conform to standards approved by

<sup>34</sup> "New York State Program on Alcoholism," *Quarterly Journal of Studies on Alcohol* (December, 1953), pp. 678-684.

the commission and (2) state funds shall be matched by nonstate funds. The six clinics presently operating under contract with the Mental Health Commission are regarded as the beginning of a state-wide program for meeting the problem of alcoholism in New York. In addition, \$45,000 has been made available for research activities at medical and teaching hospitals.

*North Carolina: Alcoholic Rehabilitation Program, State Hospital Board of Controls.*<sup>35</sup> The Legislature appropriated \$300,000 from general funds for the biennium 1949-51 to the Hospital Board of Control for the establishment of an alcoholic rehabilitation program.

The board operates a 50-bed hospital facility at Butner for male white patients. A social and medical history is requested of each patient before admittance. The 28 days of treatment, costing \$72, consists of group discussions, educational films, individual consultations, vocational therapy, recreation and rest, good food, and any prescribed medications. On discharge, patients are referred to their family doctor, a mental hygiene clinic and Alcoholics Anonymous. Outpatient treatment is available at two other localities in the state.

Educational activities of the board include the distribution of a bi-monthly journal and special pamphlets, preparation of news releases and radio announcements, the providing of lecturers, and sponsorship of summer studies on alcohol at the University of North Carolina. By contract with the Institute of Research in Social Sciences at the University of North Carolina, research studies are underway relating to (1) institutional and private care for alcoholics available in the State, (2) social and environmental factors bearing upon alcoholism, and (3) industrial absenteeism.

*Virginia: Division of Alcohol Studies and Rehabilitation, Virginia Department of Health.*<sup>36</sup> The Virginia Legislature in 1948 created the Division of Alcohol Studies and Rehabilitation within the Department of Health and provided for the study of the problems of alcoholism, the treatment and rehabilitation of persons addicted to excessive drinking, and the promotion of preventive and educational programs aimed at control of alcoholism.

The division has a full-time director; a ten-member medical advisory committee and a nine-member advisory committee representing the fields of education, religion, social service and business. Appropriations from the general fund amounted to \$134,000 for 1953-54.

A 12-bed inpatient unit is operating in the Medical College of Virginia Hospital and outpatient clinic facilities are available in Richmond and Roanoke. During the year ending June 30, 1951, inpatient facilities served 437 persons and outpatient facilities served 670.

Research projects include study in biochemistry and pharmacology in connection with acute intoxication and extensive tests with antabuse and other drugs for the treatment of alcoholism.

In the education field, films have been made available to high schools, reference texts have been approved for purchase by public school libraries, and an annual symposium on problems of alcoholism is held.

<sup>35</sup> North Carolina Alcoholic Rehabilitation Program, *Butner Alcoholic Rehabilitation Center* (Raleigh).

<sup>36</sup> Virginia State Department of Health, *A Report of the Activities of the Division of Alcohol Studies and Rehabilitation* (Richmond).



**Notable Features of the Special and Integrated Agency Type of State Governmental Programs on Alcoholism**

(1) *Administration*: Of the 11 integrated agencies, six are within the Department of Health; three are within the Department of Mental Hygiene (or a corresponding department); two are within the Department of Social Welfare (or a corresponding department). Nine of the alcoholic divisions within existing departments have single administrators.

Of the 11 special agencies, 10 have single administrators (variously called directors, executive secretary, or executive director); one has a chairman of the commission. All 11 have five to seven-member commissions or boards.

(2) *Funds*. Of the 11 alcoholic divisions within existing departments, 10 receive appropriations from general funds. In the case of Wisconsin, 70 percent of the funds are charged against alcoholic beverage taxes. Seven of the 11 separate alcoholic agencies are funded from taxes on alcoholic beverages and four receive general funds.

No general pattern concerning the amount of funds appropriated can be discerned. The figures run from a nominal amount (a program just getting underway) to approximately \$650,000 a year. More money has been appropriated by those states with broad treatment and research programs.

(3) *Treatment Facilities*. The 22 states with permanent alcoholic programs, either separate or integrated, have a wide variety of treatment facilities. Seven states have no facilities (at least four hope to open clinics in the near future). Most of the others have combined facilities. Four states have inpatient rehabilitation centers for alcoholics; two of the four are in conjunction with outpatient clinics. Ten other states operate outpatient clinics. Of the 10, three have clinics in general hospitals, and two of the 10 also operate hospitals for alcoholics. Two states treat patients in the state mental hospitals, and one state provides in-patient facilities at the hospital of the state medical college.

(4) *Educational Activities*. All 22 states have provided for educational activities by their alcoholic agencies. Programs range from cooperation with the department of education and other agencies to publication of periodicals and pamphlets, furnishing materials for libraries, providing speakers, and sponsoring public forums and summer schools.

(5) *Research*. Ten of the 22 states have no research programs although at least three of these intend to conduct research in the future. Of the other 12, five states have contracted or cooperated with universities or medical schools for research projects. The staffs of the alcoholic agencies in the other seven carry on limited alcoholic research projects.

(6) *Cooperation with Other Agencies*. Virtually all of the states have provided for close cooperation between the state alcoholic agencies and other interested agencies of state and local government, private organizations and interested individuals.

**County and Municipal Governmental Programs**

Government interest in the problems of alcoholism in the United States has not been limited to the state level. Several local units of government, both county and municipal, have established alcoholic programs dealing with one or more phases of the problem. Some of these local programs are noted hereafter.



*Boston, Massachusetts.* A rehabilitation clinic for alcoholics within the Long Island Hospital for the chronically ill has been in operation since January, 1952. The clinic was established upon the recommendation of the mayor. In addition to psychotherapy and occupational therapy, attempts are made to help patients solve their immediate economic problems. 145 persons were served during the first six months of the program.

*Detroit, Michigan.* The Mayor's Skid Row Committee on Alcoholism maintains a facility for homeless male alcoholics wherein limited physical rehabilitation, referral and lay counseling are available.

*Minneapolis, Minnesota.*<sup>37</sup> In 1948 the Division of Public Assistance, Board of Public Welfare of the City of Minneapolis, established "Pioneer House," a rest and counseling inpatient facility, for the purpose of rehabilitating maladjusted persons who have become problem drinkers. "Pioneer House" serves approximately 250 men per year.

The city entered the field of alcoholic rehabilitation because of the large amounts of city relief funds expended on the families of alcoholics. Therefore, preference is given to persons whose condition will probably lead to the need for public assistance. Referrals are made through Alcoholics Anonymous, the Division of Public Relief, the probation office, the municipal court and other agencies.

*New York City, New York: The Hart Island Program for Alcoholics.*<sup>38</sup> In 1948 a Project Committee on Homeless Men was established by the New York City Welfare Council. As the result of a two-year study by this committee, the Hart Island Shelter was established under the Department of Welfare. The objective at Hart Island is to restore skid row habitués to health and self-maintenance. In the first two years of its existence, the Hart Island Shelter admitted about 2,320 men. The capacity of the shelter approximates 350 and the average length of stay is 10 days. Of the total number of men admitted, only about 30 percent later reapplied for assistance.

Men are referred either through the Department of Welfare's shelters for homeless men or through the magistrates' courts. Long-term plans provide for the establishment of a more comprehensive rehabilitation program to include therapy for alcoholism as part of the effort to achieve total readjustment in society. The department also has under its jurisdiction "Bridge House," a small facility providing rest, information and lay therapy for alcoholics.

*Rowan County, North Carolina.* This program is operated by the Department of Education of the Rowan County Alcoholic Beverage Control Board. Established in 1950, the program is the only activity of its kind carried out by a local Alcoholic Beverage Control Board. Alcoholics receive information, guidance and referral services. Referrals are made to the State Alcoholic Rehabilitation Center, to Alcoholics Anonymous and to mental hygiene clinics. A wide variety of education services are provided for the community.

<sup>37</sup> "Pioneer House—The Minneapolis Project for the Rehabilitation of Alcoholics," *Quarterly Journal of Studies on Alcohol* (June, 1950), pp. 353-359.

<sup>38</sup> "The Hart Island Program for Alcoholics in New York City," *Quarterly Journal of Studies on Alcohol* (March, 1953), pp. 140-146.

*Seattle, Washington.*<sup>39</sup> At the suggestion of the Seattle Police Department, Seattle's City Council, in 1947, appropriated \$175,000 with which a rehabilitation farm was constructed and opened with a capacity for 50 patients. Patients are selected by the police department from among those in jail. No voluntary admissions or court commitments are accepted. In addition to enforced sobriety, the program attempts to establish regularity in living habits, with referral to a job upon discharge. Experience indicates that those patients for whom employment is available do not return for successive sentences. Patients for whom no steady employment can be found, however, have returned rather frequently.

*Toledo, Ohio.* Since 1948 the Toledo District Board of Health has operated an outpatient clinic service offering diagnosis, referral and treatment services to both court-committed and voluntary patients.

It will be noted that almost all of these local programs on alcoholism (including those in California to be discussed later) deal primarily with the skid row drinker, the "homeless man," the "social misfit." Many authorities have pointed out that whereas skid row is the eyesore blighting a town or city—a circumstance which pressures local governments into attempting to clean up the area—the greatest alcoholic problem for society lies with the large "middle" group of excessive drinkers who still have jobs, families and a stake in society but are drinking to excess. The need, therefore, for a broad attack on alcoholism coordinated at the state level becomes more clear.

#### Activities of the Federal Government

*Public Health Service.* The U. S. Public Health Service has entered the field of alcoholism because of its concern with all kinds of addiction. Three units of the Health Service are interested in particular aspects of the alcoholic problem—the National Institute of Mental Health, the Division of Occupational Health of the Bureau of States Services, and the Division of Hospitals in the Bureau of Medical Services.

The National Institute of Mental Health, through its community services activities, attempts to make clear the symptomatic nature of alcoholism and to encourage more adequate methods of rehabilitation and prevention. To accomplish these objectives, the National Institute works closely with local agencies. The Public Health Service will support basic or applied research in the field of alcoholism. Research grants may be made to hospitals, universities, laboratories, other private or public institutions and to individuals in accordance with the provisions of the National Mental Health Act.

*The District of Columbia.*<sup>40</sup> Among state and municipal programs for the rehabilitation of alcoholics, one of the first was initiated by the Health Department of the District of Columbia. As early as July, 1945, a part-time clinic for the treatment of alcoholics was opened under the jurisdiction of the newly established Bureau of Mental Hygiene in the District Health Department. In 1947, Congress passed an "Act for the Rehabilitation of Alcoholics in the District of Columbia."

<sup>39</sup> "Seattle Police Department Establishes Rehabilitation Center for Alcoholics," *Quarterly Journal of Studies on Alcohol* (March, 1950), pp. 167-170.

<sup>40</sup> "The Outpatient Treatment of Alcoholism in the District of Columbia," *Quarterly Journal of Studies on Alcohol*, (September, 1953), pp. 514-524.

Finally, the alcoholic rehabilitation program went into effect with the opening of a full-time outpatient clinic in February, 1950.

The annual budget of \$100,000 (1952) is financed by a 10 percent increase in retail liquor license fees. There are no inpatient facilities. The large outpatient clinic is located in a renovated school building which includes facilities for occupational and recreational therapy. Between February, 1950, and October, 1952, a total of 1,455 patients were treated, including 1,075 voluntary and 380 court-referred patients.

The clinic staff allots a considerable amount of time to educational activities such as lecturers, radio and newspaper publicity and open houses for civic groups. Staff members also engage in alcoholic research projects. Active cooperation is maintained with Alcoholics Anonymous, the Salvation Army and church groups.

*Alcoholics Anonymous.*<sup>41</sup> Formed in 1934 by two recovered alcoholics, Alcoholics Anonymous now numbers about 150,000 men and women who were once addicted to alcohol. A. A. has helped people of every kind of background and circumstance. It is a loosely-knit voluntary fellowship of recovered alcoholics and alcoholics who join together solely to help themselves and others become sober or stay sober.

Alcoholics Anonymous is not a crusading temperance society. The members have large community meetings once a week. Small groups of 10 to 14 persons also meet weekly. The essentials of the A. A. program include many sociological and psychological elements of known therapeutic value. The fellowship is strongly opposed to both commercialization of A. A. activities and entangling alliances with other organizations or programs. Nevertheless, A. A. has cooperated closely with and contributed greatly to the success of most state alcoholic programs.

Among A. A. publications are the book, *Alcoholics Anonymous*, a monthly magazine, *The Grapevine*, and pamphlet materials. The A. A. national service office in New York City offers guidance services to local groups, distributes materials and acts as a referral center and national clearing house.

*Yale Center of Alcohol Studies, Laboratory of Applied Physiology, Yale University.*<sup>42</sup> The leading research and educational organization in the United States in the field of alcoholism is the Yale Center of Alcohol Studies. Employing a rounded approach to the problem of alcohol, the work of the Yale Center is organized in five major activities:

1. Research. The core of the Yale program is research. Part of this research is concerned with scientific problems—physiological, psychological, cultural, legal, and the like—while another part centers around the application of these scientific findings to the solution of immediate practical problems. Among recent research projects are the following: drinking patterns of American Jews; analysis of the histories of patients of alcoholism clinics; a study of the characteristics of alcoholics sentenced to a metropolitan shelter; a college drinking survey.

2. Publications. The Yale Center initiated its special program of publication in 1940 with the founding of the *Quarterly Journal of*

<sup>41</sup> Works Publishing, Inc., *Alcoholics Anonymous* (New York, 1939).

<sup>42</sup> Laboratory of Applied Physiology, Yale University, *The Yale Center of Alcohol Studies* (New Haven).



*Studies on Alcohol.* This periodical publishes original research reports from all the scientific institutions and laboratories in the world as well as from the Yale Center itself. The *Journal* carries regular reports on treatment and rehabilitation facilities. The Publications Division issues technical, nontechnical and popular books and pamphlets dealing with many topics of interest connected with alcohol problems. Educational materials, including posters and leaflets, are also produced. Packets of literature are made up and distributed on behalf of state commissions to schools and libraries. For the medical and allied professions the *Alcoholism Treatment Digest* is published bimonthly.

3. Education. The best known educational project of the center is the *Yale Summer School of Alcohol Studies*. Since 1943 the summer school has met each year for approximately four weeks. About 150 qualified students—educators, physicians, clergymen, nurses, and others—attend this intensive course of lectures and seminars on the problems of alcohol. Other educational activities include the preparation and distribution of special materials, participation by staff members in institutes and conferences throughout the country, and advisory services in the planning of educational curriculums.

4. Therapy. In 1944, the Yale Center, long interested in research on alcoholism, tried a new approach. It set up two public clinics in Connecticut to guide alcoholics and to bring various resources into their treatment. An alcoholic comes to the clinic of his own volition, or is referred by relatives, church, court or social agency. The clinic gives him help and guidance, or sends him to a private physician, hospital or suitable institution or agency for the treatment recommended in his case.

The Yale Plan Clinic has now become a model for clinics elsewhere. The Connecticut Commission on Alcoholism has taken over the Hartford Clinic and has set up others throughout the state. The Yale Center still operates a clinic in New Haven which chooses its patients mainly for the purpose of studying particular phases of alcoholism.

5. Special Services. Government agencies and departments, institutions of education, welfare organizations, legislative committees, professional and industrial groups and individuals often turn for help to the Division of Special Services of the Yale Center. This division conducts surveys to determine the facts about problems relating to alcohol in selected localities and provides information and consultation to groups considering activity in the field of alcohol problems.

*National Committee on Alcoholism, Inc.*<sup>43</sup> Founded in 1944, the activities of this independent national voluntary health agency are based on three concepts:

- (1) Alcoholism is a disease, and alcoholics are sick people.
- (2) Alcoholics can be helped and are worth helping.
- (3) Alcoholism is a public health problem and therefore a public responsibility.

The committee does not take part in conflicts between group or organizations concerned with the promotion or prohibition of sale or consumption of alcoholic beverages.

<sup>43</sup> National Committee on Alcoholism, Inc., *Three Approaches to One Goal, Annual Report, 1951* (New York, 1952).



The committee distributes literature, maintains a free lecture service and provides general and specific information on alcoholism and the facilities for treatment of alcoholics. Local branches have been organized by the committee in over 50 communities in 27 states and Canada. Local committees are given a five-point plan of action by the National Committee: (1) an intensive educational campaign in their own communities, (2) the establishment of information centers, (3) the securing of beds in general hospitals for the emergency care of acute cases, (4) the establishment of diagnostic and treatment clinics, and (5) the establishment of small "rest hospitals," modest institutions of the sanatorium type, where treatment may be made available for alcoholic patients of moderate means.

#### **Programs of Industrial Organizations**

Estimates show that at least 2,000,000 of the Nation's alcoholics are employed industrially. These problem drinkers in industry cost their companies over a billion dollars every year in absenteeism, slow-downs, scrapped materials, faulty decisions, as well as the permanent loss of otherwise capable workers. The alcoholic in industry loses an average of 22 working days annually from the acute effects of alcohol alone. Over 36,000,000 working days are thus lost each year.

During the past five years several important industrial concerns—Consolidated Edison of New York, Dupont, Allis Chalmers, Eastman Kodak, Standard Oil Company of New Jersey, Metropolitan Life Insurance, the New York Telephone Company and the International Harvester Company—have issued significant policy statements and inaugurated positive programs of prevention and treatment of alcoholism. The trend has been toward close cooperation with such groups as Alcoholics Anonymous, the National Medical Council of the Yale Center of Alcohol Studies, and the Industrial Medical Association.

#### **Programs of Religious Organizations**

In the past, various religious organizations have largely borne the brunt of attempts to rehabilitate alcoholics. Religious programs have been limited primarily to working with the skid row derelict. The Salvation Army and the Volunteers of America, together with many local missionary societies, have been active in this field. Although the purpose of these organizations is primarily spiritual and religious, their accomplishments among skid row drinkers, largely ignored by other elements of society, have been significant.

The Salvation Army has 105 social service centers for men located in cities throughout the country, 14 skid row area programs, programs for unmarried women, prison work and family aid services. The Salvation Army Harbor Light Corps, found in many skid row areas, provides a program of religious conversion together with attention to immediate basic needs. Attempts are made to re-establish individuals with satisfactory job, family, and community relationships. The Volunteers of America (headquarters, New York City) provides salvage and rehabilitation programs in 63 cities.

In addition to the programs noted above, other organizations (American Medical Association, the American Psychiatric Association, the National States' Conference on Alcoholism and the National Committee

on Alcohol Hygiene, Inc.) and voluntary health groups in many communities (Boston, Buffalo, Dallas, Pittsburgh, Rochester, Salt Lake City) are carrying on active and important programs dealing with the problems of alcoholism.

### PROBLEMS AND PROGRAMS IN CALIFORNIA

Alcoholism in California presents problems not markedly different from those found in other sections of the country. Statistics as to incidence and cost are sketchy or lacking while methods of treatment and prevention follow the national trend. Governmental and private programs have lagged behind other states, however. The following material attempts to indicate, insofar as it is possible, the extent and cost of the problem and the programs presently in effect in California.

#### Number of Alcoholics

Although it would be useful and informative to know the number of true alcoholics in California, where they live, what they do, and how old they are, such is not possible. The only alternative is to cite certain educated guesses, while recognizing that these may create a fallacious, over-all impression.

Noting that "most of the data \* \* \* consists of inferences based on inferences," California's Department of Mental Hygiene estimates that in 1953 there were 500,000 alcoholics in California as contrasted with 340,000 in 1945. These figures include an increase of chronic alcoholics from 85,000 in 1945 to 125,000 in 1953. The data are derived from formulas developed by E. M. Jellinek which utilize the death rate from cirrhosis of the liver.<sup>44</sup>

The Department of Mental Hygiene also notes that California's prevalence of alcoholics is about 50 percent higher than the national average and has increased steadily over the last 10 years. Commitments of alcoholics to state mental hospitals increased from 1,333 in 1941 to 3,409 in 1953, and the rate of commitment per 100,000 civilian population increased from 26 to 46 during this same period.<sup>45</sup>

#### The Cost

Figures purporting to show the cost of alcoholism in California are no more reliable than statistics covering other phases of the problem. The Department of Mental Hygiene estimates that, in terms of wage losses, public welfare services, jail sentences, and so on, the cost of alcoholism would range from \$120,000,000 to \$300,000,000 for 1953.<sup>46</sup>

The Department states that support costs alone for alcoholic commitments to state mental hospitals during 1953 totaled \$1,300,000. In addition, these patients tied up hospital beds representing a capital outlay of \$8,000,000.<sup>47</sup>

<sup>44</sup> *Alcoholic Beverage Control in California*, Report of the Subcommittee on Alcoholic Beverage Control to the 1954 Special Session of the California Legislature, February 8, 1954, Appendix V, pp. 95-96.

<sup>45</sup> *Ibid.*

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

### Treatment Programs

#### State Programs

On the state level, the major responsibility for the care of alcoholics lies with the Department of Mental Hygiene. Under the provisions of Section 5404 of the Welfare and Institutions Code, superior court judges may commit excessive drinkers to the department "for placement in a hospital for the care and treatment of the mentally ill \* \* \*."

"Before a person is committed to a state hospital, however, satisfactory evidence shall be submitted to the trial judge showing that the person to be committed is not of bad repute or bad character, apart from his habit for which commitment is made, and that there is reasonable ground for believing that the person, if committed, will be permanently benefited by treatment."<sup>48</sup>

In sending alcoholics to state hospitals there is no pattern or rule to guide the judges. Some judges believe that treatment will aid the alcoholics, while others apparently look upon state hospital commitment as punishment for incorrigible and troublesome drinkers. In Los Angeles County, judges apparently commit only those alcoholics who will sign their own commitment papers.

The large numbers of alcoholics committed to the hospitals contribute significantly to the total patient population. During the year ending June 30, 1953, there were 3,409 alcoholics admitted, representing 21.1 percent of all admissions to state hospitals. Of these, 2,425 were first admissions and 984 were re-admissions. As of June 30, 1953, 1,228 alcoholics were occupying beds accounting for 3.5 percent of the total resident population. Most of the remainder were on leave.<sup>49</sup> The strain upon the admission procedure, inpatient facilities and the leave program is obvious.

In the early spring of 1953, the headquarters office of the Department of Mental Hygiene circulated among the hospitals a proposed treatment program for alcoholics which was to be considered standard departmental practice. The program included a diagnostic check-up, medical procedures for physical rehabilitation—vitamins, high calory diet, hydrotherapy and physiotherapy—re-education treatment, including Alcoholics Anonymous contacts and group psychotherapy, in conjunction with supportive therapies such as conditioned reflex treatment, antabuse, A. C. E. and carbon dioxide.

In discussing the problem of alcoholism with officials at four state hospitals, it was found that the prescribed program is not carried out in full. During the usual three-month stay of the alcoholic, the hospitals have considerable success with physical rehabilitation, but psychological and psychiatric approaches are relatively neglected.

The alcoholic programs at the various hospitals are spotty and offer little in the way of specific treatment of alcoholics beyond physical-custodial benefits. Mendocino offers conditioned reflex treatment; Agnews has experimented with A. C. E. and A. C. T. H. (hormone) and is presently using carbon dioxide therapy on a highly selective

<sup>48</sup> *Welfare and Institutions Code and Laws Relating to Social Welfare, 1950*, Section 5404, amended, p. 236, State of California, Printing Division, Documents Section, Sacramento.

<sup>49</sup> Statistical Research Bureau, Department of Mental Hygiene, *Patients Committed as Alcoholics Compared to all Patients, State Mental Hospitals, Years Ending June 30, 1939-1953*.



basis; Camarillo and Langley Porter formerly conducted tests with antabuse; and all the hospitals utilize Alcoholics Anonymous. It was found that such active alcoholic programs as there are in the hospitals depend largely upon the initiative and interest of staff personnel.

Although the use of alcohol is a factor in about two-thirds of the cases coming to the Department of Corrections, there is no special program for alcoholics within the state correctional system. Excessive drinking in a prisoner's background is taken into account in classification and parole, but no statistics are kept on the number of alcoholics in the prisons. The department does not consider drinking as a basic cause of crime, but rather as symptomatic of some more serious defect.

Within the prisons, alcoholic prisoners are exposed to the same program of psychotherapy available for all prisoners. Excessive drinkers may also participate in the meetings of Alcoholics Anonymous, established at each prison with the encouragement and approval of the department.

The California Medical Facility, a prison hospital at Terminal Island operated by the Department of Corrections, provides a full treatment program built around group psychotherapy for the various deviates—alcoholics, drug addicts, sex deviates and mental cases. Alcoholics Anonymous, however, is the only service specifically for alcoholics.

Based on Section 210 of the Health and Safety Code, the Department of Public Health examines and reports to the Legislature on the problem of alcoholism. In actual practice, however, nothing substantial along these lines has been done, and no money for this specific purpose has been appropriated. In 1947, the department prepared a statement on alcoholism for the Governor's Conference on Mental Health. Later, in 1950, department staff members participated in the California Medical Association Report on Alcoholism. From time to time, the department discusses the problem with interested local groups.

Many of the staff members of the Department of Public Health are interested in the problem of alcoholism and have valuable suggestions to contribute to the solution of the problem. It is to be hoped that any state alcoholic rehabilitation program will take advantage of the resources available within this department.

#### **City and County Programs**

Since the spring of 1951, a voluntary outpatient clinic for the treatment of alcoholics—the Adult Guidance Center—has been in operation under the jurisdiction of the City and County of San Francisco Department of Public Health. Staffed by four psychiatrists (two full-time and two half-time) and three psychiatric social workers, the clinic is open to any San Francisco resident who has a drinking problem and who has not had a drink for 24 hours. During the past three years the clinic has handled some 3,500 cases, averaging about 100 per month.

This project grew out of an earlier study of the skid row problem conducted by the San Francisco District Attorney's office. Resulting from the recommendation contained in that report, a small inpatient facility was opened in the San Bruno jail to treat inmates arrested for drunkenness. Although the results were encouraging, San Francisco officials felt that a voluntary outpatient clinic would reach a group of alcoholics more likely to be helped by treatment.



Patients are referred to the Guidance Center clinic from many sources, ranging from self-referrals to those made by family, friends, A. A. social agencies, private physicians, courts and police. Based on the theory that alcoholism is a symptom of some deeper emotional disturbance, the clinic treats patients for physical ailments with vitamins and hormones, and mental disturbances with individual and group psychotherapy. Supportive therapies such as antabuse, conditioned reflex and carbon dioxide are not used.

Subject to availability of funds the clinic proposes ultimately to provide: (1) inpatient facilities where men and women in the acute stages of alcoholism may be treated; (2) additional follow-up; (3) more doctors and psychiatric social workers; and (4) a convalescent center for those who do not need hospitalization but have not yet found jobs.

Within recent months, an adult psychiatric clinic—primarily for alcoholics—has been opened in San Mateo under the supervision of the Director of the San Mateo County Public Health and Welfare Department. Although detailed information is not presently available, apparently this facility is similar in scope and purpose to the San Francisco clinic.

Santa Rita Rehabilitation Center, a facility of the Alameda County Sheriff's Office, has operated as the main unit of the Alameda County Jail System since 1947. Located on the site of a large World War II navy establishment near Pleasanton, the center provides its inmates with pleasant outdoor surroundings, adequate food, regular work, time for recreation, weekly moving pictures, adult education courses, hobby shops, religious supervision, and medical, dental and psychiatric care.

In 1949 an alcoholic clinic providing specialized medical and psychiatric services for alcoholics was added to the rehabilitation center. The institution's alcoholics—forming a large percentage of the inmate population of over 900—are treated by a clinic staff consisting of a psychiatrist, four mental health therapists and one clinic psychologist.

There are two forms of admission to the center: (1) the majority are under criminal sentence by superior and municipal courts; and (2) civil commitments. About 25 percent are committed through the superior courts following a five-day stay at a local county hospital. In addition, about 25 persons are committed each month on a purely voluntary basis. A recent survey showed that alcoholics admitted either voluntarily or on a civil commitment achieved a higher rate of improvement than those sentenced to Santa Rita through a police court.

Besides the regular program of the center, the alcoholics receive special physical and mental treatment. After the recording of a detailed personal and alcoholic history, the physical ailments of the inmates are cared for. Psychiatric treatment comes next: individual or group psychotherapy, simple counseling and vocational guidance, supportive therapies such as antabuse and carbon dioxide. Psychoanalysis and conditioned reflex therapy are not practiced at Santa Rita.

Santa Rita officials feel that some type of inpatient institution—not a hospital—is mandatory for the treatment of alcoholics. After patients are released from the institution, outpatient clinic follow-up is important. Lack of such follow-up constitutes a serious weakness of the Santa Rita program at present.

At the request of the Los Angeles County Board of Supervisors, the section on Alcohol Studies of Yale University in 1950 conducted a survey of alcoholism in Los Angeles County. The Yale staff recommended that the county undertake an extensive alcoholic program, costing around \$130,000 in the first year.

Although several alternative plans have been considered, including an alcoholic information and treatment center, there is as yet no official county sponsored program. The apparent reasons for the failure to initiate a program are (1) the inability of interested groups to cooperate on an effective basis and (2) the feeling that alcoholism is primarily the responsibility of the State.

Regarding penal offenders, many alcoholics in Los Angeles County are confined at Wayside Honor Rancho, a 2,800-acre farm housing 1,250 inmates. Officials in charge of Wayside express awareness that decent housing and recreation are not the total answer to rehabilitation. The alcoholic program consists of Alcoholics Anonymous meetings and an alcohol problems round table participated in by inmates on a voluntary basis. In addition to regular work assignments, some men undertake individual study in high school subjects.

Besides Wayside, the sheriff's office operates six honor road camps, each containing about 80 men, many of whom are alcoholics. The men perform heavy physical work and apparently thrive under the regular routine of the camps and the substantial meals.

About 3,000 prisoners are housed in the county jail, of whom approximately one-fourth are alcoholics. Experiments with antabuse on alcoholic prisoners have been discontinued because of discouraging results.

The Mental Health Department of the Los Angeles Superior Court arranges the legal commitment of mental cases and voluntary petitions for hospital care of alcoholics. Court sessions are held at the psychiatric ward of the Los Angeles County General Hospital with A. A. representatives present. In Los Angeles County, the Mental Health Department will not recommend, nor will the judges permit commitment of alcoholics to state hospitals, unless the alcoholic himself signs the commitment papers. Because the alcoholic must come in voluntarily and sober, the superior court generally does not get the skid row element.

The City of Los Angeles has recently opened a \$2,000,000, 581-acre alcoholic rehabilitation farm, with an initial capacity of 600, under the jurisdiction of the police department. By arrangement with the courts, prisoners are sent to the center for 180 days under suspended sentence.

At the farm, Alcoholics Anonymous is available as well as a high school level educational program and vocational training. The farm authorities attempt to locate jobs for the inmates on their release.

The judges cooperate by sending only those alcoholics who look like they can be helped. Men for whom nothing apparently can be done—the great bulk of individuals on skid row—will still be untouched by the new alcoholic rehabilitation program of Los Angeles City.

Throughout California within the jurisdiction of local law enforcement, the general practice is to arrest "drunks," put them in "drunk tanks," release most of them the following day without preferring charges, and sentence the remainder to jail or road camps. It is easy

to condemn these costly and wasteful practices, but difficult to suggest satisfactory and workable alternatives.

#### **Private Programs**

The treatment program of Alcoholics Anonymous has been described briefly elsewhere in this report. Here it is necessary to say only that A. A. in California, as in other parts of the nation, cooperates with many projects that help to rehabilitate alcoholics. A. A. groups are working in California's state mental hospitals, within state prisons and local jails, and in almost every community in the State.

A key to the drive and enthusiasm of A. A. lies in the responsibility given to or assumed by individual members in the rehabilitation of other alcoholics. In effect, by being their brothers' keeper, they themselves have a compelling reason to remain sober.

Consequently, A. A., while willing to cooperate with other treatment programs, will accept no outside aid of any kind for its own organization. Expenses are paid by the members themselves and work is performed on a voluntary basis.

Two points about A. A. should be emphasized: (1) A. A. is no cure-all for the problem of alcoholism. Although most informed persons will readily agree that A. A. has had more success in the rehabilitation of alcoholics than any other single approach, it is also true that many alcoholics will not accept the A. A. approach; and (2) A. A. lacks reliable statistics—as do other treatment programs—to show its degree of success. Because the lines of organization are so vague, it is impossible to state accurately the number of A. A. members in an "active" status at any given time, and there is no follow-up system to determine the number of former A. A. members who resume drinking.

Although A. A. as an organization does not sponsor other types of alcoholic programs, individual members are often active. One such outside activity has been the establishment of Twelfth Step Houses in San Francisco, Los Angeles and Sacramento.

The Twelfth Step House might be called a convalescent center for alcoholics who want help with their problem, who have been dry for 12 to 24 hours, who will help pay the expenses of the house, and who are employable persons.

Members of A. A. are also active in local affiliates of the National Committee of Alcoholism which is, however, a voluntary health agency containing both recovered alcoholic and non-alcoholic members. The Santa Barbara branch, the most active in California, has established an alcoholic information center and clinic, produced and distributed educational materials and held periodical public forums on the problem of alcoholism.

Other groups in California directly or indirectly interested in alcoholism are available to the State Alcoholic Rehabilitation Commission for consultation. In Los Angeles, for example, there is the Southern California Mental Hygiene Society, the California Medical Association, the Council on Alcoholism and at least two private alcoholic convalescent centers similar to Twelfth Step House. In the Bay Area the Salvation Army and several missions as well as the Northern California Service League are active.



Herrick Hospital in Berkeley and Queen of the Angels in Los Angeles are the only private hospitals in California with an organized program for alcoholics. In Herrick Hospital the alcoholics are placed in a separate area and are cared for by a special staff on a short term basis.

Privately operated sanitariums specializing in the treatment of alcoholism are numerous in California, particularly in the Los Angeles area. Among these sanitariums are those offering medical treatment in the acute stages of intoxication, those providing supportive treatment such as conditioned reflex therapy or antabuse, those emphasizing A. A. techniques and those offering psychiatric treatment. However, the costs of treatment programs in these sanitariums are often beyond the means of many alcoholics.

There are few industrially supported alcoholic rehabilitation programs in California. Traditionally in industry the alcoholic has been threatened and then discharged. There are recent indications that industry is taking a somewhat changed attitude toward excessive drinking. Realizing that many excellent employees are involved, several large corporations in California—notably in the oil and aircraft industries—have undertaken special programs for excessive drinkers. For example, during the past four years one large aircraft manufacturer has operated an experimental program for alcoholic employees. An employee counselor within the industrial relations division of the company is available for consultation with any employee. The counseling approach is to assist the employees in understanding the reasons why they drink to excess. The company estimates that perhaps half of the employees who drank to excess have again become good producers.

#### APPENDIX I

##### CHAPTER 22, 1ST EXTRA SESSION, STATUTES OF 1954

*An act to amend Sections 23320 and 25761 of, and to add Chapter 18 to Division 9 of, the Business and Professions Code, relating to alcoholic beverages, and making an appropriation.*

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 18 is added to Division 9 of the Business and Professions Code, to read:

##### CHAPTER 18. ALCOHOLIC REHABILITATION

26000. There is in the State Government the Alcoholic Rehabilitation Commission which shall consist of nine members, at least three of whom shall be physicians and surgeons licensed under the provisions of Division 2, Chapter 5, of the Business and Professions Code, and six qualified members of the public, at least one of whom shall be a woman, appointed by the Governor and serving at his pleasure.

26001. The members of the commission shall serve without compensation, but shall be reimbursed for their necessary expenses incurred in the performance of their duties as members of the commission.

26002. The commission shall annually elect a chairman from the public members of the commission. The commission shall select a secretary whose duties shall be specified by the commission and who shall be paid such compensation for his services as the commission may determine, in accordance with law, and may employ and appoint such other officers and employees as may be required, in accordance with law.

26003. The commission shall meet at least once every three months and at such other times as they are called by the chairman.

26004. The commission shall investigate, study, and engage in all phases of the treatment and rehabilitation of alcoholics, and shall investigate and study other factors necessary to the reduction and prevention of chronic alcoholism and other excessive uses of alcohol, and shall periodically report its findings thereon to the



Governor and to the Legislature together with its recommendations, and shall make its final report to the Governor and to the Legislature not later than October 15, 1956. The commission shall cease to exist on September 30, 1957.

SEC. 2. Out of any money in the State Treasury not otherwise appropriated, the sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the Alcoholic Rehabilitation Commission for the purposes of this act.

SEC. 3. Section 23320 of the Business and Professions Code is amended to read: 23320. The following are the types of licenses to be issued under this division and the annual fees to be charged therefor:

(1)	Beer manufacturer's license.....	\$825.00 per year
(2)	Wine grower's license (to be computed only on the gallage produced), 5,000 gallons or less.....	22.00 per year
	Over 5,000 gallons to 20,000 gallons per year.....	44.00 per year
	Over 20,000 to 100,000 gallons per year.....	82.50 per year
	Over 100,000 to 200,000 gallons per year.....	110.00 per year
	Over 200,000 gallons to 1,000,000 gallons per year.....	165.00 per year
	For each 1,000,000 gallons or fraction thereof over 1,000,000 gallons an additional.....	110.00 per year
(3)	Brandy manufacturer's license.....	165.00 per year
(4)	Distilled spirits manufacturer's license.....	275.00 per year
(5)	Distilled spirits manufacturer's agent's license.....	275.00 per year
(6)	Still license.....	11.00 per year
(7)	Rectifier's license.....	275.00 per year
(8)	Wine rectifier's license.....	275.00 per year
(9)	Beer bottling or packaging license.....	550.00 per year
(10)	Beer and wine importer's license.....	No fee
(11)	Brandy importer's license.....	No fee
(12)	Distilled spirits importer's license.....	No fee
(13)	Public warehouse license.....	11.00 per year
(14)	Customs broker's license.....	55.00 per year
(15)	Wine broker's license.....	55.00 per year
(16)	Beer and wine wholesaler's license.....	55.00 per year
(17)	Distilled spirits wholesaler's license.....	275.00 per year
(18)	Industrial alcohol dealer's license.....	55.00 per year
(19)	Retail package off-sale beer and wine license.....	11.00 per year
(20)	Retail package off-sale general license for the first \$10,000 retail sales of distilled spirits per year.....	121.00 per year
	For each \$1,000 or fraction thereof of retail sales of distilled spirits over \$10,000 per year.....	11.00 per year
	But not exceeding in all the maximum of.....	825.00 per year
(21)	On-sale beer license.....	27.50 per year
(22)	On-sale beer and wine license.....	82.50 per year
(23)	On-sale beer and wine license for trains (per train).....	16.50 per year
(24)	On-sale beer and wine license for boats (per boat).....	55.00 per year
(25)	On-sale general license.....	82.50 per year
	plus an additional fee as set by the board for the distilled spirits privileges.....	
(26)	On-sale general license for seasonal business.....	20.62 per 1/4-year
	plus an additional fee as set by the board for the distilled spirits privileges.....	

Every fee imposed with respect to a license by any other provision of this division shall be increased to an amount equal to 10 percent (10%) of the amount of such fee.

The increase in fees made by this amendment shall not be affected by the limitation placed by Section 26004 upon the existence of the Alcoholic Rehabilitation Commission.

SEC. 4. Section 25761 of the Business and Professions Code is amended to read: 25761. All money collected as license fees and under the excise tax provisions of this division shall be deposited in the State Treasury to the credit of the Alcohol Beverage Control Fund, which fund is continued in existence.

The money in the Alcohol Beverage Control Fund is appropriated as follows:

(a) All money collected from fees, except the additional revenue produced by the 10 percent increase in fees made by the act amending this section, shall be paid

semiannually to the counties, cities and counties, and cities of this State in the proportion that the amount of the fees collected in the particular county, city and county, or city bears to the total amount collected throughout the State. The Controller shall, during the months of April and October of the year, draw his warrants upon the fund in favor of the treasurer of each county, city and county, and city for the amount to which each is entitled under this section.

(b) Such amount as is necessary for the allowance of the refunds provided for in this division.

(c) Any remaining balance shall be transferred to the General Fund on the order of the Controller.

## APPENDIX II

### PERSONS AND ORGANIZATIONS CONTACTED

*Langley Porter Clinic:* Dr. Karl Bowman, Director.

*San Francisco Adult Guidance Center:* Dr. Ellis Sox, Public Health Officer, City and County of San Francisco; Dr. Frederick F. Boyse, Director of Center.

*San Francisco Citizens' Committee on Alcoholism:* James M. Hanley, Jr.; James R. Jones.

#### *State Mental Hospitals:*

*Mendocino:* Dr. James Bennett, in charge of alcoholics.

*Agnews:* Dr. Tucker, Supt.; Dr. Johnson, Asst. Supt.; Dr. Quirmbach, Director of Clinical Service; Mr. Robertson, Business Manager.

*Camarillo:* Dr. Gerrett, Supt.; Dr. Block, in charge of alcoholics.

*Patton:* Dr. Gericke, Supt.; Neil Jacobson, in charge of rehabilitation.

*Santa Rita Rehabilitation Center, Alameda County:* Sheriff H. E. Gleason; Dr. Terry, psychiatrist in charge of alcoholic clinic; Captain James Dignan, officer in charge of the center.

*Department of Corrections:* Richard McGee, Director; Ronald Beattie, Consultant on Statistics; Benjamin Baer, Supervisor of Prison Classification; Roger Provost, in charge of Chino Intake Center; Ellis Savides, Field Representative, City and County Jails.

*Department of Employment:* George Roche, Chief of Research and Statistics.

*Department of Mental Hygiene:* Dr. Walter Rapaport, Director; Richard Morgan, Chief Statistician; William Wilsnack, Asst. Chief, Bureau of Social Work; A. Edward Nichols, Administrative Officer (now Court Commissioner, Los Angeles Superior Court); Gordon McWhirter, psychiatric social worker.

*Department of Public Health:* Dr. Malcolm Merrill, Director; Mrs. Esther C. Spencer, Social Service; Miss Rena Haig, P. H. Nursing; Mr. Robert G. Webster, Chief, Division of Administration; Mr. Gordon R. Cumming, Chief, Bureau of Hospitals; Dr. Robert Dyar, Chief, Division of Preventive Medicine; Dr. Frederic M. Kriete, Asst. Chief, Division of Preventive Medicine; Dr. Lester Breslow, Chief, Bureau of Chronic Diseases.

*Alcoholics Anonymous:* Jack Irving, Center Secretary, San Francisco.

*Office of the Chief Administrative Officer, Los Angeles County:* Mr. Gunther Dumalski, Administrative Analyst.

*Hygeia Sanitarium, Los Angeles:* Mr. Harry Davison, Operator.

*Los Angeles County Sheriff's Office:* Dr. Marcus Crahan, Medical Director; Captain Harold Stallings, former Director, Wayside Honor Rancho.

*Judge Lewis Drucker:* Superior Court Judge, Los Angeles County.

*Department of Mental Health, Los Angeles County:* Mrs. Mary M. McGinnis, Counselor in Mental Health, Superior Court.

*Los Angeles City Police:* Captain Gorman, in charge of the Los Angeles City Police Alcoholic Rehabilitation Center.

*Psychiatric Hospital Clinic, Los Angeles:* Dr. Norman Brill, Director.

*Hughes Aircraft:* Walter Mayo, Employee Counsellor in charge of alcoholic rehabilitation.

*California Medical Facility, Terminal Island:* Dr. Marion King, Supt.; Dr. Showstok, Clinical Director.

*Attorney General's Office:* Emmet Daly, Deputy Attorney General.

*University of California:* Austin MacCormick, Professor of Criminology.

*Boston Committee on Alcoholism:* Mrs. Elizabeth D. Whitney, Executive Director.

*Massachusetts State Department of Public Health:* Mrs. Turner.

*Massachusetts Commission on Alcoholism:* Charles Ganghan, Executive Secretary.

*Massachusetts General Hospital, Boston:* Miss Sherwood, Psychiatric Social Worker.

*Peter Bent Brigham Hospital, Boston:* Miss Maryanne Hilson, Psychiatric Social Worker.

*Washingtonian Hospital, Boston:* Dr. Thimann, Director; Miss Gladys Price, Social Worker.

*Blue Hills Clinic, Hartford, Connecticut:* Miss Fellows.

*The National Committee on Alcoholism, New York:* Mrs. Marty Mann, Executive Director; Yvelin Gardner, Associate Director.

*Kniekerbocker Hospital, New York:* Dr. Giorgio Lolli, Director, Alcoholic Clinic.

*New York University Hospital, New York:* Dr. David Feldman, Alcoholic Clinic.

*Yale University, Center of Alcohol Studies:* Dr. Selden D. Bacon, Director; Ralph M. Henderson, Industrial Consultant; Dr. Giorgio Lolli, Medical Director, Yale Plan Clinic and Connecticut Commission on Alcoholism.

### **Use of Stock Plans and Portable Units by Selected School Districts, State of California**

Prepared by the Legislative Auditor October 20, 1954

In a report by the Legislative Auditor under date of February 17, 1954, there was presented to the Joint Legislative Budget Committee an analysis of school building costs as well as policies and procedures of the Los Angeles city school district in using standard movable units to meet school building needs.

The report demonstrated that Los Angeles was not only able to hasten the construction of school facilities and take advantage of the flexibility afforded by these portable school units, but her experience also indicated a very favorable unit cost in comparison with school districts which have borrowed under the state school building construction program. This report is for the purpose of describing the experience of certain other school districts, particularly San Diego, Stockton, and Sacramento, which have had apparent success in the using of similar procedures and policies for stock plans and portable units.

These school districts were found to be following procedures somewhat similar to the Los Angeles city school district, although to a modified degree, since they are not only smaller but have not had population pressures and dislocations to the degree experienced by the Los Angeles district. However, it would appear that the results experienced by these districts are comparable in that they have saved both money in the cost of construction and time in the effort to provide facilities in areas of suddenly developed pressures.

#### **USE OF STOCK PLANS**

The San Diego and Sacramento city school districts do not make use of stock plans, as such, for permanent construction. However, San Diego does employ a full-time staff architect who guides the work of the private architects engaged for the design of permanent structures so that there is a degree of uniformity in the types of spaces provided and the utilization of them, and a general tendency towards standardization



of the facilities. Sacramento engages the services of a private architect to act as a supervising architect for all its construction. The supervising architect takes care of the very early preliminary design, for which he receives 1 percent, and the job is then turned over for completion to another private architect under contract, who receives 7 percent, making a total of 8 percent for each permanent school plant.

On the other hand, the Stockton city school district makes use of a regular stock plan for a school plant consisting of 15 classrooms, two kindergartens, administration area, multiuse room measuring 50 by 90 feet, with kitchen, toilet areas, and open covered corridors. This stock plan contains approximately 32,000 square feet and is unitized so that the number of classrooms may be reduced if the initial plant is not required to be so large. In the last several years the Stockton district has built five complete school plants using these stock plans, in which three of them used the entire size of the plan, one reduced the plan by five classrooms and two kindergartens, and one reduced the plans by five classrooms only. Construction costs varied from \$9.51 to \$10.62 per square foot for a complete school plant. The plans were reused in every detail, with the exception of those changes which were required to be made to accommodate the plan to the particular site. It is significant to note that in fairly close proximity another school district received bids on an new school plant of approximately the same size to be built under the state-aid program, at \$13.61 per square foot, or approximately \$3 per square foot more than the Stockton district.

Even in the Sacramento and San Diego districts where actual stock plans were not used, but where design was under the control of a supervising architect, costs have appeared to be somewhat less than experienced in districts in the immediate vicinity of the two mentioned, which were constructing school plants under the state-aid program. This experience reasonably parallels that of the Los Angeles city district, which was described in the February report.

#### Portable Units

All three of the districts surveyed in this report are using portable classrooms, administrative and sanitary units to some degree. San Diego began using portable units as far back as 1947; Stockton started using them in 1953, and Sacramento in 1952. In San Diego the cost per square foot in 1947 for portable buildings was \$7.14. This dropped to a low of \$6.03 in the middle of 1949, which was at the low point in the construction cost index. Subsequently, it began to rise steadily with the advent of the Korean War to a high of \$8.82 in the middle of 1951, and then gradually fell. In November of 1953, it stood at \$6.78. Since the inception of the program of portable units, San Diego has constructed approximately 330 classrooms, plus 34 other types of rooms such as toilets, administration, et cetera. Sacramento has constructed approximately 100 classrooms, and Stockton approximately 65 classrooms.

The physical characteristics of the portable unit show a remarkable uniformity of quality and detail among the three school districts in this report. All have acoustical ceilings, asphalt tile floors, built-in sinks, adequate cupboard space, artificial lighting facilities equivalent to any found in permanent types of classrooms, gas-fired, forced-air heat, and a general interior and exterior quality of construction and



finish which would indicate that the buildings should have a minimum life of not less than 25 years, and with reasonable maintenance, possibly 50 years. However, it should be recognized that each time a portable unit is moved from one site to another some racking and twisting will take place, which may tend to either shorten the life of the building or require increased maintenance to keep the building in a good state of repair. It is interesting to note, however, that the maintenance engineer on the staff of the San Diego district stated that from his experience the portable buildings are actually less expensive to maintain than the permanent classrooms.

#### Architects' Fees

While the matter of architects' fees is an important element of cost the fact should be stressed that the use and reuse of stock plans and the use of portable types of buildings results usually in far greater savings in construction costs, percentage-wise, than could ever be realized from any special arrangement that might be made with architects for reduced fees.

The San Diego City School District, when planning a permanent type of school plant, engages an architect on the standard fee basis of eight percent of the construction cost. However, when planning additional portable buildings, an architect is engaged to lay out the site, and engineer the utilities that are necessary, both for the portable buildings and for the permanent plant that will follow, if a new site is involved. In addition, he provides the necessary plans, indicating how the portable buildings will be accommodated to the site. For this work he receives  $3\frac{1}{2}$  percent of the contract cost, which covers utilities, fencing, grading, paving, and any other work required to make the site adequate and satisfactory for the portable buildings.

The Sacramento City School District, in planning permanent plants, uses a somewhat different approach. Since it employs a supervising architect who does the general design work for a 1 percent fee, the detailed working drawings and specifications are then contracted to another architect who receives a 7 percent fee, which makes a total of 8 percent for architectural fees for the entire planning job. In this case, the rate of architectural fees is the same as for most other school districts. However, because of the continuity of design afforded by the use of a supervising architect, there is probably a substantial savings made by the standardization which results. In using portable types of buildings, the district originally paid 8 percent for the plans of the first portable buildings which were constructed. Subsequent reuse of these plans for the construction of additional portable buildings involved a payment of 1 percent to the original architect, who also provided the necessary services to accommodate the buildings to the site, as well as inspection during construction, clearance through the State Division of Architecture, handling of bids, et cetera.

The Stockton City School District, on the other hand, in planning permanent plants, uses the so-called stock plans, which are the property of the district. The architect employed to accommodate these plans to the site, and to provide the necessary architectural services in providing utilities, grading, fencing, et cetera, receives  $3\frac{1}{2}$  percent of the total cost of the project. On this basis alone the district saves  $4\frac{1}{2}$  percent in architectural fees by the use of stock plans, not to mention the reduced

construction costs that result by virtue of the fact that all interested contractors are thoroughly familiar with the design and all its details. As mentioned earlier in this report, there appears to be a difference of approximately \$3 per square foot in the cost of construction between the Stockton district and areas immediately surrounding, which represent a saving of over 20 percent. In constructing its portable classrooms, the Stockton district has used an approach that is somewhat different than any of the others. The architect was paid a flat fee of \$800 for the original plans of the first classroom, which resulted in approximately a 10 percent fee. For all subsequent classrooms, he received a flat fee of \$350 each which, on the basis of the cost of construction, amounted to roughly 4½ percent. However, it might be pointed out that the Stockton portable buildings appear to have enjoyed the lowest cost per square foot of the three districts in this report.

#### **Portable Classroom Construction Under the State-Aided Program**

The Norwalk city school district, in Los Angeles County, applied for state aid in the building of a total of 20 portable classrooms to be added to five of their existing permanent school plants. The classroom space was urgently required at the earliest possible time, which resulted in the decision to use the portable type of classroom. In addition, it was thought that there might be population shifts within this large district, which might make the portability useful in the future. The State Allocation Board approved the application on an estimated cost of \$7 a square foot, as of April 21, 1954. On June 15, 1954, bids were opened, which resulted in a square foot cost of \$5.82. This results in the accommodation of 660 pupils at less than one-half of the cost and in much less time than would have been the case if standard permanent construction had been attempted.

#### **USE OF STOCK PLAN PROCEDURES BY OTHER SCHOOL DISTRICTS**

While the San Diego and Sacramento school districts do not use stock plans as such, the extremely favorable experience by the Stockton city school district in the use of stock plans, and the favorable experience by the Los Angeles city school district in the use of stock plans, indicate that there are few, if any, valid reasons why the same procedure cannot be used by many other school districts in the State. By using the unitized method of either the Los Angeles or the Stockton districts, it is, in our opinion, unlikely that any school district would experience difficulties, except in the comparatively infrequent event of an unusually difficult site. We recommend the development of a series of stock plans, possibly by the State Department of Education, along the lines of either the Stockton or Los Angeles method. While this should moderately reduce fees we again stress that architects' fees are of comparatively small moment as compared to the substantial construction savings which could be made by the use and reuse of flexible stock plans. We see no reason why stock plans of either the Los Angeles district or Stockton district cannot be reused by any other districts, and have been assured, at least by the Los Angeles district, that these plans are available for the asking at merely the cost of reproduction. There are comparatively few sites to which these plans could not be readily accommodated by a competent architect for a reasonable fee.

## **Institutional Licensing Program of the Department of Social Welfare**

Prepared by Legislative Auditor, Oct. 21, 1954

### **PURPOSE OF THE STUDY**

The licensing of child care facilities and aged homes and institutions by the Social Welfare Department is a function which cost the State of California \$416,718 in the calendar year 1953. There are less than 1,200 of these homes, which means the State spends approximately \$350 annually for each license. In addition to this expense, the State, by means of subvention, pays substantial sums to the counties for licensing homes with less than 15 inhabitants. Those the State has delegated to county jurisdiction. For the Fiscal Year 1954-55 it is estimated that this will cost the State \$969,750 for the licensing of an estimated 17,800 homes. While the maximum subvention rate is \$5 per month per home, it is estimated that only \$4.54 per month, or \$54.48 per year will be expended. The total annual cost to the State for licensing is approximately \$1,386,000. More than half of the homes licensed by counties have only one or two children with only a small fraction of them having more than four. Obviously, county licensing is a much simpler operation than licensing the larger homes and institutions served directly by the State, and counties are able to carry much higher work loads. This study is limited to an examination of the licensing programs conducted by the State. Both the basic policies of the licensing function and their administration have been examined.

The state program for licensing of facilities serving the young and the old is not operated as an automatic function of checking individual homes and institutions with fixed standards. It actually serves more as a consulting, advisory, and observing program for the dual purposes of aiding the operators and safeguarding those persons who by choice, necessity, or circumstances beyond their control must rely upon others for care traditionally associated with a family.

Should the activity of the State be limited to the single function of licensing with a once-a-year inspection of premises to determine if fixed standards had been met, the cost of the function could, of course, be greatly reduced. On the other hand, should the activity be concentrated upon constant work with the licensed institutions to advise on every aspect of institutional management and related welfare policies, there is practically no limit to the staff which could be utilized nor the expenditure required for this purpose. It is assumed, on the basis of existing statutes and legislative policy, that the State's appropriate responsibility lies somewhere within these two extremes, and that the development of consistent and reasonable administrative policies and the enforcement of definite standards will not only result in controllable expenditures but will fully meet the State's responsibility.

### **Legal Basis and Departmental Policy for the Licensing Program**

Sections 1620-1631 and 2300-2311 of the Welfare and Institutions Code authorize the licensing of childrens' and aged homes and institutions respectively. The substantive procedures for both sections of the code are essentially the same. The laws stipulate that licenses are issued annually with the burden of renewal upon the applicant who must file



a request 10 days before expiration of the current license. The Department of Social Welfare is authorized to inspect any of the institutions at any time. The whole licensing program may be delegated to lesser units of government if they meet certain requirements (this is done for all homes with less than 15 persons and for nurseries caring for less than 10). Licenses are nontransferable and subject to revocation for cause after notice and hearing. It is a misdemeanor to operate without a license. Licenses are issued without charge to the operator although the code does not specifically require it.

The most significant provision of these laws is that virtually unlimited delegation of authority to devise standards is made to the Department of Social Welfare. As a result, the department has written separate standards for aged homes, aged institutions, day nurseries, children's institutions, foster homes, maternity homes, child placing agencies, child-parent institutions, and established camps in California. Standards for all of these various activities are promulgated by the Social Welfare Board after they have been devised by committees consisting of representatives of the department, operators of the institutions to be regulated, and other persons.

Few of the standards used at the present time are concrete or subject to rigid interpretation, although the department has made commendable improvements in its day nursery standards and is presently engaged in revising standards for other types of licensed operations. Generalized standards are purposely used since it leaves the social worker latitude to encourage the improvement of substandard homes and to continue to improve good or excellent ones. There is a question involved, however, in using indefinite and generalized standards as a basis of enforcing the licensing laws. For example, if the department discovers a home or an institution which appears to be offering substandard service or an unhealthy atmosphere to its clientele, the person in the department charged with inspecting the home is faced with the responsibility of specifically setting forth the standards which have been violated in order to have a cause for revocation of the license. Since the indefinite standards allow for such a wide range of subjective judgment on the part of the individual licensing inspectors if a beligerent owner were not supplied with specific charges, it would appear to be relatively easy for him to prove arbitrary action on the part of the State. According to some persons in the department, such problems as this have actually arisen and the department has shied from enforcement because it had little basis for positive proof of violation of standards. It is suggested that as the standards are revised, the Department of Social Welfare should adopt specific standards for all of the homes and institutions licensed. These minimum standards should also be uniformly enforced by all social workers in all areas so that the possibility of proving arbitrary action by operators of substandard homes would be reduced to a minimum. The development of standards also affords increased protection to the owner against possible arbitrary acts.

Regarding the license itself, consideration should be given to the policy of issuing licenses without charge to the operator. The so-called "commercial" boarding home for both aged and children and most day nurseries are businesses conducted for profit. Personnel in the department maintain that the profits enjoyed by many of the operators is



small and that a license fee would be just another burden. This rationale, however, would apply to many licensed activities for which a charge is made. It would hardly be expected that fees approaching the present cost of issuing a license should be charged; however, a token fee should be levied that would be large enough to let the operator know that he has a responsibility to the State for permission to operate his business and for the services he receives from the social workers. Such fees could be waived for charitable non-profit institutions. While revenue from license fees would be nominal, it would defray some of the present administrative expense.

Summarizing, the department has complete discretion in determining how and to what extent it will regulate the institutions. Standards presently used for aged and children's homes tend to be of such a general nature that they are difficult to enforce. Issuing licenses without charge to the profit-making homes and institutions should be discontinued and an appropriate fee levied.

#### Licensing Inspectors

The persons inspecting licensed institutions in California are classified by the Personnel Board as Program Specialist I and Program Specialist II (both child welfare and public assistance specialists formerly referred to as social welfare agents). Preferential qualifications for these positions are the accumulation of a bachelors degree with one year of graduate study in social work. Departmental efforts to get trained personnel and professional pressure from social workers' organizations is toward making this an exclusive qualification, but as yet it has not been accomplished. The alternative requirement is social work experience. Since graduate degrees in social work require two years study, supervisory personnel in the department encourage those lacking proper credits to complete their degrees.

As a result of these factors workers in the licensing program are a group of professionalized people whose orientation is generally away from exercising police power and law enforcement. The standards used by these people reflect their thinking and workers admirably avoid asserting authority with unyielding rigidity. The zeal of the social workers to aid, advise and provide extensive services to the institutions which they license is commendable in its thoroughness and sincerity. There is also a very practical result from this type of approach since the department has encouraged enough operators to maintain homes and institutions so that the State has not had to undertake care of the well aged, maternity cases, and normal children in state institutions. Conversely, however, the lack of a firm and direct approach to people with whom they are dealing often causes confusion and dissatisfaction.

The licensing agents tend to spend a good deal of time on both their visits and their reports with superfluous and extraneous detail. They are given wide latitude on procedure with insufficient control exercised over the purview of their activities. As a result there is a good deal of variety, inconsistency and subjective evaluation evidenced in judging various institutions. In some cases, this goes so far as to have a new worker seriously question the judgment used by his predecessor in granting a home or institution a license. Such a program as now exists cannot be successful if it proceeds by purely objective standards but it

is recommended that the restriction and limitations of the licensing program and the discretion granted to social workers be more firmly controlled. The program could be improved considerably through better management techniques.

#### Work Loads and Use of Working Time

The number of agents inspecting institutions is determined by distributing the total case load of each area to the agents on the basis of individual work loads. Two general categories for work loads have been established, one for day nurseries which is 44 "actions" per year, and the other for "24-hour care institutions" which is 21 "actions" per year. The responsibilities for licensing day nurseries are considered substantially less than that for 24-hour care homes. Actions are defined as (1) granting a new license, (2) renewing a license, (3) refusing to issue a license to an applicant, or (4) revoking a license. Obviously, the amount of work involved in an "action" can vary considerably. This study makes no attempt to define a better work load measure but it appears that some improvement should be possible. When asked how such work loads were derived, people responsible for them said they were the result of a study of actual operations of selected workers of average performance as well as general past experience. It should be made clear at this point that the work load standards resulting from the study made by the department in 1952 were geared to lower than average production of the workers observed. One worker had a load of 60-day nurseries and another 28 24-hour care institutions. The workers studied were in urban areas where travel time would ordinarily be less than in the outlying districts. In addition, it must be recognized that basing work loads upon existing practices did not contemplate any improvement in methods of procedures.

At present the inspecting personnel spend approximately 35 to 50 percent of their time in the field and the remaining time in the area office dictating and proofreading social reports (each of which takes from one-half to one and a half days to record) answering correspondence, preparing the next field trip, and numerous staff meetings and conferences aimed at improving their methods and exchanging information. All of the inspectors operate out of the area offices which involves extensive travel for those serving outlying districts.

This excessive office time could be reduced substantially without hindering the program as it exists if the following suggested administrative changes were effected:

1. Check sheets should be used to compile all essential basic factual data required by law and rules and regulations made thereunder.
2. "Social reports" should be organized in uniform topical sequence so that all pertinent information, including the subjective analysis by the social worker, is presented in a succinct and disciplined manner so that irrelevant material could be eliminated. This would enable comparisons of institutions and sharpen the focus on specific topics without requiring reading completely through lengthy reports organized in completely different manners.
3. A more clear definition should be made of the purview of the licensing program. This would include limiting regulation to those matters essential to licensing and curtail the apparent interference

with certain aspects of the internal management of the institution which actually are not a responsibility of the State.

4. Staff conferences should be reviewed by supervisory personnel for a determination of necessity.

If the above suggestions become controlled procedure it should be possible for social workers to spend considerably less office time on each individual case in their work load.

Time actually spent in the field also could be used more effectively. The following are suggestions:

1. Agendas setting out points to be covered at each visit should be prepared.
2. Past social reports should be consulted to see if they cover current questions.
3. Correspondence should be utilized wherever possible to acquire factual information or answers to specific information.
4. Agents, or inspectors, should discuss and advocate only such social theories, methods of institutional administration, and treatment of persons as are declared policies of the State.
5. Visits to licensed institutions should be made only as often as essential rather than periodically. (Some institutions, of course, require more attention than others). Minor matters should be handled by correspondence or at the next scheduled visit.

These suggestions should enable the licensing agents to increase their effectiveness substantially.

By shortening the office time spent on individual cases and increasing the efficiency of field work, as suggested above, it should be feasible to increase work loads from 44 to 60 day nurseries, and from 21 to 30 in the case of 24-hour care institutions without in any way hindering the basic philosophy of the present program. The recommended work loads have been carried by the department in the past as the department's own study indicates. It also recommended that work loads be geared toward more productive workers rather than the least.

#### Case Files on Licensed Institutions

The Department of Social Welfare maintains elaborate case files on each institution licensed. Since departmental licenses are issued each year, there is at least one annual "social report" made of each institution. The department, however, generally visits each of these institutions much more often than once a year. For example, the San Francisco area office attempts to visit each licensed institution quarterly. After each of these visits a social report is dictated describing the results of the visit and this is added to the file. All of these dictated reports are lengthy and, combined with all of the correspondence, newspaper clippings, material put out by the institution, and other information pertinent to the case, the files achieve a substantial bulk.

This type of complete record is of value to the agency to check the past record of an institution and in instances where court action may be necessary; however, several marked shortcomings in the files were noted. The most serious failing of the case files is that there is no organized or uniform compilation of basic factual data pertinent to the



institution located in a particular place. There is reluctance on the part of many of the social workers, particularly at the supervisory level, to make use of check sheets or other devices for the compilation of essential basic information regarding licensed operations. It is suggested that the department determine the basic factual data it desires to be contained in the files and see that it is uniformly presented in all of the files. This would be determined by the requirements of applicable laws and rules and regulations promulgated thereunder. For example, there is no reason why the layout and measurements of the physical plant and equipment, a description of the administration and staff, financial arrangements, health and fire clearances, daily operational programs, and other pertinent information cannot be compiled on a form and placed in the file ready for reference for review and for comparative or statistical information. The Los Angeles area office has such a form for day nurseries. Such a check sheet would reduce the bulk of the files substantially and save a great deal of typing and dictating which would free both social workers and typists for other duties.

A second shortcoming of the files is the lack of organization of the material which is now contained in them. The general revulsion against standardization of information carries over into the compilation of information from the "social report." One worker may begin her report with an elaborate discussion of menus, the next may take up finances, and still another may ignore one or both of these items and begin the report with another topic. In short, the individual social worker seems to be guided by her own interests and prepares reports within her own frame of reference. It would be advisable for the department to arrange the social reports in a series of topic headings (e.g. finances, administration, population, facilities, etc.) and number these topics so that each subject deemed necessary would be covered in standardized order. This would prove administratively valuable in that institutions could readily be compared and strengths and weaknesses detected. The "total picture" evaluation would in no way be compromised for it could be set apart as a separate item.

A third criticism of the case files is that they contain a good deal of superfluous information and opinion not pertinent to the issuance of a license. The individual social workers, as pointed out above, have wide latitude in what they wish to investigate. They also have a good deal of discretion in determining what particular methods should be adopted by the agency visited. Social workers are, of course, trained in various areas of social and psychological theories and methods. As in any field of the inexact social sciences, sharp arguments resulting in diametrically opposed viewpoints are not uncommon. This is especially true in areas such as the methods of raising and dealing with children and the effect of environmental atmosphere on the young and old. Very often state employed social workers are dealing with equally well qualified people administering institutions, and on occasion opinions clash. In such event the State should not find itself asserting a particular point of view. An example of this type of material found in reports, though no conclusions are found, appears in the file for an excellently administered children's home in San Francisco which is over 100 years old and has a staff of 31 people, four of them with



masters degrees in social work, and a population of 80 children from 5 through 18 years although it is licensed for 120. The following quotation is from a Department of Social Welfare memorandum from the home economist of the state office to the San Francisco area office director:

"The cottages (where the children live) vary in actual food service. Some of them use cloth napkins occasionally, and we discussed how the food service can be a learning experience for the children and a teaching experience on the part of the staff. Dessert has been withheld and used as a reward for clean plates, and we discussed the use of food as a disciplinary weapon."

Even more redundant are the following statements from a large and well administered children's home:

"*The kitchen.* A large wooden mat has been placed over the cement for the cook's comfort; this extends over the area around the area around the stove and cook's work table.

"*The Executive Office* has been painted a light blue-grey color and there are new bright tomato colored drapes on the windows (the old cream colored ones dyed)."

Evidently the social worker covering this institution made a complete tour of the building and faithfully noted the new decorations and refurbishing, for the above are only two selected descriptions from a total of 15 in a social report.

The multitude of statements such as these raise a question of policy concerning the degree of responsibility and obligation which the State has in dictating or advocating theoretical practices for the institutions. It would appear that the method of administering dessert, the type of napkins used, color schemes, and consideration of the cook's comfort, should not be a determining factor or a major consideration for a license but rather a matter for the trained and competent administrative staffs to decide. These are only a few of many examples, but they raise the question of the scope of the State's role in issuing a license. Interfering with internal management and organization of an institution should be avoided when standards are not in question.

To conclude, the case files appear to (1) lack much necessary basic factual data arranged in standardized form, (2) are poorly organized, and (3) contain much extraneous material without intrinsic value to the licensing program.

#### Recommendations

Various changes in administering the institutional licensing program have been suggested above. The following is a summary of recommendations which could be readily effected and would result in a substantial reduction of expense:

1. Accumulation of basic factual data on licensed facilities should be compiled on forms and should be uniform in each area office of the department. Like information on all homes should be contained in each case file.
2. Social reports should be written with clearly defined topic headings which should be standard throughout the State. Material

should be better organized and contain more incisive generalizations.

3. A token fee for licenses issued commercial homes, institutions, and day nurseries should be levied. Such fees could be either flat rate or be based upon the capacity of the licensed facility.
4. Workloads for individual works should be increased from 44 to 60 day nurseries and from 21 to 30 homes and institutions offering 24-hour care. These recommendations should in no way hinder or cause any change in the existing type of program. A rough estimate of savings which would result from these increased workloads is shown in the following table:

	<i>Actions<sup>a</sup></i>	<i>Present employed workers<sup>b</sup></i>	<i>Recommended workers</i>	<i>Savings<sup>c</sup></i>
<b>Sacramento area</b>				
Day nurseries -----	62	5 <sup>d</sup>	3	\$10,650
24-hour care -----	41			
<b>San Francisco area</b>				
Day nurseries -----	170	6	3	14,610
24-hour care -----	89	6	3	17,340
<b>Los Angeles area</b>				
Day nurseries -----	630	18	11	41,460
24-hour care -----	241	14	8 <sup>e</sup>	29,220
<b>Totals -----</b>	<b>1,221</b>	<b>49</b>	<b>27</b>	<b>\$113,280</b>
Pro-rated travel reduction on 16 positions -----				3,108 <sup>f</sup>
<b>Total estimated savings -----</b>				<b>\$116,388</b>

<sup>a</sup> Actions include unnumbered cases which have not progressed far enough to become a formal numbered application. They have always been considered in work loads previously devised.

<sup>b</sup> Authorized positions.

<sup>c</sup> Average salary appropriation, 1954 Budget.

<sup>d</sup> Sacramento does not segregate its case loads by day nurseries and 24-hour care homes. This reduction would be one program specialist I and one program specialist II. This reduction does not include a half-time position which licenses boarding homes in Butte County to which the State has not delegated licensing activities.

<sup>e</sup> The difference between numbered and unnumbered cases is enough in this instance that work loads slightly above those recommended could be carried.

<sup>f</sup> Since more field time involving some increased travel is being recommended, 75 percent of the departmental estimate for travel for worker is being used. Travel costs for workers are, by department estimate, \$160 in Los Angeles, \$236 in San Francisco, and \$326 in Sacramento.

Generally the present program serves an admirable purpose. The assumption that it is necessary has been borne out in the course of this investigation, since it is the only protection afforded clientele of the institutions. Also, beginning July 1, 1953, such a program is required by the Federal Government in order to receive matching grants. It has, however, proven to be unnecessarily expensive. Work loads appear to be entirely too low and the use of the inspector's time seems to be more concentrated upon technique than on purpose. Personnel in the Department of Social Welfare contacted and observed in the course of this survey appear to be conscientious, sincere, and qualified. They have been cooperative and generous with information and have expressed an awareness of many of the problems raised in this report which they appear anxious to correct as soon as possible. It is suggested that any increase in workloads be made gradually over the course of a fiscal year so that no disruption of the program would occur.

## **The Investment of State Funds in Office Buildings**

Prepared by the Legislative Auditor  
October 29, 1954

During recent months this office has reported to the Joint Legislative Budget Committee, through separate reports, on various aspects of problems and state policy involved in providing state office building space. These have included: (a) an inventory of leases of privately owned space by agency and by location together with the characteristics of these leases; (b) an analysis of policies and procedures involved in the writing of leases and in the purchase of privately owned office space; and (c) suggested criteria for measuring unit costs and determining utilization of both privately owned and state owned space.

Over a period of years office space for certain agencies has also been provided by the device of authorizations for investments in state buildings on the part of selected state funds. As a part of the total picture of state practice in providing office building space, it is the purpose of this report to show the nature of the various authorizations for such investments and the extent to which these have been used.

Table 1 is a condensed summary of the status of all existing projects involving the investment of state funds in office buildings where the investment is to be amortized over a period of years, either with or without interest, out of rents provided by current support appropriations from state funds, or by federal grants.

A detailed description of each project or group of projects is given in the sections which follow under the heading for each of the seven funds involved.

As indicated in Table 1, the total authorized investment is in excess of \$33,000,000. In the case of the Professional and Vocational Standards Fund and the Department of Employment Contingent Fund, the amounts shown in Table 1 are the actual expenditures to date, since these projects are completed or substantially so. In the case of the Department of Agriculture Building Fund, the amount shown is the estimated cost, since the enabling legislation does not specify any amount. In all other instances the total shown as authorized is the maximum specified in the enabling legislation.

In all instances except the investments of the Department of Employment Contingent Fund, specific legislation provides for the investment in buildings and covers in greater or lesser detail such things as the specific project, the total amount, the procedure for amortizing the investment on a rental basis, the management of the building, and the agencies having prior right to the use of space. In all these instances the buildings are constructed primarily for the use of a particular agency with provision for rental of excess space to other agencies.

In the case of the Department of Employment Contingent Fund, the projects were authorized by a series of budget item appropriations for capital outlay conditioned upon agreements with the Federal Government to amortize the investment by continued grants for rent. In all except one instance, that of the building in Riverside, the buildings are built for the exclusive use of the Department of Employment.

Table 1—Investment of State Funds in Office Buildings as of October 18, 1954

Fund	Total authorized	Total expenditures	Total amortized at 6/30/54	Building	Present status of building project
Professional and Vocational Standards-----	\$1,750,856 1,323,691	\$1,750,856 1,323,691	\$1,251,012 105,218	Business and Professions----- Business and Professions Annex-----	Completed, 1940 Completed, 1949
Department of Employment Construction-----	5,256,126	5,256,126	515,747	Employment, 18 branch offices-----	16 completed
School Land-----	5,500,000 700,000	5,357,000 684,869	----- -----	Motor Vehicle, headquarters----- Highway Patrol, headquarters-----	Completed, 1953 Completed, 1953
	625,000	596,000	-----	Highway Patrol Academy-----	Completed, 1953
	300,000	298,455	-----	Civil Defense, headquarters-----	Completed, 1953
Department of Agriculture Building-----	2,187,000	1,136,704	-----	Agriculture, headquarters-----	Under construction
Unemployment Compensation Disability-----	10,450,000 2,750,000	1,671,217	-----	Employment, headquarters----- Employment, Los Angeles-----	Under construction Site being acquired
Veterans Affairs Construction-----	2,500,000	134,654	-----	Veterans Affairs, headquarters-----	Site being acquired
State Employees' Retirement-----	300,000	-----	-----	Retirement, headquarters-----	Nothing done
Total authorized-----	\$33,642,673	-----	-----	-----	-----

NOTES: All buildings are in Sacramento unless otherwise indicated. For location of Department of Employment branch offices see Table 3.



Complete information as to the status of these various projects is not available in convenient form at any central point. Certain summary information can be obtained from the Controller's records for the individual funds involved, but for detailed information of any value it was found necessary to go to the records of the individual agencies. Information in the printed budget is very incomplete.

#### PROFESSIONAL AND VOCATIONAL STANDARDS FUND

Chapters 288/1937, 909/1939, 715/1943, 1426/1949, and 1467/1953 added Sections 400-405 to the Business and Professions Code which authorize the Department of Professional and Vocational Standards, with the approval of the Department of Finance, to acquire real property and construct office buildings for the use of the department or other state agencies. These sections authorize the transfer to the Professional and Vocational Standards Fund, for this purpose, of any surplus money in the funds of any board or commission comprising the Department of Professional and Vocational Standards, at the discretion of the director of that department, or the transfer to the Professional and Vocational Standards Fund of any funds available to the Department of Finance or other agencies for housing facilities. The buildings are to be managed by the Department of Professional and Vocational Standards and the various funds advancing the money are to be reimbursed from rents charged for space in the buildings.

Pursuant to this legislation the Business and Professions Building at 1020 N Street, in Sacramento, was completed in 1940 and the adjoining annex at 1021 O Street in 1949. The original investment, amortization and net investment for each building at June 30, 1954, are shown in the following:

<i>Building</i>	<i>Original investment</i>	<i>Amortization to 6/30/54</i>	<i>Net investment at 6/30/54</i>
1020 N Street.....	\$1,750,856	\$1,251,012	\$499,844
1021 O Street (annex)---	1,323,691	105,218	1,218,473
<b>Totals</b> .....	<b>\$3,074,547</b>	<b>\$1,356,230</b>	<b>\$1,718,317</b>

All of the money for the annex was provided from funds of the various boards comprising the Department of Professional and Vocational Standards while for the original building, in addition to money advanced by these boards money was provided from other sources, including \$425,000 by the General Fund Unified Construction Program.

At present about 75 percent of the rentals in the original building and about 80 percent of those in the annex are being paid by General Fund agencies while the Department of Professional and Vocational Standards occupies only about 15 percent of the space in the combined building. Rents are fixed by the Department of Professional and Vocational Standards and while the law was amended in 1949 to provide that interest may be paid on the advances in the manner and amount determined by the Department of Professional and Vocational Standards with the approval of the Director of Finance, none has ever been charged.

In addition to the space occupied by the buildings the Department of Professional and Vocational Standards and the Department of Finance own all of the vacant land in the block occupied by the annex,

the state-owned land now being used as a parking lot for the state employees on a rental basis.

The law, in effect, places no limitations on the amount of money which may be invested in buildings through the Professional and Vocational Standards Fund except that of availability of funds. The annex was constructed as part of a structure which could ultimately be expanded to cover all remaining land in the block not covered by the original building, and presumably this will be done as funds become available and the need for additional office space warrants.

The unamortized investment in the buildings at June 30, 1954, by funds, that is, the amounts due from the Professional and Vocational Standards Fund to the investing agencies at June 30, 1954, is shown in Table 2.

**Table 2—Unamortized Investment in Business and Professions Building in Sacramento by Funds, June 30, 1954**

Fund	B. & P. Building 1020 N St.	B. & P. Annex 1021 O St.	Total
Accounting.....	\$45,899	\$95,049	\$140,948
Barber Examiners.....	8,532		8,532
Contractors License.....	83,877	92,486	176,363
Cosmetology Contingent.....		73,989	73,989
Dentistry.....	4,878	23,121	27,999
Funeral Directors and Embalmers.....	7,314	9,249	16,563
Furniture and Bedding Inspectors.....	37,281	194,221	231,502
Medical Examiners Contingent.....	10,971	314,600	325,571
Nurse Examiners.....	15,848	208,094	223,942
Private Investigators and Adjusters.....	18,821	101,735	120,556
Professional Engineers.....	143,136	105,929	294,065
Subtotal.....	\$376,557	\$1,218,473	\$1,595,030
Collection Agency.....	3,593		3,593
General.....	101,740		101,740
Real Estate.....	17,954		17,954
Total.....	\$499,844	\$1,218,473	\$1,718,317

#### DEPARTMENT OF EMPLOYMENT CONTINGENT FUND

The Department of Employment Contingent Fund was created on January 30, 1945, and receives all interest and penalties collected on contributions made under the California Unemployment Insurance Code. There are no provisions in that code covering investments by this fund in office buildings. Between 1948 and 1952, however, the following amounts were appropriated from this fund by the Budget Acts for acquisition of sites and construction of branch offices.

Budget Act	Item No.	Amount
1948 .....	142	\$1,000,000
1949 .....	324	1,000,000
1950 .....	503	1,935,000
1951 .....	390	944,000
1952 .....	359	1,034,000
Total .....		\$5,913,000

Table 3—Department of Employment Contingent Fund Investment in Branch Offices  
Amortization of Costs

Location	Date occupied	Total cost at 6/30/54	Amortized at 6/30/54	Unamortized at 6/30/54	Remaining period required	Area in sq. ft.	Monthly rental	
							Total	Per sq. ft.
1. Chico.....	11/1/51	\$134,757	\$23,504	\$111,253	12 yrs.—7 mos.	6,121	\$734.52	\$ .12
2. Long Beach.....	11/1/51	483,701	134,400	349,301	6 yrs.—11 mos.	30,000	4,200.00	.14
3. Riverside.....	1/1/52	207,739	48,237	159,502	8 yrs.—3 mos.	*11,885	1,607.90	.14
4. Redding.....	2/1/52	146,865	21,301	125,564	14 yrs.—3 mos.	6,121	734.52	.12
5. Bakersfield.....	3/1/52	249,341	53,982	195,359	8 yrs.—5 mos.	13,771	1,927.94	.14
6. Stockton.....	7/1/52	421,774	66,296	355,478	10 yrs.—9 mos.	19,731	2,762.34	.14
7. Santa Rosa.....	12/1/52	201,108	20,190	180,918	14 yrs.—2 mos.	7,084	1,062.60	.15
8. Hollywood.....	2/1/53	390,629	33,557	356,072	15 yrs.—5 mos.	15,185	1,973.92	.13
9. Sacramento (warehouse).....	2/1/53	294,428	39,300	255,128	9 yrs.—2 mos.	38,530	2,311.80	.06
10. Salinas.....	4/1/53	160,410	15,470	144,931	11 yrs.—9 mos.	6,875	1,031.25	.15
11. Santa Barbara.....	5/1/53	138,734	14,871	123,863	9 yrs.—9 mos.	7,086	1,062.90	.13
12. Fullerton.....	7/1/53	116,978	7,980	111,989	14 yrs.—0 mos.	5,548	665.76	.12
13. San Francisco.....	11/1/53	1,156,300	36,641	1,119,659	13 yrs.—0 mos.	59,761	7,171.32	.12
14. Indio.....	7/1/54	111,027	---	111,027	14 yrs.—9 mos.	4,833	628.29	.13
15. Eureka.....	8/1/54	192,984	---	192,984	16 yrs.—9 mos.	8,743	961.73	.11
16. San Bernardino.....	10/1/54	343,022	---	343,022	12 yrs.—0 mos.	15,873	2,380.95	.15
17. Vallejo.....	---	194,642	---	194,642	---	---	---	---
18. Inglewood.....	---	299,687	---	299,687	---	---	---	---
Total.....	---	\$5,256,126	\$516,747	\$4,740,379	---	---	---	---

• Includes 2,100 square feet leased to Board of Equalization for \$284 per month.

Proposed Item 340 of the Budget Act of 1953, which provided for an appropriation of \$1,026,632 from the Contingent Fund for a like purpose, was deleted by the Legislature, and Section 2.1 of the Budget Act of 1954 provides for transfer to the General Fund of any balance in the Contingent Fund in excess of \$1,000,000.

As a result of these various appropriations, the Department of Employment has constructed or is in the process of constructing 17 branch office buildings and a warehouse for its own use as detailed in Table 3.

The Federal Government, which finances all operations of the Department of Employment except the Disability and Hospital Benefits Program, has agreed to continue to pay rent for space in the new buildings as they are completed and occupied at the going rate for comparable locations until the Contingent Fund has been reimbursed for the entire cost, after which the buildings are to be occupied rent free. The Disability Fund pays its proportionate share of the rent in any of the buildings which house its operations and the Board of Equalization, which occupies 2,100 square feet of space in the Department of Employment building in Riverside, pays \$294 a month rent for the space. There is no agreement as to any interest being paid the Contingent Fund.

All buildings shown in Table 3 have been completed and occupied except those in Vallejo and Inglewood. The latter is under construction and will be completed and occupied during the current fiscal year.

In Vallejo a site was acquired but the city refused permission to build at the proposed location and negotiations are now in progress for the disposition of this site and the acquisition of one acceptable to the city, after which construction will proceed.

#### SCHOOL LAND FUND

Chapters 11/1951, 12/1951, 1334/1951, and 1597/1951 added Sections 13115 to 13117 to the Government Code which provide that any state agency authorized to invest funds under its control, or the Director of Finance when authorized to invest the money in any special fund, may enter into agreements with certain specified state departments to invest not to exceed certain specified sums in the construction and equipment of office buildings in Sacramento or in Sacramento County. The agencies and amounts specified are as follows:

Department of Motor Vehicles-----	\$5,500,000
Department of Highway Patrol (Headquarters)-----	700,000
Department of Highway Patrol (Academy)-----	625,000
Governor—Office of Civil Defense-----	300,000
<b>Total -----</b>	<b>\$7,125,000</b>

The law provides that the agreements shall provide that the investments are to be liquidated, with interest at a rate agreed upon between the parties, out of rental charges to be paid by the agencies using the buildings or from such other funds as are available to the Department of Motor Vehicles, the Department of Highway Patrol or the Governor for this purpose.

Sections 13115.6 and 13117 of the Government Code provide for continuing appropriations from the Motor Vehicle Fund in the case of the first three loans listed and the General Fund in the case of the last,



of such amounts as may be necessary to pay monthly the amount required to liquidate the investment with interest at the rate agreed upon between the parties. This appropriation is available only if the amounts needed have not been included in the Budget Act for any given fiscal year for support of the agencies involved.

Pursuant to this legislation the Director of Finance has entered into agreements with the agencies involved to make the investments out of the School Land Fund, which is one of the funds he is authorized to invest, with interest at  $2\frac{1}{2}$  percent from the date of the advances in the case of the first two loans and  $2\frac{3}{4}$  percent in the case of the last two, the loan to be repaid in each case in 240 equal monthly installments.

The buildings involved, according to information furnished by the Division of Architecture, were completed on the dates shown in Table 1 and occupied on about the same dates.

Repayments of the loans are to start on the second calendar month following date of completion. To date none have been made since a final accounting for all costs has not been rendered by the Division of Architecture in some instances, and in others it has been necessary to modify the original agreements as to certain technical details.

The costs shown in Table 1 for these buildings are those shown by the Controller's records as of October 18, 1954, which represents transfers to the Architecture Revolving Fund.

#### DEPARTMENT OF AGRICULTURE BUILDING FUND

Chapter 11/1950, First Extraordinary Session, in effect July 15, 1950, added Sections 35 to 35.6 to the Agriculture Code, which provide that the department, with the approval of the Department of Finance, can acquire real property and construct and equip buildings. The Department of Agriculture Building Fund is created, to which may be transferred any amounts not needed in the Department of Agriculture Fund or other funds subject to the jurisdiction of the Director of Agriculture, as determined by the Director of Agriculture. Excess space in any buildings may be rented to other state agencies and rentals charged sufficient to provide a reasonable return to the Department of Agriculture Fund for amounts advanced, plus a reasonable rate of interest as determined by the Department of Agriculture with approval of the Director of Finance.

Money in the Department of Agriculture Building Fund is appropriated without regard to fiscal years for construction, operation and maintenance of buildings.

A summary of the Department of Agriculture Building Fund as of October 18, 1954, as shown by the State Controllers' records, is as follows:

Transferred from Department of Agriculture Fund.....	\$1,161,168
Expenditures for land and construction.....	1,136,704
Balance 10/18/54 .....	<u>\$24,464</u>

Expenditures were for purchase of land on O Street in Sacramento between 12th and 13th immediately south of the old Motor Vehicle Building at 1220 N Street and for construction costs to date. The new

building is under construction and is expected to be ready for occupancy by July 1, 1955. The estimated cost, including the land, is \$2,187,000, which is the amount shown in Table 1, Column 1.

The law places no limitation on the amount which may be invested in the building, the only limitation being the availability of funds. At present the only money available is the surplus in the Department of Agriculture Fund which supports 40 percent of the activities of the department, the remainder being supported by the General Fund. The Department of Agriculture Fund has had a surplus of about \$3,000,000 for the last two years with annual revenues and expenditures of about \$4,700,000 each.

The new building is being constructed as an annex to the old Motor Vehicle Building at 1220 N Street, which is being remodeled for the occupancy primarily of the Department of Agriculture. The cost of the remodeling is covered by an appropriation of \$500,000 from the Capital Outlay and Savings Fund, Item 361 (i) of the Budget Act of 1952.

Chapter 12, Statutes of 1951, placed the management of the old Motor Vehicle Building at 1220 N Street with the Department of Finance at the time it was vacated by the Department of Motor Vehicles, and provided that the Department of Finance shall charge rent to agencies occupying the building until the appraised value of the building, as of the date vacated by the Department of Motor Vehicles, has been amortized, the proceeds from the rent to be paid into the Motor Vehicle Fund.

Present indications are that the Department of Agriculture will occupy most of the space in the old Motor Vehicle Building as well as in the new annex.

Section 35.3 of the Agricultural Code provides that space in the new building now under construction shall be allocated by the Director of Agriculture primarily to the units in the Department of Agriculture financed by special funds and that he shall charge rent for use of the space until such time as the advances made to the Department of Agriculture Building Fund have been repaid. Thereafter, the management of the building will be transferred to the Department of Finance, which under Section 35.4 of the Agricultural Code will apparently have authority to charge rent to any agency using the building, including all units of the Department of Agriculture.

During the period prior to repayment of the advances, the Department of Agriculture Fund will, in effect, be paying rent to itself for use of the building.

#### DISABILITY FUND

Sections 3125 to 3130 of the Unemployment Insurance Code, based on Chapters 1603/1951 and 1776/1953, provide that the Director of the Department of Employment, with the approval of the Department of Finance may invest the money in the Disability Fund for the construction and equipment of a building or buildings and appurtenant facilities for use of the Department of Employment as a central office in Sacramento, such investment not to exceed \$10,450,000. The money is to be repaid from rentals at rates to be approved by the Department of Finance plus interest at a reasonable rate to be determined by the Director of the Department of Employment with the approval of the Department of Finance.

Any buildings acquired under these provisions may contain space in excess of the requirements of the Department of Employment and until needed may be leased by the Director at such rental and upon such terms and conditions as may be approved by the Department of Finance.

The building is now under construction on land owned by the State, consisting of the two blocks bounded by N, Capitol Avenue, Seventh and Ninth Streets on the Capitol Mall in Sacramento, and will be finished late in 1955 or early in 1956. To date, \$1,671.217 has been advanced to cover construction costs. This amount includes \$271,217 to cover the cost of a temporary one-story building on part of the property at Seventh and N Streets for use of the Department of Veterans Affairs, pending completion by that department of its own building at 13th and O Streets in Sacramento.

The Department of Veterans Affairs started paying rent for the space on May 1, 1954, at \$3,960 per month, which includes 3 percent interest, or at the rate of \$47,520 per year, including interest of \$1,384. At this rate, the cost of the building will be completely amortized in slightly under six years.

The building was designed in such a way that it could be moved to another location if desired, when vacated by the Department of Veterans Affairs. Present desires of the Department of Employment appear to be to use the building as a local office in lieu of rented quarters, when available.

The Unemployment Insurance Code provides that, when the loan has been repaid, the management and control of the buildings will rest with the Department of Finance but that the Department of Employment shall have priority to occupancy at rental rates not exceeding the cost of providing maintenance and other services.

Chapter 16/1954, First Extraordinary Session, added Sections 3151 to 3156 to the Unemployment Insurance Code, authorizing the Disability Fund to invest not to exceed \$2,750,000 in land and buildings for a branch office for the Department of Employment in Los Angeles. The provisions of these sections relating to rentals, interest, repayment, occupancy, etc., are essentially the same as those with respect to the headquarters office building in Sacramento except that the building shall be subject to the administration of the Department of Finance at all times, with priority given to the needs of the Department of Employment.

Early in October 1954, the Public Works Board approved the acquisition of a site for this building consisting of the entire block bounded by Broadway, Hill Street, Fifteenth Street and Venice Boulevard in Los Angeles, and the Attorney General will shortly start the necessary condemnation proceedings. The land is expected to cost about \$250,000.

#### **VETERANS AFFAIRS CONSTRUCTION FUND**

Chapter 1413/1953, in effect June 27, 1953, added Sections 996.13 to 996.20 to the Military and Veterans Code, authorizing the Department of Veterans Affairs to construct and equip a building on property acquired for that purpose by the Public Works Board with approval of the Department of Finance and the California Veterans Board. The



building is primarily for the department's own use and the total investment including land, cannot exceed \$2,500,000.

The law provides for the transfer of surplus money available in the Veterans Farm and Home Building Fund of 1943 to the Veterans Affairs Construction Fund on request of the California Veterans Board and continuously appropriates all money in the latter fund for acquisition and maintenance of the building.

All agencies using the building, including the Department of Veterans Affairs, will pay rent until the entire cost of the building, plus interest, has been amortized. The rental rates are to be set by the Department of Veterans Affairs and the interest rate by the Director of Veterans Affairs with approval of the California Veterans Board.

Negotiations are nearing completion for the acquisition of a site for the building on the east side of O Street between the new Department of Agriculture Building and Thirteenth Street in Sacramento, and to date, \$134,654 has been expended on the project. The building will probably not be completed before 1957.

#### STATE EMPLOYEES RETIREMENT FUND

Chapters 1734/1951 and 1649/1953 added Sections 20215 to 20228 to the Government Code, authorizing the State Employees' Retirement Fund to invest in real property provided such an investment is made for sale or lease to the State. No investment can be made until a lease agreement with the State has been entered into under which the State agrees to rent the property for not to exceed 40 years at a rental sufficient to return the amount of the investment with interest.

Chapter 1649/1953 authorized the State Employees' Retirement System to invest not to exceed \$300,000 for acquisition of a site and preparation of preliminary plans for an office building for itself.

Nothing has been done to date to further this project since the Retirement System does not believe it can make the investment until the full amount has been authorized by the Legislature and the rental contract has been executed.

### State Financial Statistics

Prepared by Legislative Auditor

December 3, 1954

TABLE I—STATE TAX COLLECTION DATA, 1953-54

State	Tax collections (millions)	Tax collections as percent of total	Tax collections per capita	Tax collections as percent of income payments
48 state total.....	\$11,072	100.0	\$70.31	4.1
California.....	1,242	11.2	101.92	5.0
Illinois.....	546	4.9	60.63	2.9
Michigan.....	616	5.6	89.95	4.5
New York.....	1,134	10.2	74.46	3.5
Pennsylvania.....	617	5.6	57.90	3.2

SOURCE: "State Tax Collections in 1954," Bureau of the Census, release dated August 28, 1954.



TABLE II—SOURCE OF INCOME TO CALIFORNIA'S GENERAL FUND 1946-47 TO DATE (in Millions)

	1946-47	1947-48	1948-49	1949-50	1950-51	1951-52	1952-53	1953-54	1954-55(est.) <sup>d</sup>
ABC taxes and licenses.....	\$24.4	\$16.9	\$17.6	\$16.4	\$19.9	\$18.2	\$19.7	\$19.5	\$21.2
Bank and corporation franchise and income taxes.....	59.2	69.2	75.8	74.8	98.2	130.1	119.1	125.0	126.6
Inheritance and gift tax.....	20.1	20.5	21.8	19.9	21.7	29.2	23.5	24.1	28.1
Insurance tax.....	14.5	17.3	20.2	22.0	23.9	25.7	29.2	34.3	38.7
Personal income tax.....	51.2	50.2	50.1	460.5	75.9	90.9	94.6	96.2	99.2
Retail sales and use tax.....	241.5	275.6	294.6	325.5	399.2	417.7	460.1	465.1	455.1
Other.....	936.4	22.0	30.3	33.3	33.7	32.4	27.8	33.9	36.1
Totals.....	\$447.3	\$471.7	\$510.4	\$553.3	\$672.5	\$734.2	\$774.0	\$798.1	\$805.0

<sup>a</sup> Includes General Fund share of \$4,451,000 in liquor license fees. Changes in law precluded subsequent sharing with the General Fund.

<sup>b</sup> Includes General Fund share of approximately \$8,000,000 in motor vehicle transportation tax and fees. Changes in law precluded subsequent sharing with the General Fund.

<sup>c</sup> Revenues affected by tax rate increases.

<sup>d</sup> Subject to revision for the 1955-56 Budget.

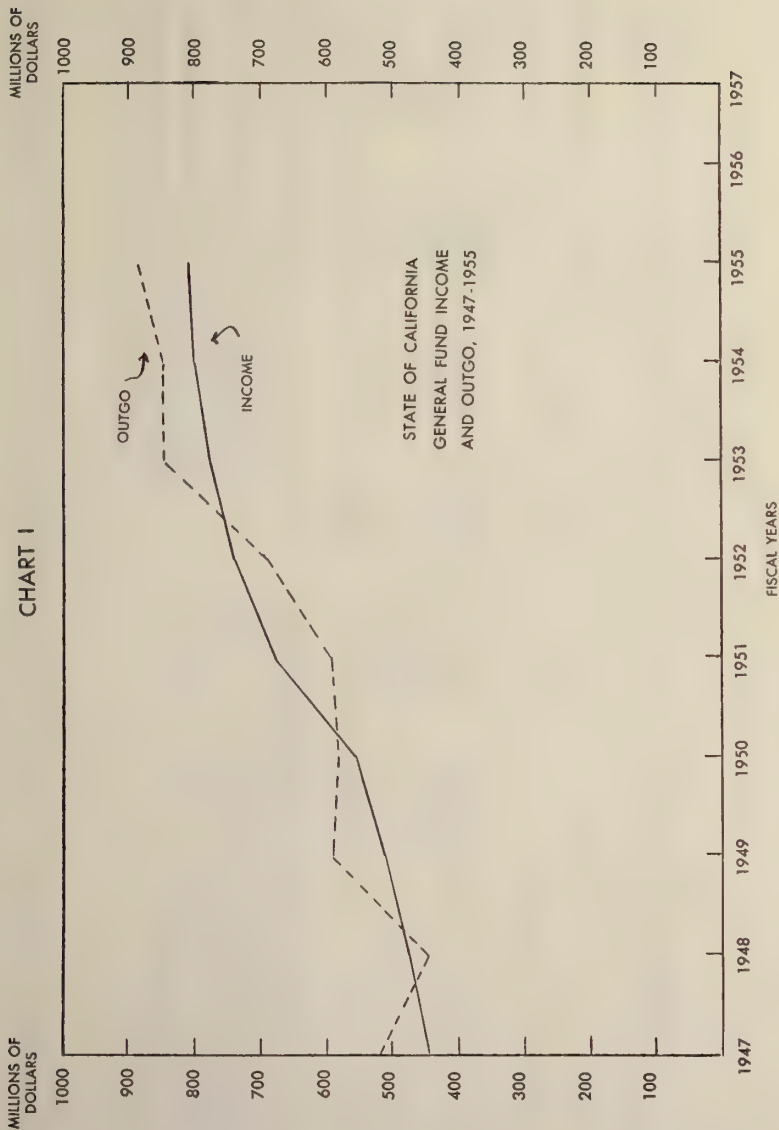


TABLE III—CALIFORNIA'S GENERAL FUND INCOME, OUTGO AND SURPLUS—1946-47—1954-55

	Revenue	Outgo		Current revenue surplus (+) or deficiency (—)	Adjustments <sup>3</sup>	Cumulative surplus
		Expenditures	Transfers <sup>1</sup> to reserves			
July 1, 1946.....						\$175,839,186
1946-47.....	\$447,288,354	\$274,826,836	\$827,446,250	\$-64,984,732	\$+3,963,818	114,818,272
1947-48.....	471,666,706	412,888,912	429,275,000	49,075,919	-1,554,676	143,096,390
1948-49.....	510,440,640	507,625,919	479,075,867	577,171,910	-9,366,383	56,568,891
1949-50.....	551,240,969	577,171,910	588,508,776	637,038,802	+6,214,151	36,862,071
1950-51.....	672,064,783	588,508,776	649,258,638	7129,739,439	+437,815	120,845,893
1951-52.....	734,025,725	637,038,802	846,314,812	844,142,219	+1,406,542	169,980,420
1952-53.....	773,977,227	716,575,373	933,242,219	916,673,624	-253,582	97,389,253
1953-54 (est.).....	798,100,000	810,900,000				51,347,034
1954-55 (est.).....	805,000,000	868,000,000			10+28,847,769	521,179

<sup>1</sup> Transfers to the legislative contingent funds treated as expenditures. Miscellaneous minor transfers treated as expenditures or adjustments to surplus. With the exception of \$50,000,000 transferred to School Bond Retirement Fund, the transfers of 1951-52 and subsequent years represent transfers for expenditure in the year in which transferred rather than sums reserved for expenditure in future years.

<sup>2</sup> Includes adjustments for prior years and changes in methods of accounting for revenues.

<sup>3</sup> \$162,446,920 transferred to the Postwar Employment Reserve and \$75,000,000 transferred to the Highway Fund.

<sup>4</sup> \$28,800,000 transferred to the Postwar Employment Reserve and \$2,475,000 transferred to the Highway Fund.

<sup>5</sup> \$59,206,003 transferred to the Postwar Employment Reserve, \$13,445,883 transferred to the State Beach and State Park Funds and \$7,323,981 transferred to the Postwar Unemployment and Construction Fund.

<sup>6</sup> \$49,258,938 transferred to the Capital Outlay and Savings Fund.

<sup>7</sup> \$79,739,439 transferred to the Capital Outlay and Savings Fund and \$50,000,000 transferred to the School Bond Retirement Fund.

<sup>8</sup> \$33,242,219 transferred to the Capital Outlay and Savings Fund.

<sup>9</sup> \$12,824,087 transferred to the Capital Outlay and Savings Fund and \$3,849,537 transferred to the Flood Control Fund of 1946.

<sup>10</sup> The estimated deficiency offset by transfers to the General Fund in the sums of \$27,369,831 and \$1,477,048 from the School Bond Retirement Fund and Employment Contingent Fund respectively.

TABLE IV—COMPARISON OF CALIFORNIA'S AUTHORIZED EXPENDITURES AND ESTIMATED REVENUES FOR 1954-55  
WITH ACTUAL EXPENDITURES AND ACTUAL REVENUES FOR 1946-47

## STATE EXPENDITURES

Fiscal year	Estimated population	Total expenditures		General Fund expenditures		Special Fund expenditures		Reserve Fund expenditures	
		Amount	Per capita	Amount	Per capita	Amount	Per capita	Amount	Per capita
1954-55.....	12,700,000	\$1,431,933,000	\$112.75	\$865,601,800	\$68.16	\$518,331,700	\$40.81	\$47,999,500	\$3.78
1946-47.....	9,700,000	\$469,680,000	\$48.42	\$274,830,000	\$28.33	\$176,100,000	\$18.15	\$18,750,000	\$1.94
<b>Increase</b>									
Amount.....	3,000,000	\$962,253,000	\$64.33	\$590,771,800	\$39.83	\$342,231,700	\$22.66	\$29,249,500	\$1.84
Percent.....	30.9	204.9	132.9	215.0	140.6	194.3	124.8	156.0	94.8

## STATE REVENUES

Fiscal year	Estimated population	Total revenues		General Fund revenues		Special Fund revenues		Reserve Fund revenues*	
		Amount	Per capita	Amount	Per capita	Amount	Per capita	Amount	Per capita
1954-55.....	12,700,000	\$1,313,906,700	\$103.46	\$805,000,000	\$63.39	\$507,266,700	\$39.94	\$1,640,000	\$0.13
1946-47.....	9,700,000	\$604,950,000	\$62.37	\$447,300,000	\$46.11	\$157,400,000	\$16.23	\$250,000	\$0.03
<b>Increase</b>									
Amount.....	3,000,000	\$708,956,700	\$41.09	\$357,700,000	\$17.28	\$349,866,700	\$23.71	\$1,390,000	\$0.10
Percent.....	30.9	117.1	65.9	80.0	37.5	222.3	146.1	(556.0)	(333.3)

\* Revenue represents interest on investment of money in the funds. Transfers from General Fund not included.



**TABLE V—CHANGES BY MAJOR EXPENDITURE GROUPINGS—  
1946-47 TO 1954-55**

Expenditure groupings	1946-47 (millions)	1954-55 (millions)	Increase	
			Amount	Percent
Operating expense.....	\$142.2	\$382.1	\$239.9	168.7
Subventions:				
Education.....	112.7	434.1	321.4	285.2
Welfare and public health.....	55.2	159.9	104.7	189.7
Other.....	12.5	17.1	4.6	36.8
Shared revenues:				
Highways and liquor.....	61.1	175.5	114.4	187.2
Capital outlays:				
Highways.....	53.0	214.3	161.3	304.3
Other.....	33.0	48.9	15.9	48.2
Total expenditures.....	\$469.7	\$1,431.9	\$962.2	204.9

### Status of Plans for Organization and Budget of New Department of Alcoholic Beverage Control

Prepared by Legislative Auditor  
December 3, 1954

Action of the voters in approving Proposition No. 3 on November 2, 1954, has the effect of creating a new agency which will start to function as such on January 1, 1955, in the middle of a budget year. This creates unusual problems since no budget as such has been prepared specifically for the new agency for the first six months of its operation.

A budget will be prepared in the usual way for 1955-56 but its preparation will be delayed until the program of the new director has been developed.

Accordingly, we believe it appropriate to point out at this time the basic legislation and some of the problems involved in connection with the establishment of the new Department of Alcoholic Beverage Control.

#### SENATE CONSTITUTIONAL AMENDMENT No. 4

Senate Constitutional Amendment No. 4, which was approved by the voters as Proposition No. 3 on November 2, 1954, provides for the creation of a Department of Alcoholic Beverage Control headed by a director, appointed by the Governor subject to confirmation by the Senate, and the transfer from the Board of Equalization to the new department of the power "to license the manufacture, importation and sale of intoxicating liquors in this State, and to collect license fees or occupation taxes on account thereof."

It provides that the director may appoint, exempt from civil service, three persons, in addition to the one he is entitled to under Section 4 of Article XXIV of the Constitution, or a total of four exempt employees.

It also provides for the creation of a three-member appeals board appointed by the Governor, subject to confirmation by the Senate, which board will be entitled to appoint one person exempt from civil service

holding a confidential position to it under subdivision (a) (5) of Section 4 of Article XXIV of the Constitution.

It further provides that the power to assess and collect excise taxes on the manufacture, importation and sale of alcoholic beverages in California shall remain with the Board of Equalization.

The constitutional amendment by its terms becomes operative January 1, 1955.

#### SENATE BILL No. 28

Senate Bill No. 28, the enabling act, enacted as Chapter 20, Statutes of 1954, First Extraordinary Session, becomes operative January 1, 1955 and was conditional upon the approval of the voters of Proposition No. 3. It amends Sections 11554 and 11556 of the Government Code to provide an annual salary of \$14,000 for the Director of Alcoholic Beverage Control and annual salaries of \$12,000 for each member of the Alcoholic Beverage Control Appeals Board. It also adds Sections 23049 to 23091 to Division 9 of the Business and Professions Code, the Alcoholic Beverage Control Act, relating to the new department and the appeals board.

It provides in Section 23054 for the transfer to the new department of all civil service employees in the Board of Equalization, who are carrying out functions transferred to the new department on January 1, 1955, employees so transferred to retain their respective positions in the state civil service; such transfer to be subject to the power of the director "to reorganize the department, to discipline employees transferred for incompetency, inefficiency, inexcusable neglect of duty, prior or subsequent to the transfer, or for any other cause for discipline provided by law, and to lay off and demote employees for lack of funds," such actions to be subject to the provisions of Article XXIV of the Constitution and the State Civil Service Act.

It provides, in Section 23055 for the transfer to the new department on January 1, 1955, of the unencumbered balance of all money available to the Board of Equalization in carrying out the functions transferred, together with all related books, documents, records and property.

It provides, in Section 23076 that the director shall furnish the appeals board with the equipment, supplies and housing necessary to its operations and shall perform such other mechanics of administration as the board and the director may agree upon.

#### BUDGET, JANUARY 1 TO JUNE 30, 1955

During the period from January 1, 1955, to June 30, 1955, the new department will operate within the framework of that portion of Item 120 of the Budget Act of 1954 which relates to the alcoholic beverage control operations of the Board of Equalization.

This budget, however, contains no provision for the salaries and expenses of the members of the appeals board, the director, the five new exempt positions, in case they were to be added to the existing organization, or related clerical help, operating expenses and equipment, the cost of which may require an allocation from the emergency fund.

Our estimate, made September 3, 1954, is that these costs will not exceed \$100,000 for this period, and no later estimate is available.

The amounts included in Item 120 of the Budget Act of 1954 which relate directly to alcoholic beverage control are those detailed on pages

425 and 426 of the printed budget under the heading Alcoholic Beverage Control Division, Headquarters and Alcoholic Beverage Control Division Districts, and total \$2,386,626 for the Fiscal Year 1954-55, as adjusted by the Legislature. This amount includes salaries of \$178,565 for services rendered by employees in other divisions of the Board of Equalization at district liquor control offices.

In addition there are other costs attributable to Alcoholic Beverage Control which are not included in the foregoing. These comprise services performed by the Division of General Administration, Division of Research and Statistics and the Service Division. They include general administrative supervision, accounting and budgeting, personnel, mailing, cashiering, supplies and the furnishing of office space in rented locations. An attempt is being made at present by the agency and the Department of Finance to identify these costs, but no detailed data are yet available.

Since the services represented by these two categories are closely integrated with other activities of the Board of Equalization and represent only a minor part of the total of such activities presently performed by the Board of Equalization it will take some time and study to work out the details involved in a separation. Accordingly it will probably be necessary for the new agency to contract with the Board of Equalization for performance of these services at least to June 30, 1955, and as to some of them, perhaps for a longer period.

#### BUDGET FOR 1955-56

The budget of the new agency for the first full fiscal year of its operation, i.e., 1955-56, will depend to a large extent on the policies and program of the new director, as to which nothing is known at this time. It is reasonable to assume, however, that these will differ radically in many respects from those of the Board of Equalization.

The budget will also depend as to certain items at least, on experience with operations under the new law for the balance of this fiscal year.

There is no way of determining, for example, except by experience, what the workload of the new appeals board will be, nor the size and character of staff which it will require for proper functioning.

All that can be done at this point, therefore, is to point out some of the areas which we feel are important from the standpoint of the budget of the new agency.

##### 1. Off-Sale General License Fee Audits

Section 23320 of the Business and Professions Code provides for a fee for a retail package off-sale general license which is measured in part by volume of sales. This requires examination of the records of such licensees by auditors.

In our budget analysis for 1953-54, pages 197-8, we pointed out that by amending the law to change the basis for the fee to one comparable to that for the on-sale general license, substantial savings would result including the elimination of the necessity for field auditing. In that report we estimated the savings to be \$176,560, which estimate was later revised to approximately \$100,000, our current estimate of the savings.

The major part of the savings would represent field auditing, all of which is done by sales tax auditors or auditors attached to the Bureau



of Tax Assessment of the ABC division which will remain with the Board of Equalization under the provisions of the new law.

We believe that if the law is amended to eliminate the necessity for audits, the budget of the Board of Equalization could be reduced to represent the cost of the auditing involved while if it is not eliminated the auditors doing the work should be transferred to the new department.

The cost of this auditing is included in the \$178,565 previously mentioned.

## 2. Integrated Services Now Performed by the Board of Equalization

As previously indicated there are two groups of services now performed by the Board of Equalization for ABC which are not readily separable as follows:

Field services performed in district liquor control offices:

By Sales Tax Division-----	\$90,577
By Bureau of Tax Assessment-----	87,988

Total -----	\$178,565
Estimated overhead and housekeeping services--	250,000

Total -----	\$428,565
-------------	-----------

The first two amounts consist entirely of salaries and represent the equivalent of at least 34 units of personnel. Most of the \$87,988 by the Bureau of Tax Assessment consists of auditing off-sale general licensees while the \$90,577 includes some such auditing as well as a substantial amount of the time of sales tax clerical personnel in small branch offices which do not have a full-time Alcoholic Beverage Control clerical employee. There are about 35 such offices.

It will not be possible to realize any overall savings with respect to these clerical personnel unless some of the small Board of Equalization branch offices are eliminated entirely, since those positions are justified on an attendance or "post assignment" basis without regard to workload.

The amount of \$250,000 is a very rough estimate of the total overhead of the Board of Equalization which is attributable to ABC based on a formula comparable to that used for prorating such charges to special fund operations within the agency. A part of this represents costs which can be transferred to the budget of the new agency such as rents for specific quarters occupied exclusively by Alcoholic Beverage Control personnel, and personnel in certain units which are large enough that a satisfactory segregation can be made, such as the following:

<i>Unit</i>	<i>Personnel</i>
Accounting -----	31.5
Personnel -----	7
Mailing -----	22
Supply -----	8
Cashier -----	33
Addressograph -----	16
Tabulating -----	32



A part, on the other hand, represents costs which are properly attributable to ABC but which cannot be transferred, such as a share of rent for space in the smaller offices which are of minimum size in any event, a pro rata of the salaries of board members, the executive secretary, the departmental personnel officer and the assistant to secretary (budget officer) since these officials must remain in the Board of Equalization either because of legal requirements or because the major portion of their time is devoted to tax matters.

The problem involves a careful analysis of all such activities in the Board of Equalization in order to be sure that all separable functions are clearly identified and transferred with a corresponding reduction in the budget of the Board of Equalization.

Included in the division of general administration are four positions in the class deputy to member with total annual salaries budgeted at \$32,306 for 1954-55. It is our understanding that these positions have been used almost exclusively for alcoholic beverage control administration in the past.

While these particular positions cannot be transferred since they are the deputies exempt from civil service to which each of the four board members is entitled under Section 4, (a), (6) of Art. XXIV of the Constitution we believe that an equivalent amount of money could very well be transferred since each board member now has two deputies, one exempt and one civil service, and one would appear to be sufficient without the alcoholic beverage control function.

### 3. Undercover Cars

While the problem of undercover cars is not directly involved in the changeover it would appear appropriate at this time to re-examine the entire policy and procedures of the State with respect to the use of state vehicles with undercover plates, since of the 337 such vehicles on April 7, 1953 the Board of Equalization had 127, more than any other agency, and most of these were assigned to alcoholic beverage control personnel.

### 4. Relationship to Local Enforcement Officers

Activities of the alcoholic beverage control division appear to fall into two general classes:

(1) Licensing, which is an exclusive state function and involves finger printing of applicants, processing applications, inspection of premises, collection of fees, and the like, and

(2) Enforcement, an activity which under Section 25619 of the Business and Professions Code is shared with local peace officers.

Section 25619 reads as follows:

"It is hereby made the duty of every peace officer and every district attorney in this State to enforce the provisions of this act, and to inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions hereof. Every such officer refusing or neglecting to do so is guilty of a misdemeanor."

It would appear appropriate, in connection with the budget of the new agency, to re-examine this whole question of the proper relationship between state and local enforcement programs.

#### 5. Organization

At present there are 412 authorized positions which are budgeted separately for alcoholic beverage control as such, as indicated on pages 425-6 of the printed budget. These were distributed on July 1, 1954, as follows:

Headquarters	-----	54
District offices	-----	358
		<hr/>
		412

The details of these positions by location and civil service class are shown in the attached exhibits.

Except for a small special investigation unit of five people, operating directly out of headquarters, all enforcement work is decentralized under 14 separate district liquor control administrators, each in charge of a more or less autonomous district in the State. These districts, which have the same boundaries as the districts into which the board has divided the State for purpose of tax administration, are all subdivisions of the four equalization districts into which the State was subdivided in 1923, when the Board of Equalization had a total staff of six, and total annual expenditures of \$37,000.

In a state with the area and population of California some degree of decentralization and as a consequence some sort of a regional organization is probably necessary, and answers to these two problems would appear to be among the most important policy questions, at least from the budgetary standpoint, which the new agency will be required to make.

At present, as indicated in Exhibit 2, enforcement personnel are distributed among 55 branch offices throughout the State and are resident in four localities in which there is no branch office; Monterey, Hollister, Watsonville, and Weaverville.

The usefulness of personnel for enforcement purposes, who are permanent residents of small communities, would appear to be greatly reduced by reason of the fact that they become well known in the community.

On the other hand there is something to be said in favor of resident officers at certain key locations for liaison purposes with local peace officers.

One possible type of organization would be to divide the State into three regions, with headquarters at Los Angeles, San Francisco, and Sacramento with the bulk of the enforcement staff concentrated at these points and used largely on a flying squad basis. A four- or five-region breakdown, with perhaps Fresno and San Diego added, would be a modification of this plan.

Another question is the extent of the facilities needed locally throughout the State for processing license transfers.

At present, in addition to the 55 branch offices maintained by the ABC division of the Board of Equalization, applications are taken at five additional branch sales tax offices at which no liquor control officer is permanently assigned. Whether it is necessary to provide for this type of service at 60 locations in California is an important policy question, since it is not provided for any other type of business or professional activity licensed under state law.

In any event, if it is deemed necessary to provide for widely decentralized services of this character it would appear desirable to divorce them entirely from their connection with the Board of Equalization facilities as soon as possible, and in lieu of an extensive field office organization for the Department of ABC for this purpose consideration might be given to using the existing facilities of a law enforcement agency such as the Highway Patrol or one of the licensing agencies in the Department of Professional and Vocational Standards, on a part time basis.

Another matter of importance from the organizational standpoint is the use to be made of the four exempt positions to which the new director will be entitled, since the men filling these positions will probably be the key men in the new department, the success or failure of which will be governed to a considerable extent on the men selected and how they are used. Some, or all of them could be used as regional directors if the emphasis is to be placed on regional operations or they could be used as division chiefs or program specialists in headquarters if a functional type of organization is favored. Regardless of how used all should probably outrank existing civil service personnel.

How most effectively to use the existing top level technical and administrative civil service personnel will present problems of some magnitude. The 22 positions involved, with the maximum annual salaries of each are as follows:

No.	Class	Maximum annual salary
1	State liquor administrator-----	\$12,600
1	Tax counsel-----	10,860
1	Associate state liquor administrator-----	9,852
1	District liquor control administrator IV (L.A.)-----	9,384
4	Hearing officers-----	8,940
2	District liquor control administrator III (S.F. & Oak.)-----	8,520
5	District liquor control administrator II-----	8,112
6	District liquor control administrator I-----	7,728
1	Deputy district liquor control administrator-----	6,672

The basic civil service law involved with respect to any reassignment of these positions is contained in Section 19256 of the Government Code, which reads as follows:

19256. Whenever a state agency succeeds to and is vested with the powers, duties and functions of another state agency, the civil service standing of each of the officers and employees taken over and re-employed by the agency shall be observed under such reclassifications as may be made by the board for the purpose of preserving such standing. A state agency is not required to retain in the public service any unnecessary officers or employees.

**Exhibit 1**  
**Alcoholic Beverage Control Division Authorized Positions Headquarters Office by Class and Unit, June 30, 1953**

Class	Salary range	Total	General administration	Hearings	General office	Special investigation	Calendars and complaints	Additional license fee	File room
State liquor administrator.....	\$850-\$1050	1	1						
Tax counsel.....	745- 905	1	1						
Associate state liquor administrator.....	676- 821	1	1						
Hearing officer.....	613- 745	1		1					
Office supervisor I.....	436- 530	1			1				
Special liquor investigator.....	415- 505	1				1			
Supervising liquor control officer.....	415- 505	1					1		
Hearing reporter.....	415- 505	1		1					
Accountant-auditor I.....	341- 415	1						1	
Liquor control officer.....	341- 415	5				4	1		
Supervising account clerk I.....	341- 415	1			1				
Secretary-stenographer.....	325- 395	1	1						
Supervising file clerk I.....	325- 395	1							1
Accounting technician II.....	281- 341	1			1				
Senior clerk.....	281- 341	1			1				
Senior stenographer-clerk.....	281- 341	2	2						
Intermediate and junior clerical.....	200- 295	33	1		14		3		12
Totals.....		54	7	2	18	5	5	4	13

**NOTES:**

The hearings unit holds hearings in the field.

The general office unit processes applications and licenses and does general office work.

The calendars and complaints unit handles board hearing calendars and complaints relating thereto.

The additional license fee unit processes returns and field audit reports relating to off-sale general licenses.



## Exhibit 2

## Alcoholic Beverage Control Division Authorized Positions, District Liquor Control Offices, June 30, 1953 by Class and Location

District and city	Total	District liquor control administrator IV (644-782) and III (584-710)	Supervising liquor control officer (415-505)	Special liquor investigator (415-505)	Liquor control officer (341-415)	Clerical and other
1 Los Angeles-----	66	1 (IV)	6	1	38	20 <sup>1</sup>
Glendale-----	6	--	1	--	4	1
Inglewood-----	7	--	1	--	4	2
Long Beach-----	6	--	1	--	4	1
Pasadena-----	6	--	1	--	4	1
Santa Monica-----	6	--	1	--	4	1
Downey-----	7	--	1	--	4	2
Totals District 1-----	104	1	12	1	62	28
2 San Francisco-----	41	1 (III)	3	1	26	10 <sup>2</sup>
Redwood City-----	8	--	2	--	6	--
Totals District 2-----	49	1	5	1	32	10
3 Oakland-----	31	1 (III)	3	--	22	5
Hayward-----	1	--	--	--	--	1
Totals District 3-----	32	1	3	--	22	6

<sup>1</sup> Includes the following in addition to clerical:

Hearing officer (613-745)  
 Deputy District Liquor Control  
 Administrator (458-556)  
 Assistant counsel (436-330)  
 Hearing reporter (415-505)

2

Hearing officer (613-745)  
 Hearing reporter (415-505)

1

2

3

6

1

2

3

## Exhibit 2—Continued

## Alcoholic Beverage Control Division Authorized Positions, District Liquor Control Offices, June 30, 1953 by Class and Location

District and city	Total	District liquor control administrator I (530-644)	Supervising liquor control officer (415-505)	Special liquor investigator (415-505)	Liquor control officer (341-415)	Clerical and other
8 Sacramento.....	13	1	1	1	8	2
Jackson.....	1	--	--	--	1	--
Totals District 8.....	14	1	1	1	9	2
9 Santa Rosa.....	9	1	1	--	5	2
Eureka.....	1	--	--	--	1	--
Mill Valley.....	2	--	--	--	1	1
San Rafael.....	1	--	--	--	1	--
Ukiah.....	1	--	--	--	1	--
Fort Bragg.....	1	--	--	--	1	--
Totals District 9.....	15	1	1	--	10	3
11 Santa Barbara.....	4	1	--	1	1	1
Ventura.....	2	--	--	--	2	--
Totals District 11.....	6	1	--	1	3	1
12 Marysville.....	6	1	1	--	2	2
Chico.....	1	--	--	1	--	--
Oroville.....	1	--	--	--	1	--
Roseville.....	1	--	--	--	1	--
Quincy.....	1	--	--	--	1	--
Placerville.....	1	--	--	--	1	--
Nevada City.....	1	--	--	--	1	--
Auburn.....	1	--	--	--	1	--
Totals District 12.....	13	1	1	1	8	2

Exhibit 2—Continued  
Alcoholic Beverage Control Division Authorized Positions, District Liquor Control Offices, June 30, 1953 by Class and Location

District and city	Total	District liquor control administrator I (530-644)	Supervising liquor control officer (415-505)	Special liquor investigator (415-505)	Liquor control officer (341-415)	Clerical and other
13 Redding.....	4	1	1	--	1	1
Susanville.....	1	--	--	--	1	--
Red Bluff.....	1	--	--	--	1	--
Yreka.....	2	--	--	--	2	--
Alturas.....	1	--	--	--	1	--
Weaverville (no office).....	1	--	--	--	1	--
Totals District 13.....	10	1	1	--	7	1
14 Woodland.....	5	1	1	--	1	2
Napa.....	1	--	--	--	1	--
Vallejo.....	5	--	--	1	3	1
Lakeport.....	1	--	--	--	1	--
Colusa.....	2	--	--	--	1	1
Totals District 14.....	14	1	1	1	7	4
Totals.....	358	14	38	6	223	77

## Exhibit 2—Continued

## Alcoholic Beverage Control Division Authorized Positions, District Liquor Control Offices, June 30, 1953 by Class and Location

District and city	Total	District liquor control administrator II (556-676)	Supervising liquor control officer (415-505)	Special liquor investigator (415-505)	Liquor control investigator (341-415)	Clerical and other
4 Fresno.....	13	1	2	--	7	3
Bakersfield.....	6	--	1	--	4	1
Hanford.....	2	--	--	--	1	1
Visalia.....	2	--	--	--	1	1
Totals District 4.....	23	1	3	--	13	6
5 San Bernardino.....	10	1	2	--	5	2
Riverside.....	4	--	--	--	3	1
Santa Ana.....	4	--	1	--	2	1
Totals District 5.....	18	1	3	--	10	4
6 San Diego.....	13	1	2	--	7	3
El Centro.....	5	--	--	--	4	1
Totals District 6.....	18	1	2	--	11	4
7 San Jose.....	16	1	2	--	10	3
Santa Cruz.....	1	--	--	--	1	--
Monterey (no office).....	1	--	--	--	1	--
Salinas.....	3	--	1	--	2	--
San Luis Obispo.....	2	--	--	--	2	--
Hollister (no office).....	1	--	--	--	1	--
Watsonville (no office).....	1	--	--	--	1	--
Totals District 7.....	25	1	3	--	18	3
10 Stockton.....	11	1	1	--	7	2
Merced.....	1	--	--	--	1	--
Modesto.....	5	--	1	--	3	1
Totals District 10.....	17	1	2	--	11	3



## **Partial Report on a Study of the California Department of Motor Vehicles**

### **PART II**

#### **PROCEDURES FOR LICENSING OF OPERATORS**

Prepared by the Legislative Auditor, December 3, 1954

The attached partial report is a continuation of the report presented to the Budget Committee on September 10, 1954, by the Legislative Auditor. The first part covered recommended revisions to forms, procedures, and organization of the department relating to vehicle registration. Part II presents the results of the study relating to the processing of driver's licenses in the various field offices throughout the State as well as headquarters operations in Sacramento.

#### **Reasons for Study**

At present there are over 6,000,000 driver's licenses outstanding and the department issues almost 200,000 driver's licenses per month. This volume includes new applications, renewals, duplicate applications, chauffeurs' licenses, et cetera. The department has a mechanical method for preparing registration documents of vehicles registered in the State and it was felt that a similar method might be used to prepare driver's license renewals. This, if possible, would have the effect of decreasing the number of people operating motor vehicles with expired licenses and would increase the revenue received from driver's license fees, as it would remind drivers that their licenses were expiring and renewal would be completed prior to the expiration date. It would economize on personnel costs and forms costs.

#### **Phases of the Study**

This report is a partial report embracing the findings and recommendations for processing driver's licenses. It consists of a review of the present procedures for licensing drivers in California and the subsequent processing of the applications.

### **DRIVER'S LICENSE PROCEDURES**

#### **Processing Driver's License Applications by Local Offices**

The area of activities covered by this portion of the report on driver's license procedures starts with the receipt of a new or renewal application in the local office through the issuance of the completed driver's license headquarters in Sacramento. The procedures covered were reviewed from the standpoint of the Driver's License Manual as well as the actual practice by the operating personnel.

The processing of driver's license applications is mainly an operation completed by headquarters personnel at Sacramento, thus the activities observed were primarily at Sacramento. However, the receipt of all applications takes place in the various local offices throughout the State. When visits were made to the local offices mentioned in Part I of our report, we observed the registration processing and in addition the procedures and practices followed in processing driver's licenses. After

the first portion of the report was submitted, additional visits were made to the Los Angeles area which included the offices in downtown Los Angeles, Long Beach, Hollywood, Compton, and Santa Ana to observe both the registration and driver's license processing. Again the practices were found to be uniform with few exceptions and the related manual was followed very closely.

Time did not permit a thorough study of the conversion costs and the additional annual recurring costs of processing driver's license applications mechanically. Also, all of the possible savings in manpower, operating expense and equipment and the increased efficiency throughout the entire function have not been determined at this date. Therefore, the following recommendations are contingent on a study of these factors and a finding that it is in the interest of the State on a cost basis to effect the changes in procedure herein proposed.

#### **Summary of Recommendations**

1. Renewal applications for operator's licenses should be prepared mechanically by the tabulating section in the form of a potential driver's license and mailed to the licensee prior to the expiration date of the existing license.
2. Address changes, suspensions, revocations, et cetera, should be processed mechanically prior to preparation of the potential license.
3. Statistical reports should be prepared by mechanical means rather than built up daily through manual postings.
4. All dextigraphing of operator's licenses should be discontinued.
5. Stuffing of potential driver's licenses for mailing should be done mechanically on stuffer machines.
6. At a later date when operator's license processing is functioning smoothly, a similar procedure should be established for processing renewal chauffeur's licenses.
7. Consideration should be given to establishing a differential in fees for an original driver's license and the renewal of a license, with a higher fee for the original license.

We believe that a license which has expired without being renewed should be considered an application for an original driver's license with respect to fees. Such a policy would provide an incentive to renew licenses on or before the expiration date.

These recommendations are discussed in detail in the following text.

#### **Possible Savings**

It is not possible to make a direct savings estimate at this time. However, we believe the procedure described in the following pages will result in savings of a relatively large amount of money through the following means:

1. At present all applications for driver's licenses, whether a new or a renewal application, are completely typewritten from the DL 44 (preliminary application form). This form would no longer be necessary for processing renewals but used only on original applications.

Each application has approximately 200 typewriter strokes, including spaces in the address and description portions of the application. In a four-year renewal period, approximately 6,000,000 applicants would not have to fill out DL 44's (thus a form savings) and the related number of applications would not have to be typewritten. This amounts to over one billion typewriter strokes and the placing of each license in two typewriters before being completed, as the expiration date and new license number are typewritten at headquarters on a typewriter with large size type. All of this typing and the second handling would be eliminated if the potential licenses were prepared mechanically on tabulating equipment. This would free the cashier-typist-clerks in the local offices for cashiering duties only and a single clerk could handle the work of an entire office and in addition help on the registration functions if additional time was available. These savings would far outweigh the additional time of the cashier necessary to validate the potential licenses as the fee was paid.

2. The original form cost would be reduced for renewals, as the receipt, instruction permit, and the interim license would no longer be necessary. The licensee would receive an actual valid license instead of an interim license and it would show the payment of the fees through the validation stamp; no instruction permit is ever issued for a renewal application, so it can be eliminated. Two copies not included at the present time would be added, the soundex file copy and the actual operator's license. Thus a savings on the form would be achieved through having one less piece of paper for each application. In cases where an applicant did not pass his required tests for a renewal license, a single sheet interim license could be prepared and issued and the potential license held in the field office.

3. All dextragraphing of driver's license applications would be eliminated under the proposed procedure by preparing the actual operator's license and the soundex file copy mechanically. This is one recommendation to which a monetary savings can be applied as \$32,630 was the proposed budgeted amount for the Fiscal Year 1954-55 for photographic supplies alone. The major portion of this money was used for preparing two photos of each operator's license, one for the licensee and one for the soundex file. A small portion of the money was used for supplies to photostat other departmental work. The salaries for the personnel who operated the photographic equipment would amount to approximately \$20,000 annually, most of which would be applied to the processing of operator's licenses.

4. All checking of renewals by the verification section against the suspension and revocation file would be eliminated as this check would be completed mechanically prior to the issuance of the potential operator's license.



5. A reduction of time spent by the dispatchers section and the elimination of checking by the scanners section would result on all renewals prior to their being routed to tabulating section for punching state account cards. All this checking would be completed mechanically through the address change and suspension file of tabulating cards prior to the issuance of potential driver's licenses. Additional time would be saved by having the statistical reports prepared mechanically by the tabulating section instead of manually in these sections.

Included in this report are a series of flow charts describing the present processing and in addition a proposed procedure for processing potential operator's licenses for renewals. At the present time, the procedure is basically the same whether the application is new or a renewal, and is described in Flow Chart AA.

The proposed procedure for preparing potential operator's licenses for renewals is described in the Flow Charts A through F. Each chart covers a specific portion of the process as follows:

Chart A—Establishing a punched card file from the operator's license number file.

Chart B—Establishing address change and suspension/revocation card files.

Chart C—Establishing punched card file for new applications.

Chart D—Preparation of potential operator's licenses.

Chart E—Processing of renewed potential operator's licenses.

Chart F—Purging of renewed applications from "potentials mailed" file.

Sample card forms to be used in the mechanical process and a proposed potential license are as follows:

Exhibit A—Description card. This card has all information punched describing the applicant and the necessary control fields.

Exhibit B—Address card. This card has name, address, and city punched in addition to the necessary control fields.

Exhibit C—Operator's license which will be validated when fees are paid and necessary examinations passed; then returned to the applicant as a driver's license. This is the original copy of a four-part form; therefore, it appears larger than the present form. However, it is perforated for tearing, so the actual license is the present wallet size.

Exhibit D—Operator's license file copy (duplicate).

Exhibit E—Soundex file copy (triplicate).

Exhibit F—Accounting copy (quadruplicate).

These exhibits are included for the sole purpose of illustrating the possibility of preparing the potential licenses mechanically. It is not intended that these forms be considered as the final product, as it is realized that further changes might be necessary when the proposal is reviewed by the department personnel in order to meet their needs.

[The charts referred to in this report have not been printed in the Journals. These are available, however, in the office of the Legislative Auditor]



## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, STATE WATER RESOURCES BOARD  
SACRAMENTO 5, January 14, 1955

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol*  
*Sacramento, California*

DEAR MR. BEEK: I have the honor to transmit herewith a report of the State Water Resources Board as directed by Section 11 of the Flood Control Fund Act of 1946, as amended, respecting moneys reallocated under said act to public agencies by the State Water Resources Board for the period ending December 31, 1954.

Very truly yours,

C. A. GRIFFITH, Chairman  
By SAM R. LEEDOM, Administrative Assistant

Report ordered filed with the Secretary of the Senate.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 16**—Approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on the eighth day of June, 1954;

**Senate Concurrent Resolution No. 17**—Approving amendment to the charter of the City of Sunnyvale, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special consolidated municipal election held therein on the second day of November, 1954; And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourteenth day of January, 1955, at 9 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Joint Resolution No. 3

Assembly Concurrent Resolution No. 11

Assembly Joint Resolution No. 2

Assembly Concurrent Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 13, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to third reading.

## LETTER OF TRANSMITTAL

January 3, 1955

*Hon. Harold J. Powers, President*  
*and Members of the Senate*

GENTLEMEN: Your Senate Special Committee on Governmental Administration created by Senate Resolution 157 (Senate Journal June 10, 1953, page 4145)

presents herewith a partial report of its activities and the results of its study on judicial salaries, together with its recommendations.

Respectfully submitted,

GEORGE MILLER, JR., Chairman  
J. HOWARD WILLIAMS, Vice Chairman  
HAROLD T. JOHNSON  
JOHN F. MCCARTHY  
RANDOLPH COLLIER

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### Motion to Print Report

Senator Miller moved that 1,500 additional copies of the partial report of the Senate Special Committee on Governmental Administration be printed for distribution.

Motion carried.

### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 27**—An act to amend Sections 7351 and 8651 of the Revenue and Taxation Code, Sections 370, 372, and 381 of the Vehicle Code, and to repeal Section 372.1 of the Vehicle Code, as added by Chapter 1200, Statutes of 1953, to provide tax levies for the financial support of public highways, and providing that this act shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 84**—An act to amend Sections 6702, 7200, 7202, 7203, 7204, and 7205 of, and to add Section 7206 to, the Financial Code, relating to investments and loans by savings and loan associations, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

### THIRD READING OF SENATE BILLS

**Senate Resolution No. 28:** By Senators Gibson, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—Relative to the illness of Senator Fred Weybret.

WHEREAS, The Members of the Senate have learned with profound regret of the illness of a respected friend and devoted public servant, Senator Fred Weybret; and

WHEREAS, The Honorable Fred Weybret has ably represented the Twenty-fifth Senatorial District since 1944 and during that time has contributed much to the deliberation and work of this body; and

WHEREAS, During his 10 years in the Senate, the Honorable Fred Weybret has demonstrated a wise and statesmanlike understanding of all matters of legislation, and is respected by all for his ability, integrity, and record of patriotic public service; and

WHEREAS, The Honorable Fred Weybret now serves with distinction as the Chairman of the Senate Committee on Agriculture and the Senate Interim Committee on Social Welfare, and as a member of many important Senate committees including the Senate Committee on Labor, the Senate Committee on Finance, and the Senate Committee on Legislative Representation; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the Senate take this opportunity to extend their sympathies to Senator Weybret on his present illness and to express their desire for his speedy recovery and return to his duties; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to Senator Fred Weybret.

Resolution read, and, on motion by Senator Gibson, unanimously adopted.

**Senator Cunningham Presiding**

At 10.34 a.m., Senator James E. Cunningham of the Thirty-sixth Senatorial District, presiding.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 522:** By Senator Regan—An act to add Section 8766.1 to the Business and Professions Code, relating to examination by county surveyor of surveys recorded.

Referred to Committee on Business and Professions.

**Senate Bill No. 523:** By Senator Regan—An act to amend Section 330.24 of the Civil Code, relating to mutual water companies.

Referred to Committee on Local Government.

**Senate Bill No. 524:** By Senator Regan—An act to amend Section 683 of the Civil Code, relating to joint tenancy.

Referred to Committee on Judiciary.

**Senate Bill No. 525:** By Senator Regan—An act to add Sections 715.4 and 719 to the Civil Code, relating to leases and options contained therein.

Referred to Committee on Judiciary.

**Senate Bill No. 526:** By Senator Regan—An act to amend Section 955.1 of the Civil Code, relating to the assignment of rights to payment.

Referred to Committee on Judiciary.

**Senate Bill No. 527:** By Senator Regan—An act to amend Section 1007 of the Civil Code, relating to the acquisition of title by prescription.

Referred to Committee on Judiciary.

**Senate Bill No. 528:** By Senator Regan—An act to amend Section 1207 of the Civil Code, relating to notice by defectively executed or acknowledged instruments.

Referred to Committee on Judiciary.

**Senate Bill No. 529:** By Senator Regan—An act to amend Sections 2957, 2963, and 2965 of the Civil Code, relating to mortgages of personal property; prescribing a system of filing a certificate of recordation and providing for its effect as notice when mortgaged personal property is removed to another county.

Referred to Committee on Judiciary.

**Senate Bill No. 530:** By Senator Regan—An act to amend Sections 3013, 3014, and 3014.5 of the civil code, relating to trust receipts.

Referred to Committee on Judiciary.

**Senate Bill No. 531:** By Senator Regan—An act to amend Section 360 of the Code of Civil Procedure, relating to the statute of limitations.

Referred to Committee on Judiciary.

**Senate Bill No. 532:** By Senator Regan—An act to add Section 405.5 to the Code of Civil Procedure, relating to fees for filing first papers.

Referred to Committee on Judiciary.

**Senate Bill No. 533:** By Senator Regan—An act to add Section 442.5 to the Code of Civil Procedure, relating to counterclaims and cross complaints founded on claims barred by the statute of limitations.

Referred to Committee on Judiciary.

**Senate Bill No. 534:** By Senator Regan—An act to amend Section 594 of the Code of Civil Procedure, relating to notice of trial in civil actions.

Referred to Committee on Judiciary.

**Senate Bill No. 535:** By Senator Regan—An act to amend Section 1030 of the Code of Civil Procedure, relating to security for costs and charges in civil actions.

Referred to Committee on Judiciary.

**Senate Bill No. 536:** By Senator Regan—An act to repeal Section 113 of the Government Code relating to criminal jurisdiction.

Referred to Committee on Judiciary.

**Senate Bill No. 537:** By Senator Regan—An act to add Section 21337 to the Government Code, relating to the State Employees' Retirement System in respect to benefits payable upon the deaths of local fireman members.

Referred to Committee on Local Government.

**Senate Bill No. 538:** By Senator Regan—An act to amend Section 28135 of the Government Code, relating to compensation for public services in counties of the thirty-fifth class.

Referred to Committee on Local Government.



**Senate Bill No. 539:** By Senator Regan—An act to amend Section 36501 of, and to add Section 38611 to, the Government Code, relating to fire departments in cities.

Referred to Committee on Local Government.

**Senate Bill No. 540:** By Senator Regan—An act to add Article 4 to Chapter 2, Part 1, Division 2, Title 5 of the Government Code, relating to hours of work for firemen.

Referred to Committee on Local Government.

**Senate Bill No. 541:** By Senator Regan—An act to amend Section 7100 of the Health and Safety Code, relating to dead bodies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 542:** By Senator Regan—An act to amend Section 8252 of the Health and Safety Code, relating to private cemeteries.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 543:** By Senator Regan—An act to amend Section 13004 of the Health and Safety Code, relating to the use of fire extinguishers.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 544:** By Senator Regan—An act to add Section 13029 to the Health and Safety Code, relating to payment of charges by fire protection districts and fire departments for fire hydrants.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 545:** By Senator Regan—An act to add Section 13103.5 to the Health and Safety Code, relating to the appointment of an educational coordinator in the State Fire Marshal's office.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 546:** By Senator Regan—An act to add Section 13105.5 to the Health and Safety Code, relating to the publication of laws relating to firemen and fire protection and control.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 547:** By Senator Regan—An act to add Section 14010 to the Health and Safety Code, relating to studies of the law on formation of fire protection districts in unincorporated areas, and making an appropriation.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 548:** By Senator Regan—An act to amend Section 14075 of the Health and Safety Code, relating to ambulances of fire protection districts in unincorporated areas.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 549:** By Senator Regan—An act to amend Sections 14300 and 14314 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 550:** By Senator Regan—An act to amend Section 14401 of the Health and Safety Code, relating to county fire protection districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 551:** By Senator Regan—An act to add Chapter 4 to Part 2, Division 12 of the Health and Safety Code, relating to protection from radioactive materials.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 552:** By Senator Regan—An act to amend Sections 4452, 4453, 4455, 4460 and 4656 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 553:** By Senator Regan—An act to amend Sections 4452 and 4702 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 554:** By Senator Regan—An act to amend Section 4601 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 555:** By Senator Regan—An act to amend Section 4650 of the Labor Code and to repeal Section 4652 of the Labor Code relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 556:** By Senator Regan—An act to add Section 4664 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 557:** By Senator Regan—An act to add Section 1264 to the Military and Veterans Code, relating to memorial buildings.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 558:** By Senator Regan—An act to add Section 1200.1 to the Probate Code, relating to administration of estates.

Referred to Committee on Judiciary.

**Senate Bill No. 559:** By Senator Regan—An act to add Section 6210.4a of the Public Resources Code, relating to rights of way over state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 560:** By Senator Regan—An act to amend Section 4151 of the Public Resources Code, relating to fire permits.

Referred to Committee on Natural Resources.

**Senate Bill No. 561:** By Senator Regan—An act to amend Section 4167 of the Public Resources Code, relating to the use of adequate spark arresters.

Referred to Committee on Natural Resources.

**Senate Bill No. 562:** By Senator Regan—An act to add Section 4455.5 to the Public Resources Code, relating to forest insect infestations and disease infections.

Referred to Committee on Natural Resources.

**Senate Bill No. 563:** By Senator Regan—An act to add Section 6221.5 to the Public Resources Code, relating to priority of applications.

Referred to Committee on Natural Resources.

**Senate Bill No. 564:** By Senator Regan—An act to add Section 6223 to the Public Resources Code, relating to priority of applications.

Referred to Committee on Natural Resources.

**Senate Bill No. 565:** By Senator Regan—An act to repeal Section 3 of Chapter 922 of the Statutes of 1945 and to amend Section 6901 of the Public Resources Code, relating to applications for erection of structures on tidelands or submerged lands or for depositing or removing material therefrom.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 566:** By Senator Regan—An act to repeal Chapter 7 of Division 4 of the Public Resources Code, relating to logging permits.

Referred to Committee on Natural Resources.

**Senate Bill No. 567:** By Senator Regan—An act to repeal Article 5 of Chapter 2, Division 4 of the Public Resources Code, relating to a brush-burning experiment.

Referred to Committee on Natural Resources.

**Senate Bill No. 568:** By Senator Regan—An act to repeal Article 4 of Chapter 2, Division 4 of the Public Resources Code, relating to state forest.

Referred to Committee on Natural Resources.

**Senate Bill No. 569:** By Senator Regan—An act to add Section 729.5 to the Public Utilities Code, relating to hearings on water rates of public utilities.

Referred to Committee on Water Resources.

**Senate Bill No. 570:** By Senator Regan—An act to add Section 156.4 to the Vehicle Code, relating to license plates.

Referred to Committee on Transportation.

**Senate Bill No. 571:** By Senator Regan—An act to amend Section 265 of, and to add Sections 266.5 and 273.5 to, the Vehicle Code, relating to motor vehicle operators' and chauffeurs' licenses.

Referred to Committee on Transportation.

**Senate Bill No. 572:** By Senator Regan—An act to add Section 541.5 to the Vehicle Code, relating to turning of vehicles near fire stations.

Referred to Committee on Transportation.

**Senate Bill No. 573:** By Senator Regan—An act to add Section 671.5 to the Vehicle Code, relating to sirens.

Referred to Committee on Transportation.

**Senate Bill No. 574:** By Senator Regan—An act to add Section 687 to the Vehicle Code, relating to equipment of authorized emergency vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 575:** By Senator Regan—An act to amend Section 10500 of the Water Code, relating to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 576:** By Senator Regan—An act to amend Section 880 of the Welfare and Institutions Code, relating to transfer of juvenile court cases.

Referred to Committee on Social Welfare.

**Senate Bill No. 577:** By Senator Regan—An act to add Section 962 to the Welfare and Institutions Code, relating to juvenile camps.

Referred to Committee on Social Welfare.

**Senate Bill No. 578:** By Senator Regan—An act making an appropriation to the Department of the Youth Authority for assistance to counties in the construction of facilities at juvenile camps.

Referred to Committee on Judiciary.

**Senate Bill No. 579:** By Senator Regan—An act to amend Sections 5503, 5504, and 5505 and to repeal Sections 5503.5 and 5512 of, and to add Section 5512 to, the Welfare institutions Code, relating to procedure for commitment of sexual psychopaths.

Referred to Committee on Social Welfare.

**Senate Bill No. 580:** By Senator Breed—An act conveying certain tidelands, lands lying under inland navigable waters, and swamp and overflow lands, situate in Alameda County, State of California, to the City of Oakland, in furtherance of navigation and commerce and fisheries, and providing for the government, management, use and control thereof, and reserving certain rights to the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 581:** By Senator Breed—An act to add Part 13 to the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 582:** By Senator Breed—An act to amend Section 24465 of the Business and Professions Code, relating to the taxation of distilled spirits, to take effect immediately.

Referred to Committee on Revenue and Taxation.



**Senate Bill No. 523:** By Senator Breed—An act to amend Sections 1946 and 1937 of the Business and Professions Code relating to horse racing, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 524:** By Senator Breed—An act to add Article 4.5 (consisting of Sections 19566 to 19567, inclusive) to Chapter 4 of Division 2 of the Business and Professions Code, relating to license fees payable by operators of places, enclosures or tracks used for horse racing.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 525:** By Senator Breed—An act to amend Section 24431 of the Business and Professions Code, relating to the taxation of beer and wine, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 526:** By Senator Breed—An act to amend Section 1948a of the Business and Professions Code, relating to horse racing license fees, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 527:** By Senator Breed—An act to amend Section 30603 of the Streets and Highways Code, relating to the San Francisco Oakland Bay Bridge.

Referred to Committee on Transportation.

**Senate Bill No. 528:** By Senator Breed—An act to amend Section 207 of the Streets and Highways Code, relating to the investment of state funds.

Referred to Committee on Transportation.

**Senate Bill No. 529:** By Senator Robert L. McCarthy—An act to amend Section 71181 of the Government Code, relating to the filling of vacancies in municipal and justice courts.

Referred to Committee on Local Government.

**Senate Bill No. 530:** By Senator Robert L. McCarthy—An act to amend Section 71182 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Referred to Committee on Local Government.

**Senate Bill No. 531:** By Senator Robert L. McCarthy—An act to amend Section 74308 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Referred to Committee on Local Government.

**Senate Bill No. 532:** By Senator Robert L. McCarthy—An act to amend Section 74307 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Referred to Committee on Local Government.

**Senate Bill No. 593:** By Senator Robert I. McCarthy—An act to amend Section 74502 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Referred to Committee on Local Government.

**Senate Bill No. 594:** By Senator Robert I. McCarthy—An act to amend Section 71183 of the Government Code, relating to municipal and justice courts.

Referred to Committee on Local Government.

**Senate Bill No. 595:** By Senator Robert I. McCarthy—An act to amend Section 71184 of the Government Code, relating to municipal and justice courts.

Referred to Committee on Local Government.

**Senate Bill No. 596:** By Senator Richards—An act to amend Section 69586 of the Government Code, relating to the Superior Court in Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 597:** By Senator Richards—An act to amend Section 72644 of the Government Code, relating to the Office of Marshal of Municipal Courts of Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 598:** By Senator Richards—An act to amend Section 72645 of the Government Code, relating to the Office of Marshal of Municipal Courts, Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 599:** By Senator Richards—An act to amend Section 72640 of the Government Code, relating to the Office of Marshal of Municipal Courts, Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 600:** By Senator Richards—An act to amend Section 72750 of the Government Code, relating to municipal courts in Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 601:** By Senator Richards—An act to amend Section 72601 of the Government Code, relating to municipal courts in Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 602:** By Senator Richards—An act to amend Section 72702 of the Government Code, relating to municipal courts in Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 603:** By Senator Richards—An act to amend Section 72601 of the Government Code, relating to judges of municipal courts in Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 604:** By Senator Richards—An act to amend Section 72649 of the Government Code, relating to municipal court attaches.

Referred to Committee on Local Government.

**Senate Bill No. 605:** By Senator Richards—An act to add Sections 72721 and 72756 to the Government Code, relating to compensation of municipal court officers and attaches.

Referred to Committee on Local Government.

**Senate Bill No. 606:** By Senator Richards—An act to amend Sections 3928.1 and 3946 of the Elections Code approved by electors November 4, 1952, relating to designation of party affiliation of candidates on ballots, said amendments to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Elections.

**Senate Bill No. 607:** By Senator Richards—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.4, 103.5, 114.5, 118.2, 119.5, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act.

Referred to Committee on Social Welfare.

**Senate Bill No. 608:** By Senator Richards—An act to add Section 376 to the Elections Code, relating to the printing of precinct indices.

Referred to Committee on Elections.

**Senate Bill No. 609:** By Senator Richards—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896 and 2899 of, and to repeal Sections 2674, 2742, 2794 and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections.

**Senate Bill No. 610:** By Senator Richards—An act to amend Section 3812 of the Elections Code, relating to the order of measures on the ballot.

Referred to Committee on Elections.

**Senate Bill No. 611:** By Senator Richards—An act to add Section 2847.6 to, and to amend Sections 2845 and 2847 of, the Elections Code, relating to the removal of members of county central committees.

Referred to Committee on Elections.

**Senate Bill No. 612:** By Senator Richards—An act to add Section 5005.5 to the Elections Code, relating to campaign offenses.

Referred to Committee on Elections.

**Senate Bill No. 613:** By Senator Richards—An act to add Section 2849 to the Elections Code, relating to the chartering of political organizations.

Referred to Committee on Elections.

**Senate Bill No. 614:** By Senator Richards—An act to add Section 4505 to the Elections Code, relating to campaign expenditures.

Referred to Committee on Elections.

**Senate Bill No. 615:** By Senator Desmond—An act to amend Section 28108 of the Government Code, relating to the salaries of officers in counties of the eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 616:** By Senator Desmond—An act to amend Sections 74182, 74183, 74184, and 74185 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Referred to Committee on Local Government.

**Senate Bill No. 617:** By Senator Desmond—An act to add Section 7326 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 618:** By Senator Desmond—An act to amend Section 7399 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Constitutional Amendment No. 10:** By Senator Dilworth—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article XI thereof, relating to the taxation of property.

Referred to Committee on Revenue and Taxation.

**Senate Constitutional Amendment No. 11:** By Senators Dilworth, Donnelly, Montgomery, Breed, J. Howard Williams, Murdy, and Harold T. Johnson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 17 to Article XVI thereof, relating to the issuance of bonds or the appropriation of money to provide loans and grants to school districts of the State, and prescribing the terms and conditions under which such grants and loans to school districts shall be made and repaid.

Referred to Committee on Education.



**Senate Constitutional Amendment No. 12:** By Senator Dilworth—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new section numbered 18½ to Article XI thereof, relating to limitations on county taxes.

Referred to Committee on Local Government.

**Senate Constitutional Amendment No. 13:** By Senator Cunningham—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XXI thereof, relating to the boundary of the State of California.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 22:** By Senator Dorsey—Relative to approving a calendar of topics for study and recommendation by the California Law Revision Commission.

Referred to Committee on Judiciary.

**Senate Concurrent Resolution No. 23:** By Senator Ward—Relative to the continuance of joint committees.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 24:** By Senator Berry—Relative to State Highway Route 34.

Referred to Committee on Transportation.

**Senate Concurrent Resolution No. 25:** By Senator Way—Relative to alternate route for Redwood Highway.

Referred to Committee on Transportation.

**Senate Concurrent Resolution No. 26:** By Senator Way—Relative to the acquisition by the State of Fern Canyon.

Referred to Committee on Governmental Efficiency.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 20**—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourteenth day of January, 1955, at 11 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

**Senate Concurrent Resolution No. 23**

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

### Request for Unanimous Consent

Senator Ward asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 23, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 23**

**Senate Concurrent Resolution No. 23**—Relative to continuance of joint committees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Motion to Print With a Rush Order**

Senator Ward moved that Senate Concurrent Resolution No. 23 be sent to print with a rush order.

Motion carried.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Concurrent Resolution No. 8**—Relative to the creation of the Joint Legislative Committee for School Visitations.

Resolution read.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed measure, after "Capitol", insert "and has published a comprehensive report on the subject".

**Amendment No. 2**

On page 1 strike out lines 6 through 8 and insert "WHEREAS,".

**Amendment No. 3**

On page 1, line 9, strike out "1."

**Amendment No. 4**

On page 1, line 13, strike out "2."

**Amendment No. 5**

On page 1, line 16, strike out "3."

**Amendment No. 6**

On page 1, line 21, strike out the period and insert "; and".

**Amendment No. 7**

On page 1 strike out lines 22 through 26 and insert "WHEREAS,".

**Amendment No. 8**

On page 1, line 27, strike out "1."

**Amendment No. 9**

Strike out page 2 and insert

"The Joint Legislative Committee for School Visitations should provide a booking office, guide service and a program for school visits.

The services provided by the committee should be made available to all school children studying government; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring, As follows:*

1. The Joint Legislative Committee for School Visitations is hereby created.
2. The committee shall consist of three Members of the Senate appointed by the Committee on Rules thereof, and three Members of the Assembly appointed by the Speaker".

**Amendment No. 10**

On page 3 strike out lines 15 through 17 and lines 22 through 25.

**Amendment No. 11**

On page 3, line 27, strike out "and to the people".

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 619:** By Senator Grunsky—An act to amend Section 1101 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 620:** By Senator Grunsky—An act to amend Section 10270 of, and to add Section 10270.1 to, the Insurance Code, relating to tuition refund insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 621:** By Senator Grunsky—An act to add Sections 10209.1 and 10270.63 to the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 622:** By Senator Grunsky—An act to amend Section 418.3 of the Vehicle Code, relating to financial responsibility requirements of owners of passenger carrying vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 623:** By Senator Grunsky—An act to add Sections 13104.7, 13104.8, and 13105.5 to, and to amend Section 13105 of, the Health and Safety Code, relating to records on loss of life by fire and the preparation and dissemination of educational material thereon, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 624:** By Senator Cunningham—An act to amend Section 2164 of the Welfare and Institutions Code, relating to old age security.

Referred to Committee on Social Welfare.

**Senate Bill No. 625:** By Senator Teale—An act to amend Section 23102 of the Government Code, relating to the boundaries of Alpine County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 626:** By Senators Teale and Berry—An act to amend Sections 1351 and 1352 of, and to add Article 6.5 to Chapter 3, Part 3 of Division 4 of, the Fish and Game Code, relating to frogs.

Referred to Committee on Fish and Game.

**Senate Bill No. 627:** By Senators Montgomery and Harold T. Johnson—An act to add Section 6321 to the Labor Code, relating to safety in employment.

Referred to Committee on Social Welfare.

**Senate Bill No. 628:** By Senator Collier—An act to amend Section 188 of the Streets and Highways Code, relating to allocation and expenditure of federal funds for street and highway purposes.

Referred to Committee on Transportation.

**Senate Bill No. 629:** By Senators Miller, Regan, McBride, Montgomery, Teale, Harold T. Johnson, Collier, Dale C. Williams, Donnelly, John F. McCarthy, Short, Way, Richards, Dorsey, Busch, Robert I. McCarthy, Parkman, and Cobey—An act to add Section 13775.4 to the Government Code, relating to agreements for the inclusion of teachers in the Old Age and Survivors Insurance System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 630:** By Senators Miller, Regan, Donnelly, Harold T. Johnson, McBride, Teale, Collier, John F. McCarthy, Short, Way, Montgomery, Dale C. Williams, Richards, Dorsey, Busch, Robert I. McCarthy, Parkman, and Cobey—An act to add Section 13775.2 to the Government Code, relating to agreements for inclusion of county employees in the Old Age and Survivors Insurance System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 631:** By Senators Miller, Regan, McBride, Harold T. Johnson, Collier, John F. McCarthy, Short, Montgomery, Dale C. Williams, Donnelly, Richards, Way, Dorsey, Busch, Robert I. McCarthy, Cobey, and Parkman—An act to add Section 13775.3 to the Government Code, relating to agreements for inclusion of public employees in the Old Age and Survivors Insurance System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 632:** By Senator Desmond—An act to amend Section 74181 of the Government Code, relating to the number and compensation of the judges of the municipal court established in a district embracing the City of Sacramento.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 633:** By Senator Desmond—An act to add Section 3132 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3158 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 634:** By Senator Desmond—An act to add Section 3131 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3157 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 635:** By Senator Desmond—An act to amend Sections 3128 and 3154 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 636:** By Senator Desmond—An act to add Section 272 to the Health and Safety Code, relating to distribution of money appropriated for services to physically handicapped children.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 637:** By Senator Richards—An act to amend Section 1542 of the Financial Code, relating to securities eligible for deposit with State Controller by trust companies.

Referred to Committee on Financial Institutions.

**Senate Bill No. 638:** By Senator Richards—An act to add Section 8401 to the Government Code, relating to designation of race on applications for employment and inquiries regarding racial matters in interviews concerning employment.

Referred to Committee on Labor.

**Senate Bill No. 639:** By Senator Richards—An act to amend Sections 19601 and 19613 of, and to repeal Section 19620 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 640:** By Senator Richards—An act to amend Section 27 of the Elections Code, relating to elections.

Referred to Committee on Elections.

**Senate Bill No. 641:** By Senator Richards—An act to amend Section 22 of the Elections Code, relating to elections.

Referred to Committee on Elections.

**Senate Bill No. 642:** By Senator Richards—An act to amend Section 29 of the Elections Code, relating to elections.

Referred to Committee on Elections.

**Senate Bill No. 643:** By Senator Richards—An act to amend Section 1 of the Government Code, relating to the organization, operation, and maintenance of a system of state and local government.

Referred to Committee on Local Government.

**Senate Bill No. 644:** By Senator Richards—An act to amend Section 1 of the Agricultural Code, relating to the plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 645:** By Senator Coombs—An act to establish a Citizens' Advisory Committee on Aging.

Referred to Committee on Social Welfare.

**Senate Bill No. 646:** By Senator Coombs—An act to amend Section 27173.5 of, to amend and renumber Section 27174, as added by Chapter 1350 of the Statutes of 1949, to be Section 27174.1 of, and to amend and renumber Section 27174, as added by Chapter 895 of the Statutes of 1949, to be Section 27174.2 of, the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 647:** By Senator Coombs—An act to amend Section 27247, and to repeal Sections 27248 and 27249, of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 648:** By Senator Coombs—An act to add Section 960.5 to the Military and Veterans Code, relating to veterans graves.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 649:** By Senator Coombs—An act to amend Section 272 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation.

**Senate Bill No. 650:** By Senator Abshire—An act to amend Section 6017 of the Insurance Code, relating to county mutual insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 651:** By Senator Abshire—An act to amend Section 6048 of the Insurance Code, relating to county mutual insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 652:** By Senator Abshire—An act to amend Section 6040 of the Insurance Code, relating to county mutual insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 653:** By Senator Abshire—An act to add Chapter 3.8 to Division 10 of the Education Code, relating to the expansion of publicly supported higher education by the establishment of a state college in Sonoma County.

Referred to Committee on Education.

**Senate Bill No. 654:** By Senator Abshire—An act to amend Sections 1622 and 2302 of the Welfare and Institutions Code, relating to local inspection services for persons and institutions providing care or services for children or aged persons.

Referred to Committee on Social Welfare.

**Senate Bill No. 655:** By Senator Abshire—An act to amend Section 30.6 of the Sonoma County Flood Control and Water Conservation District Act, relating to the Sonoma County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 656:** By Senator Abshire—An act to amend Section 30000 of the Water Code, relating to county water districts.

Referred to Committee on Local Government.

**Senate Bill No. 657:** By Senator Cobey—An act to add Section 100.4 to the Streets and Highways Code, relating to state highways constructed as freeways.

Referred to Committee on Transportation.

**Senate Bill No. 658:** By Senator Cobey—An act to amend Sections 28123 and 69664 of the Government Code, and Section 423 of the Education Code, relating to compensation for public service.

Referred to Committee on Education.

**Senate Bill No. 659:** By Senator Cobey—An act to amend Section 28134 of the Government Code, relating to compensation for public service in counties of the thirty-fourth class.

Referred to Committee on Local Government.

**Senate Bill No. 660:** By Senator Cobey—An act to amend Section 404 of the Vehicle Code, relating to service of process and on resident.

Referred to Committee on Transportation.

**Senate Bill No. 661:** By Senator Cobey—An act to amend Section 315 of the Public Utilities Code, relating to public utilities.

Referred to Committee on Public Utilities.

**Senate Bill No. 662:** By Senator Cobey—An act to amend Sections 422 and 423 of the Probate Code, relating to administration of estates.

Referred to Committee on Judiciary.

**Senate Bill No. 663:** By Senator Grunsky—An act to add Sections 7031.4 and 7031.5 to the Education Code, relating to unified school districts.

Referred to Committee on Education.

**Senate Bill No. 664:** By Senator Grunsky—An act to add Section 4700.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 665:** By Senators Harold T. Johnson and Dilworth—An act to amend Sections 5046 and 7707 of the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 666:** By Senators Harold T. Johnson and Dilworth—An act to amend Section 7702 of the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 667:** By Senators Harold T. Johnson and Dilworth—An act to amend Section 7713 of the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 668:** By Senators Harold T. Johnson and Dilworth—An act to amend Section 5048 of the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 669:** By Senator Harold T. Johnson—An act to amend Section 7747 of the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 670:** By Senator Cunningham—An act to define the common boundary between the States of Arizona and California.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 671:** By Senator Abshire—An act to amend Section 1178 and Section 1181 and to repeal Sections 1179 and 1180 of the Labor Code, relating to wage boards.

Referred to Committee on Labor.

**Senate Bill No. 672:** By Senator Thompson—An act to amend Sections 5642 and 5652 of the Public Resources Code, relating to park, recreation and parkway districts.

Referred to Committee on Local Government.

**Senate Bill No. 673:** By Senators Erhart and Kraft—An act to amend Section 3370 of the Civil Code, relating to enforcement of the Unfair Practices Act.

Referred to Committee on Business and Professions.

**Senate Bill No. 674:** By Senators Erhart and Kraft—An act to amend Section 17044 of the Business and Professions Code, relating to loss leaders in the Unfair Practices Act.

Referred to Committee on Business and Professions.

**Senate Bill No. 675:** By Senator Donnelly—An act to amend Section 7002 of the Education Code, relating to county school service funds and the Public School System.

Referred to Committee on Education.



**Senate Bill No. 676:** By Senator Donnelly—An act to amend Section 7206 of the Education Code, relating to county school service funds and the Public School System.

Referred to Committee on Education.

**Senate Bill No. 677:** By Senator Donnelly—An act to amend Section 415 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 678:** By Senator Burns—An act to add Section 21151 to the Government Code, relating to appointments of retired members of the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 679:** By Senator Burns—An act to amend Section 16302.1 of the Government Code, relating to the disposition of amounts less than two dollars (\$.2) paid to state agencies determined to constitute overpayments of taxes, penalties, interest, license fees, or other revenues due the State of California.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 680:** By Senator Burns—An act to amend Sections 13800, 15253, 15254 and 15278 of the Government Code, relating to publicly owned communications facilities.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 681:** By Senator Burns—An act to amend Section 13006 of the Government Code, relating to the Department of Finance.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 682:** By Senator J. Howard Williams—An act to amend Section 1293 of, and add Section 1293.5 to, the Fish and Game Code, relating to damage to property by mammals and the taking of such mammals under special permit.

Referred to Committee on Fish and Game.

**Senate Bill No. 683:** By Senator J. Howard Williams—An act to amend Section 1159 of the Fish and Game Code, relating to cooperative hunting areas.

Referred to Committee on Fish and Game.

**Senate Bill No. 684:** By Senator J. Howard Williams—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens.

Referred to Committee on Fish and Game.

**Senate Bill No. 685:** By Senator J. Howard Williams—An act to amend Section 5033 of the Education Code, relating to distressed school districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 686:** By Senators Sutton, Ed. C. Johnson, and Berry—An act to amend Section 669 of the Fish and Game Code, relating to the taking of salmon near salmon spawning stations.

Referred to Committee on Fish and Game.

**Senate Bill No. 687:** By Senator Sutton—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.4, 103.5, 114.5, 118.2, 119.5, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act.

Referred to Committee on Social Welfare.

**Senate Bill No. 688:** By Senator Ed. C. Johnson—An act to amend Section 13110 of the Government Code, relating to transfer of real property from one state agency to another state agency.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 689:** By Senator Harold T. Johnson—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 690:** By Senator Harold T. Johnson—An act to amend Section 125000 of the Education Code, relating to fees for credentials and life diplomas.

Referred to Committee on Education.

**Senate Bill No. 691:** By Senators Grunsky, McBride, and Burns—An act to amend Section 7102 of, and to add Sections 7159.5 and 7207 to, the Financial Code, relating to loans by savings and loan associations.

Referred to Committee on Financial Institutions.

**Senate Bill No. 692:** By Senators Grunsky, McBride, and Burns—An act to amend Sections 5053, 5510, 6002, 6004, 6561, 6907, 7152, 7155, 7156, 7172 and 8403 of, and to add Sections 5613 and 6705.5 to, the Financial Code, relating to savings and loan associations and the administration of the law with respect thereto.

Referred to Committee on Financial Institutions.

**Senate Bill No. 693:** By Senators Grunsky, McBride, and Burns—An act to add Article 4 to Chapter 17 of Part 1 of Division 2 of the Financial Code, relating to conservatorships of savings and loan associations.

Referred to Committee on Financial Institutions.

**Senate Bill No. 694:** By Senators Grunsky, McBride, and Burns—An act to amend Sections 7150 and 7154 of the Financial Code, relating to loans by savings and loan associations.

Referred to Committee on Financial Institutions.

**Senate Bill No. 695:** By Senator Sutton—An act to amend Section 7402 of the Education Code, relating to bond elections in school districts.

Referred to Committee on Education.

**Senate Bill No. 696:** By Senator Busch—An act to add Section 13109.1 to the Government Code, relating to the power of the Director of Finance to lease state property.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 697:** By Senator Cunningham—An act to amend Section 7030 of the Business and Professions Code, relating to the licensing and regulation of contractors.

Referred to Committee on Business and Professions.

**Senate Bill No. 698:** By Senators Erhart and Cunningham—An act to add Sections 11177.5 and 11177.6 to the Penal Code, relating to cooperative returns of parole and probation violators.

Referred to Committee on Judiciary.

**Senate Bill No. 699:** By Senators Erhart and Cunningham—An act to amend Section 11175 of the Penal Code, relating to the Uniform Act for Out-of-state Probationer or Parolee Supervision.

Referred to Committee on Judiciary.

**Senate Bill No. 700:** By Senators Erhart and Cunningham—An act to repeal Section 6201 of the Penal Code, relating to the California Correctional Facility.

Referred to Committee on Judiciary.

**Senate Bill No. 701:** By Senators Erhart and Cunningham—An act to amend Section 5091 of the Penal Code, relating to the State Correctional System.

Referred to Committee on Judiciary.

**Senate Bill No. 702:** By Senators Erhart and Cunningham—An act to add Section 5007 to the Penal Code, and to amend Section 16470 of the Government Code, relating to the investment of money in the Inmates' Welfare Fund of the Department of Corrections.

Referred to Committee on Judiciary.

**Senate Bill No. 703:** By Senators Erhart and Cunningham—An act to amend Section 3320 of the Penal Code, relating to the Superintendent of the California Institution for Women.

Referred to Committee on Judiciary.

**Senate Bill No. 704:** By Senators Erhart and Cunningham—An act to repeal Section 2076 of the Penal Code, relating to the residence of a warden of a state prison.

Referred to Committee on Judiciary.

**Senate Bill No. 705:** By Senators Erhart and Cunningham—An act to amend Section 2700 of the Penal Code, relating to forfeited earnings of prisoners.

Referred to Committee on Judiciary.

**Senate Bill No. 706:** By Senators Erhart and Cunningham—An act to repeal Sections 2943 and 2944 of the Penal Code, relating to discharged prisoners.

Referred to Committee on Judiciary.

**Senate Bill No. 707:** By Senators Erhart and Cunningham—An act to amend Sections 288a and 290 of, and to add Section 288b to, the Penal Code, relating to sex offenses.

Referred to Committee on Judiciary.

**Senate Bill No. 708:** By Senators Erhart and Cunningham—An act to amend Section 2022 of the Penal Code, relating to the California State Prison at San Quentin.

Referred to Committee on Judiciary.

**Senate Bill No. 709:** By Senators Erhart and Cunningham—An act to amend Section 182 of the Penal Code, relating to the punishment for conspiracy.

Referred to Committee on Judiciary.

**Senate Bill No. 710:** By Senators Erhart and Cunningham—An act to amend Section 2070 of, and to repeal Section 2083 of, the Penal Code, relating to the records of prisoners.

Referred to Committee on Judiciary.

**Senate Bill No. 711:** By Senators Parkman, Collier, Ward, McBride, Dale C. Williams, Teale, and Brown—An act to amend Section 21364 of the Government Code, relating to the special death benefit under the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 712:** By Senator Harold T. Johnson—An act to amend Section 15854 of the Government Code, relating to the acquisition of property by the State Public Works Board.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 713:** By Senators Way, Cunningham, Short, Teale, Dale C. Williams, Richards, Montgomery, Byrne, Robert I. McCarthy, John F. McCarthy, Sutton, Thompson, Busch, Coombs, Ed. C. Johnson, Berry, Erhart, Dorsey, Donnelly, Harold T. Johnson, Brown, Regan, Collier, and Murdy—An act to amend Sections 315, 356, 458, 507, and 547, and to repeal Section 600, of the Streets and Highways Code, and to repeal Section 5 of Chapter 13 of the 1947 First Extraordinary Session, relating to state highways.

Referred to Committee on Transportation.



**Senate Bill No. 714:** By Senators Way, Byrne, Thompson, Sutton, Robert I. McCarthy, Busch, Coombs, Ed. C. Johnson, Berry, Erhart, Dorsey, Donnelly, Brown, Montgomery, Harold T. Johnson, John F. McCarthy, Abshire, Regan, Murdy, and Short—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 715:** By Senator Parkman—An act to amend Sections 213, 3505, and 3511, of the Public Utilities Code, relating to highway common carriers and highway carriers.

Referred to Committee on Transportation.

**Senate Bill No. 716:** By Senator Parkman—An act to amend and renumber Section 11007.5 of the Government Code, as amended by Chapter 1307 of the Statutes of 1953, relating to state agencies insuring their officers and employees against flight injuries.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 717:** By Senator Parkman—An act to amend Section 19622.7 of the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund.

Referred to Committee on Business and Professions.

**Senate Bill No. 718:** By Senator Parkman—An act to amend Section 1060 and to repeal Section 1061 of the Government Code, relating to residence of state officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 719:** By Senator Parkman—An act to add Section 11030.2 to the Government Code, relating to traveling expenses of retired state employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 720:** By Senator Sutton—An act to add Section 92.2 to the Agricultural Code, relating to county and district agricultural association fairs.

Referred to Committee on Agriculture.

**Senate Bill No. 721:** By Senator John F. McCarthy—An act to amend Section 13294 of the Government Code, relating to the duties and powers of the Department of Finance.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 722:** By Senators John F. McCarthy, Miller, Harold T. Johnson, Montgomery, Way, Short, Desmond, Donnelly, Dorsey, Coombs, and Ed. C. Johnson—An act making an appropriation for the completion of the lower level of the Richmond-San Rafael bridge.

Referred to Committee on Transportation.

**Senate Bill No. 723:** By Senators John F. McCarthy, Thompson, Parkman, Robert I. McCarthy, Miller, and Breed—An act to amend Section 39 of the San Francisco Bay Area Metropolitan Rapid Transit

District Act (Chapter 1239 of the Statutes of 1949), and to add Section 2.5 to Chapter 1212 of the Statutes of 1953, relating to the San Francisco Bay Area Rapid Transit Commission.

Referred to Committee on Transportation.

**Senate Bill No. 724:** By Senator John F. McCarthy—An act to amend Section 374.5 of the Vehicle Code, relating to license plates.

Referred to Committee on Transportation.

**Senate Bill No. 725:** By Senators Dilworth and Harold T. Johnson—An act to amend Section 7737 of the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 726:** By Senators Dilworth and Harold T. Johnson—An act to amend Section 5064 of the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 727:** By Senators Dilworth and Harold T. Johnson—An act to add Section 7717.1 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 728:** By Senators Dilworth and Harold T. Johnson—An act to amend Section 7707.1 of the Education Code, relating to state school building aid and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 729:** By Senator Dilworth—An act to add Section 7711.1 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 730:** By Senators Dilworth and Harold T. Johnson—An act to add Section 7713.1 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 731:** By Senators Way, Dorsey, Regan, Harold T. Johnson, Brown, Montgomery, Dilworth, Erhart, Thompson, Miller, Sutton, and Kraft—An act making an appropriation for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, and declaring the urgency thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 732:** By Senator Desmond—An act to amend Sections 978, 979, and 980 of the Unemployment Insurance Code and to add Section 979.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 733:** By Senator Desmond—An act to amend Section 10253.5 of the Health and Safety Code, relating to birth certificates of adopted children.

Referred to Committee on Judiciary.

**Senate Bill No. 734:** By Senator Desmond—An act to add Section 10112.5 to, and to amend Section 10277 of, the Health and Safety Code, relating to birth certificates.

Referred to Committee on Judiciary.

**Senate Bill No. 735:** By Senators Grunsky and Hulse—An act to repeal Article 2 of Chapter 1 of Title 7 of, and to add Chapter 1.5 to Title 7 of, the Government Code, relating to conservation and planning.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 736:** By Senator Montgomery—An act to amend Section 2192 of the Revenue and Taxation Code, relating to the taxation of cotton, including the lien date thereof.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 737:** By Senator Dilworth—An act to amend Sections 3301.5 and 3301.6 of, and to add Sections 3301.8 and 3301.9 to, the Health and Safety Code, relating to tuberculosis subsidy.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 738:** By Senator Dilworth—An act to amend Section 7717 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 739:** By Senator Gibson—An act to amend Section 25905 of the Government Code, relating to agricultural fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 740:** By Senator Gibson—An act to add Section 25663.5 to the Business and Professions Code, relating to employment of minors in on-sale liquor premises.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 741:** By Senator Cunningham—An act to add Section 13114 to the Government Code, relating to the power of the Director of Finance to lease state property.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 742:** By Senators Erhart, Grunsky, and Ward—An act to amend Section 810 of the Agricultural Code, relating to artichokes.

Referred to Committee on Agriculture.

**Senate Bill No. 743:** By Senator Parkman—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 744:** By Senator Breed—An act to add Section \_\_\_\_\_ to the Government Code, relating to state accounting procedure.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 745:** By Senator Hulse—An act to amend Sections 11290, 11292, 11293, and 13164 of the Government Code, relating to space and services furnished to state agencies, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 746:** By Senator Hulse—An act to amend Section 656 of the Agricultural Code, relating to the purchase of colored oleomargarine for state institutions.

Referred to Committee on Agriculture.

**Senate Bill No. 747:** By Senator Hulse—An act to amend Sections 13551 and 13661 of the Government Code, relating to the distribution of state publications, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 748:** By Senator Hulse—An act making an appropriation for support of the Division of Administrative Procedure, Department of Professional and Vocational Standards, to take effect immediately.

Referred to Committee on Judiciary.

**Senate Bill No. 749:** By Senator Hulse—An act making an appropriation for workmen's compensation benefits for state officers and employees, to take effect immediately.

Referred to Committee on Labor.

**Senate Bill No. 750:** By Senator Hulse—An act making an appropriation for the support of the Department of Alcoholic Beverage Control, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 751:** By Senator Hulse—An act making an appropriation in augmentation of the appropriation in Item 263 of the Budget Act of 1954, for support of the Department of Social Welfare, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 752:** By Senator Hulse—An act making an appropriation for the support of the Alcoholic Beverage Control Appeals Board, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 753:** By Senator Hulse—An act to add Section 13450.1 to the Government Code, relating to investment of state funds.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 754:** By Senator Hulse—An act to amend Section 6218 of the Public Resources Code, relating to fees of the State Lands Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 755:** By Senator Hulse—An act to add Section 110.7 to the Business and Professions Code, relating to charges to state agencies for services performed by the Division of Administrative Procedure.

Referred to Committee on Business and Professions.

**Senate Bill No. 756:** By Senator Hulse—An act to amend Section 6659 of the Welfare and Institutions Code, relating to moneys collected for transportation of patients to a state hospital.

Referred to Committee on Social Welfare.

**Senate Bill No. 757:** By Senator Hulse—An act to amend Section 11334 of the Government Code, relating to moneys collected for the sale of products by state institutions.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 758:** By Senator Hulse—An act to amend Section 11292 of the Government Code, relating to cost of insuring motor vehicles.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 759:** By Senator Hulse—An act to amend Section 15104 of the Government Code, relating to the State's Teletype System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 760:** By Senator Hulse—An act to amend Sections 13551, 13602, and 13603 and to repeal Sections 13553 and 13578 of the Government Code, relating to state printing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 761:** By Senator Hulse—An act to repeal Section 13074 of the Government Code, relating to recovery of taxes and excess freight payments.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 762:** By Senator Hulse—An act to abolish a condemnation fund established in the State Treasury with respect to the Montague Water Conservation District and to transfer the balance of said fund to the General Fund.

Referred to Committee on Local Government.

**Senate Bill No. 763:** By Senator Hulse—An act to add Section 16304.5 to the Government Code, relating to availability of funds appropriated for construction projects.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 764:** By Senator Hulse—An act to amend Section 11044 of the Government Code, relating to services rendered by the Attorney General.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 765:** By Senator Hulse—An act to add Article 1.5, comprising Sections 16360 to 16362, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, relating to temporary advances to working capital or revolving funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 766:** By Senator Hulse—An act making an appropriation for construction and equipment of state public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 767:** By Senator Hulse—An act to amend Section 20751 of the Government Code, relating to appropriations to the Retirement Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 768:** By Senator Hulse—An act to amend Section 13109 of the Government Code, relating to the renting of state-owned property.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 769:** By Senator Desmond—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Business and Professions.

**Senate Bill No. 770:** By Senator Desmond—An act to amend Section 2672 of the Elections Code, relating to the disposition of filing fees of candidates.

Referred to Committee on Elections.

**Senate Bill No. 771:** By Senators Montgomery and Byrne—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 772:** By Senators Montgomery and Byrne—An act to amend Section 45 of the Vehicle Code, relating to implements of husbandry.

Referred to Committee on Transportation.

**Senate Bill No. 773:** By Senators Montgomery and Byrne—An act to add Section 45.1 to the Vehicle Code, relating to use of public highways.

Referred to Committee on Transportation.

**Senate Bill No. 774:** By Senators Montgomery and Byrne—An act to amend Section 372.1 of the Vehicle Code, as added by Chapter 1200 of the Statutes of 1953, relating to weight fees for commercial vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 775:** By Senators Montgomery and Byrne—An act to amend Section 372.1 of the Vehicle Code, as added by Chapter 1200 of the Statutes of 1953, relating to weight fees for commercial vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 776:** By Senators Montgomery and Byrne—An act to amend Section 251 of the Vehicle Code, relating to operators' licenses.

Referred to Committee on Transportation.

**Senate Bill No. 777:** By Senators Montgomery and Byrne—An act to add Section 169 to the Vehicle Code, relating to implements of husbandry.

Referred to Committee on Transportation.

**Senate Bill No. 778:** By Senator Gibson—An act to amend Section 18006 of the Government Code, relating to moving expenses of state officers and employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 779:** By Senator Brown—An act to amend Sections 4201, 4227, 4327, and 4405 of, and to repeal Sections 4250, 4332, 4333 and 4360 of, the Water Code, relating to distribution of water in watermaster service areas.

Referred to Committee on Water Resources.

**Senate Concurrent Resolution No. 27:** By Senator Regan—Relative to the granting of permits for advertising along state highway rights of way.

Referred to Committee on Transportation.

**Senate Joint Resolution No. 5:** By Senators Dilworth and Cunningham—Relative to memorializing the President and Congress of the United States and the Secretary of the Interior to take appropriate action to permit prospecting and mining in the Joshua Tree National Monument.

Referred to Committee on Natural Resources.

#### LETTER OF TRANSMITTAL

SENATE INTERIM COMMITTEE ON GOVERNMENTAL ORGANIZATION  
SACRAMENTO, CALIFORNIA, January 13, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: The Senate Interim Committee on Governmental Organization has prepared an Analysis of Proposals for Reorganization of California Water Resource Agencies. This analysis is transmitted herewith as a partial report pursuant to the provisions of Senate Resolution 131 of the 1953 Regular Session.

Many organizations and citizen groups are sincerely interested in improving the organization structure of the State for water resource administration. This committee was requested to analyze the various proposals for a Department of Water Resources from the standpoint of governmental organization. This analysis has been prepared in response to these requests.

Respectfully submitted,

HUGH P. DONNELLY, Chairman  
LUTHER E. GIBSON, Vice Chairman

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**Motion to Print Report**

Senator Donnelly moved that 1,000 additional copies of the Analysis of Proposals for Reorganization of California Water Resource Agencies submitted by the Senate Interim Committee on Governmental Organization be printed for distribution.

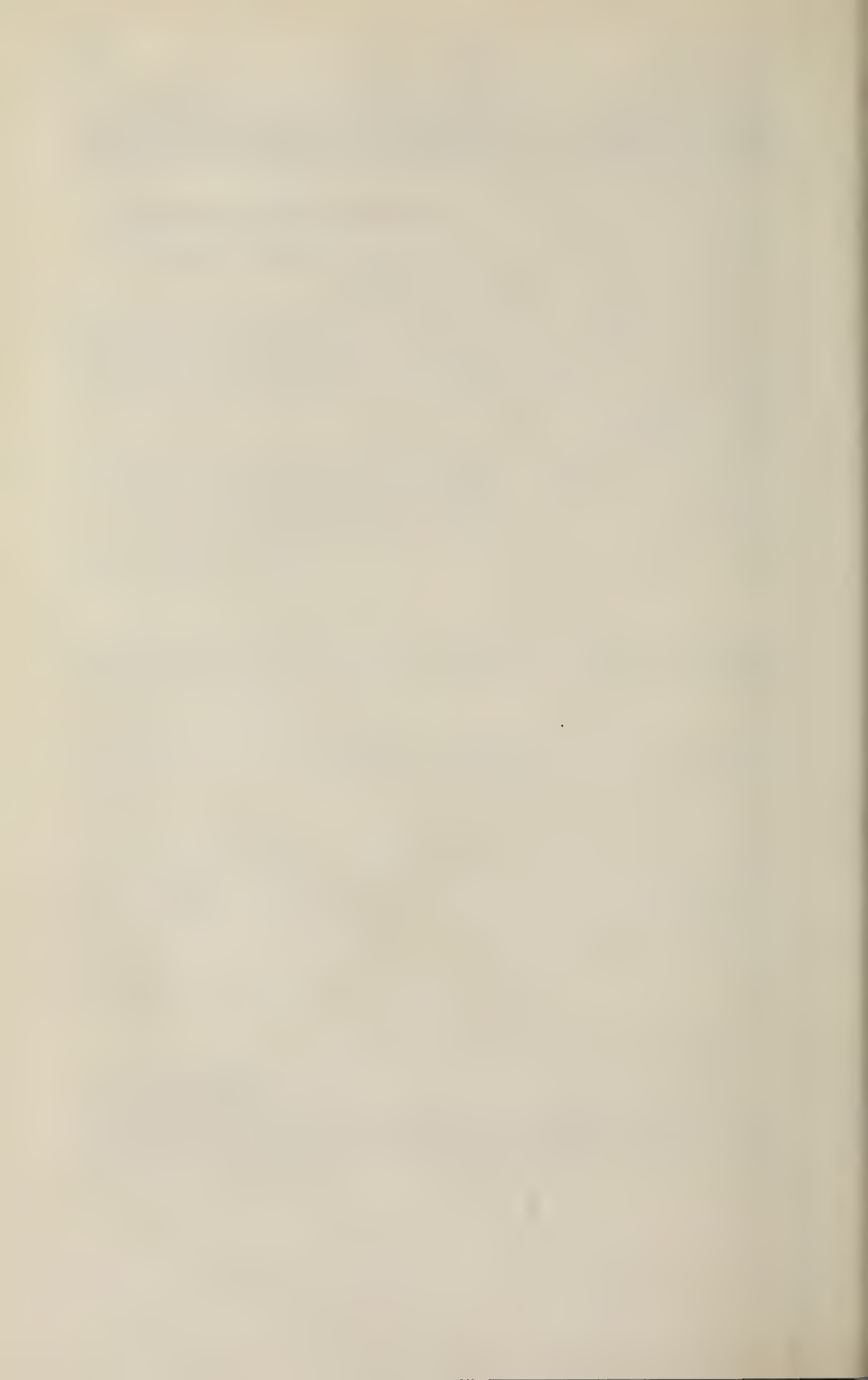
Motion carried.

**ADJOURNMENT**

At 11.35 a.m., on motion of Senator Cobey, the President declared the Senate adjourned until 2 p.m., Monday, January 17, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TENTH LEGISLATIVE DAY  
FIFTEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, January 17, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PLEDGE OF ALLEGIANCE

Senator Donnelly led the Senate in pledging allegiance to the Flag.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Weybret, on motion of Senator Grunsky, due to illness.

Senator Berry, on motion of Senator Grunsky, due to legislative business.

Senator Dale C. Williams, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Cunningham, on motion of Senator John F. McCarthy, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Collier, Cunningham, and Lt. Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Orin Robertson of Victorville.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to N. L. Fairbairn of San Francisco.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. T. Michler of Arcadia and Bud Kranz of Los Angeles.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Sara Jones, Alfred McCoy and L. E. Carlin, principal, and the following eighth grade students from Palermo Elementary School: Arlis Baker, Richard Bowker, Teddy Carlson, John Custer, Robert Duggins, Frank Eichelkraut, Stephen Gibson, Eddie Heineman, John Henry, Jack Henderson, Roy Jones, Bob Lowrie, Wayne Schlafer, Ward Shamblin, Franklin Wentworth, Carolyn Armitage, Shirley Baldridge, Diana Blalock, Diane Harris, Frances Harvey, Donna Hayes, Jan Henderson, Anna Hill, Edith Hilton, Colette Inman, Winifred Martin, Glenna Stack, Colette Steinhofner, Josie Taylor, Betty Lou Thompson, Linda Jones, Carol Jones, Ronald Anglin, Henry Bass, Herman Conn, Lester Platt, Robert Heising, John Hitchcock, Rudolph Huerta, Gary Myers, Dean Newby, William Preble, Barry Rockwell, William Weeks, Victor Williams, Donna Allen, Frances Barnett, Phyllis Bridgman, Patricia Crabtree, Myra Johnson, Shirley Lewis, Patricia Metzker, Marylou Nararro, Janice Palmer, Geraldine Plaster, Karen Ronsse, Sharon Ronsse, Margie Walker, Geneva Whitley, Esther Wilson, Nellie Steinhofner, Bonnie Edward, and Gwendolyn Wilson.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. William M. Dorhmann, of Sacramento.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. E. L. Hicok of Colusa.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Woodland High School Student Council: Carol Lamb, Ann Hollingsworth, Ann Bogart, John Bogart, Aurelle Smoot, Jack Willis, Sharon Anderson, Joanne Towle, Lois Hozeman, Jean Hoppin, Armand Jaques, Bob Williams, Jean Dozier, Marshall Storz, Doug Vaughn, Lynn Debolt, Linda Somerton, Gaylene Nichols, Anna Mae Perkins, Mousie Edgar, Judy Bennett, Erin Morris, David Fitz, Franklin Fitz, Sharon Harris, Luther Hintz, and Bob Dahlberg.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wayne Dugan, principal, and the following students from Marshall High, West Sacramento: Elmo Novelli, Nancy Nazarov, Gail Burgess, Luba Baturin, Ken Fitzgerald, Stanley Harper, Carolyn Costa, Danny Lockhart, Jim Kinney, Tom Orr, Gilbert Pasley, Carolyn Shultz, Martin DeAnda, Rovanne Younger, Mary Neves, Carole Bartley, Peter Snet, Patsy Costa, Peggy Harber, Joan McDonald, Johnny Lopes, George Kinney, Marie Misfelt, Roland Coulombe, and Jackie McGill.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. H. R. Keith of Ventura.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alex L. Arguello of San Francisco.

On request of Senator Regan and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred Pierre, Carey Guichard, and John Fitzpatrick of Redding.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher, Miss Fitzgerald; principal and wife, Mr. and Mrs. Fisher; and the following students from the civics class from Golden Gate Academy: Sharon Crane, Don Bernard, Donna Eckland, Doreen Peterson, Janice Koerber, Twyla Stoner, John Hancock, Ella Mae Thomas, Jim Dillworth, Jim McBride, Jim Whalin, Wesley Pooler, Eddie Thompson, Bob Pritchard, Bruce O'Neil, Douglas O'Neil, Anita Harvey, Delmar Pritchard, and Loretta Sommers.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bob Thomas, Colby Smith, Joe Patten, Laurence Carr, all of Redding; and Armon Hefington of Weaverville.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF BEACHES AND PARKS  
SACRAMENTO 14, January 13, 1955

Mr. J. A. Beek, Secretary  
State Senate, State Capitol  
Sacramento, California

DEAR MR. BEEK: In sending you the enclosed copy of the Five-year Program submitted to the Legislature and the Governor by the California State Park Commission, I should like to summarize its main purposes as follows:

#### *Purposes of the Five-year Program*

1. To provide, over a five-year period, maintenance and operation of
  - (a) Existing beaches, parks and historical monuments—136;
  - (b) New areas to be established in the next five years—31 (estimated).
2. To develop for public use, over a five-year period
  - (a) Existing beaches, parks and historical monuments, many of which, owing to a lack of funds, have not been developed;
  - (b) New areas to be established.
3. To acquire over a five-year period lands needed to round out the California State Park System
  - (a) Completion of the beach master plans as approved by counties and the State;
  - (b) Essential additions to existing parks, beaches and historical monuments;
  - (c) New areas to be acquired over the next five years—31 (estimated).
4. To provide a system of roadside rests along California's state highways, as many states have done, and to further the riding and hiking trails program.
5. To assist in the solution of the problem of park preservation on the Redwood Highway in the state parks by acquiring as a parkway the present route if and when the proposed bypass highway is constructed.

Sincerely,

JOSEPH R. KNOWLAND, Chairman  
California State Park Commission



**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 21

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 21

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 21, at this time, for consideration of Assembly amendments.

**Consideration of Assembly Amendments**

**Senate Concurrent Resolution No. 21**—Relative to Joint Rules of the Senate and Assembly.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 21?

**Amendment No. 1**

On page 11 of the printed measure, in line 17, strike out "Section" and insert "Sections 2 and".

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 21 by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Above resolution ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 14, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 27

Senate Bill No. 84

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 8

And reports the same correctly re-engrossed.

WARD, Chairman

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 28:** By Senators Dilworth and Sutton—Relative to the visit of General Douglas MacArthur to California.

Referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**Request for Unanimous Consent**

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 28**

**Senate Concurrent Resolution No. 28**—Relative to the visit of General Douglas MacArthur to California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MOTION TO APPROVE JOURNALS**

Senator Ward moved that the Journals for Monday, January 10, 1955; Tuesday, January 11, 1955; Wednesday, January 12, 1955; Thursday, January 13, 1955; and Friday, January 14, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**RESOLUTIONS**

The following resolution was offered:

By Senator Way:

**Senate Resolution No. 42**

Relative to the creation of Committee on Stream Erosion

**WHEREAS**, The streams in this State are of major importance to the citizens of this State, both for recreational and economic reasons; and

WHEREAS, The erosion of the banks of these streams and the accumulation of silt therein, which affects the flow of such streams, continue to be major threats to streams in various parts of the State; and

WHEREAS, It may be necessary to accelerate or expand the state program to control this erosion and siltation; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Committee on Stream Erosion is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the erosion of the banks of streams in this State and siltation therein in order that these streams may be maintained and developed for the use of the citizens of this State, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1957 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

#### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 8**—Relative to the creation of the Joint Legislative Committee for School Visitations.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 27**—An act to amend Sections 7351 and 8651 of the Revenue and Taxation Code, Sections 370, 372, and 381 of the Vehicle Code, and to repeal Section 372.1 of the Vehicle Code, as added by

Chapter 1200, Statutes of 1953, to provide tax levies for the financial support of public highways, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 84**—An act to amend Sections 6702, 7200, 7202, 7203, 7204, and 7205 of, and to add Section 7206 to, the Financial Code, relating to investments and loans by savings and loan associations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Senate Resolution No. 40

Relating to the continuance of Senate interim committees

*Resolved by the Senate of the State of California, As follows:*

1. Each interim committee previously created by the Senate of the State of California and in existence on January 2, 1955, is continued as a Senate committee at this session with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of each committee shall be filled by the appointing power.

2. Each such committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and is directed to file a report not later than March 15, 1955, and is authorized to file supplemental reports thereafter and prior to final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Temporary and Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to each committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to each such committee and the members thereof.

4. The unexpended balance of the money heretofore made available to each such committee continued by this resolution shall continue to be available for the expenses of the committee to which it was heretofore available and the members thereof and for any charges, expenses, or claims each such committee may incur under the resolution by which it was created or this resolution, to be disbursed in the manner heretofore provided.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, and J. Howard Williams—28.

NOES—None.

Assistant Secretary Lachlan Richards at the Desk

### THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 3**—Relative to the observance of the centennials of the opening of the Pacific overland mail.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 11**—Relative to the display of the California State Flag.

Resolution read, and presented by Senator Murdy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 31**—Relative to the passing of the Honorable T. Fenton Knight.

Resolution read, and presented by Senator Hulse.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Resolution ordered transmitted to the Assembly.

**Assembly Joint Resolution No. 2**—Relative to closing the United State-Mexico border to unescorted minors.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 63  
Assembly Bill No. 89

Assembly Bill No. 408  
Assembly Bill No. 878

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 63**—An act to add Sections 30093 and 30094 to the Water Code, relating to the inclusion of an irrigation district in a county water district, the authorizing of payments to retire bonds, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 89**—An act to amend Section 71343 of the Government Code, relating to jury trials in municipal courts, and declaring the urgency thereof.

Referred to Committee on Judiciary.

**Assembly Bill No. 408**—An act to repeal Chapter 8 of Part 3, Division 3, Title 2 of, and to add Part 4 to Division 5 of Title 2 of the Government Code, relating to agreements for social security coverage of employees of public agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 878**—An act to add Section 4946.1 to the Education Code, relating to unified school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read the first time:

**Assembly Joint Resolution No. 4**—Relative to the compensation of postal employees.

Referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Joint Resolution No. 5**—Relative to memorializing the President and Congress to have the Mammoth Pass Road in California constructed as a national defense highway.

**Request for Unanimous Consent**

Senator Cobey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 5**

**Assembly Joint Resolution No. 5**—Relative to memorializing the President and Congress to have the Mammoth Pass Road in California constructed as a national defense highway.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Donnelly, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—29.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 144**

Senator Brown moved that Senate Bill No. 144 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 144**—An act to repeal Sections 215, 216, and 217 of ; amend Sections 210, and 214; and to add Division 2B and Sections 62.2, 215, 216, and 217 to; the Vehicle Code, relating to reciprocity, and declaring the urgency hereof.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

In lines 3 and 4 of the title of the printed bill, strike out “, and declaring the urgency hereof”.

**Amendment No. 2**

On page 5 strike out lines 39 to 49; and on page 6 strike out lines 1 to 8.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

## RESOLUTIONS

The following resolutions were offered:

By Senator Gibson:

**Senate Resolution No. 43**

Relative to the continuance of the Senate Interim Committee on the  
Licensing of Businesses and Professions

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on the Licensing of Businesses and Professions, created by Senate Resolution No. 112 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 112, 1953 Session, and this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Richards:

**Senate Resolution No. 44**

Relative to the marriage of Governor Goodwin J. Knight

WHEREAS, Subsequent to the adjournment of the 1954 Session of the Legislature, Members of the Senate were gratified to be informed of the marriage of Governor Goodwin J. Knight and Virginia Carlson; and

WHEREAS, Governor Goodwin J. Knight was for nearly eight years Lieutenant Governor of California and President of this body, during which time he endeared himself to Members of the Senate by his spirit of good fellowship, conviviality, and earnest endeavor to render the best service of which he was capable; and

WHEREAS, Virginia Carlson is a person of unusual graciousness and charm, whose participation in the official and social life of the Governor will promote good will and understanding among the official family of the State of California; now, therefore, be it

*Resolved by the Senate of the State of California, That its members congratulate Governor Goodwin J. Knight on his marriage and wish for him and his wife a life of happiness and success; and be it further*

*Resolved, That the Secretary of the Senate be and he is hereby directed to present Governor and Mrs. Goodwin J. Knight with an appropriately prepared copy of this resolution.*

Resolution read, and, on motion of Senator Richards, unanimously adopted.

By Senators Richards and Cunningham:

**Senate Resolution No. 45**

Relative to the passing of Colonel Leo A. Strome

WHEREAS, Patriotic citizens in California in general and those of Los Angeles and San Bernardino Counties in particular were grieved to learn of the death on May 20, 1954, of an outstanding American hero, Colonel Leo A. Strome; and

WHEREAS, Colonel Leo A. Strome was a native of Los Angeles, a member of the California National Guard, who entered World War I with the 160th National Guard in August, 1917; and

WHEREAS, Colonel Leo A. Strome served as a captain in the 160th Infantry (7th California Infantry), California National Guard, and later transferred to the 308th Infantry, 77th Division, where he actively participated in the operations of the "Lost Battalion," and, although severely wounded distinguished himself by



continuing to lead and encourage the officers and men of his command, for which distinguished service he was awarded the California Medal of Valor on September 7, 1938; and

WHEREAS, Colonel Leo A. Stromee, upon conclusion of his distinguished service in World War I, and his honorable discharge from the army made his residence in the City of San Bernardino where he served as a councilman and as Exalted Ruler of the San Bernardino Elks Lodge, a founder and Commander of the San Bernardino American Legion Post; and a Scottish Rite Mason; and

WHEREAS, Colonel Leo A. Stromee was an active participant in civic and veterans' affairs; was a former member of the Board of Directors of the Veterans' Home of California; was affiliated with the Veterans of Foreign Wars, the Water and Power American Legion Post and a member of the American Legion National Membership Committee; the Colorado Water Association; the California Municipal Utilities Association and the American Public Power Association; and

WHEREAS, The patriotic heroism and forthright character of Colonel Leo A. Stromee caused him to be held in the highest regard by his host of friends and acquaintances to whom his passing was a matter of sorrow and regret; now, therefore, be it

*Resolved by the Senate of the State of California,* That the members of this body deplore the passing of this fine patriotic citizen and desire by this resolution to convey its most sincere sympathy to the bereaved members of his family; and be it further

*Resolved,* That the Secretary of the Senate be and he is hereby directed to have suitably prepared copies of this resolution forwarded to Mrs. Ella Nancy Stromee, the widow, and Dr. Carl A. Stromee, son, and Mrs. Mary Jane Durning, daughter, of the late Colonel Leo A. Stromee.

Resolution read, and unanimously adopted on a rising vote of the following Senators:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Chief Assistant Secretary Cleve V. Taylor at the Desk

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 780:** By Senators Breed and Gibson—An act to amend Section 18404 of the Education Code, relating to school sites.

Referred to Committee on Education.

**Senate Bill No. 781:** By Senator Brown—An act to amend Section 21263 of the Government Code, relating to the State Employees' Retirement System in respect to special death benefits.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 782:** By Senator Busch—An act to amend Section 28132 of the Government Code, relating to compensation for public services in counties of the thirty-second class.

Referred to Committee on Local Government.

**Senate Bill No. 783:** By Senator Ward—An act to amend Sections 1091 and 36526 of the Government Code, relating to public officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 784:** By Senator Breed—An act to amend Section 1309 of the Penal Code, relating to exonerated bail.

Referred to Committee on Judiciary.

**Senate Bill No. 785:** By Senator Breed—An act to amend Section 68084 of the Government Code, relating to deposit of money in the county treasury.

Referred to Committee on Judiciary.

**Senate Bill No. 786:** By Senator Breed—An act to amend Section 71383 of the Government Code, relating to audits of municipal and justice courts.

Referred to Committee on Judiciary.

**Senate Bill No. 787:** By Senator Gibson—An act to amend Section 4800 of the Business and Professions Code, relating to veterinary medicine.

Referred to Committee on Business and Professions.

**Senate Bill No. 788:** By Senator Gibson—An act to amend Section 4000 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 789:** By Senator Gibson—An act to amend Section 3001 of the Business and Professions Code, relating to optometry.

Referred to Committee on Business and Professions.

**Senate Bill No. 790:** By Senator Gibson—An act to amend Section 2700 of the Business and Professions Code, relating to nursing.

Referred to Committee on Business and Professions.

**Senate Bill No. 791:** By Senator Gibson—An act to amend Section 2550 of the Business and Professions Code, relating to dispensing opticians.

Referred to Committee on Business and Professions.

**Senate Bill No. 792:** By Senator Gibson—An act to amend Section 2000 of the Business and Professions Code, relating to the practice of medicine.

Referred to Committee on Business and Professions.

**Senate Bill No. 793:** By Senator Gibson—An act to amend Section 1600 of the Business and Professions Code, relating to dentistry.

Referred to Committee on Business and Professions.

**Senate Bill No. 794:** By Senator Gibson—An act to amend Section 150 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 795:** By Senator Gibson—An act to amend Section 110.5 of the Business and Professions Code, relating to administrative procedure.

Referred to Committee on Business and Professions.

**Senate Bill No. 796:** By Senator Gibson—An act to amend Section 1 of the Solano County Flood Control and Water Conservation District Act, relating to the Solano County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 797:** By Senators McBride, Cunningham, and Teale—An act to add Sections 7804 and 7805 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 798:** By Senator Desmond—An act to amend the Community Services District Law by amending Section 60673 of the Government Code, relating to force, value and use of bonds, tax exemption and investigation and certification of bonds by the California Districts Securities Commission; by repealing Section 60687 of the Government Code, relating to limitation on general obligation bonded indebtedness; and by adding Section 60687 to the Government Code, relating to the applicability of Title 5, Division 3, Part 5, Chapter 4 thereof.

Referred to Committee on Local Government.

**Senate Bill No. 799:** By Senator Desmond—An act to add Article 5.5 to Chapter 2, Part 4, Division 16 of the Water Code, relating to county water works districts.

Referred to Committee on Local Government.

**Senate Bill No. 800:** By Senator Desmond—An act to amend the Revenue Bond Law of 1941 by amending Section 54434 of the Government Code, relating to investigation and certification of revenue bonds by the California Districts Securities Commission.

Referred to Committee on Local Government.

**Senate Bill No. 801:** By Senator Desmond—An act to add Chapter 7 to Title 6 of the Government Code, relating to districts.

Referred to Committee on Local Government.

**Senate Bill No. 802:** By Senator Desmond—An act to add Section 60230 to the Government Code, relating to community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 803:** By Senators Desmond, Breed, Erhart, Donnelly, Burns, Parkman, Brown, Collier, McBride, Ed. C. Johnson, Byrne, Murdy, Gibson, Dilworth, J. Howard Williams, and Grunsky—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3924, 3925, 3926, 3946, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Referred to Committee on Elections.

**Senate Bill No. 804:** By Senator Desmond—An act to amend Section 1463 of the Penal Code, relating to disposition of fines and forfeitures.

Referred to Committee on Judiciary.

**Senate Bill No. 805:** By Senator Desmond—An act to repeal Part 1 of Division 9 of the Public Utilities Code, relating to aeronautics and providing for the abolition of the California Aeronautics Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 806:** By Senator Desmond—An act to amend Section 4129 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 807:** By Senator Desmond—An act to add Chapter 10 (consisting of Sections 21701 to 21704, inclusive) to Division 10 of the Education Code, relating to the McGeorge College of Law, and making an appropriation therefor.

Referred to Committee on Education.

**Senate Bill No. 808:** By Senator McBride—An act creating the Montalvo Municipal Improvement District, providing for the merger therewith of the Montalvo Sanitary District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers.

Referred to Committee on Local Government.

**Senate Bill No. 809:** By Senators Way, Montgomery, and Dorsey—An act to provide for the removal of an island from the channel of Eel River and making an appropriation for such purpose.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 810:** By Senators Way and Desmond—An act to provide for the removal of an island from the channel of Eel River and making an appropriation for such purpose.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 811:** By Senator Richards—An act to amend Section 101.1 of the Streets and Highways Code, relating to signs at cities and towns.

Referred to Committee on Transportation.

**Senate Bill No. 812:** By Senator Richards—An act to amend Sections 8212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 813:** By Senator Richards—An act to add Section 4664 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.



**Senate Bill No. 814:** By Senator Richards—An act to repeal Sections 4050, 4051, 4052, 4053, 4056, 4602, 4603, and 4604 and to amend Sections 4600 and 4601, of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 815:** By Senator Richards—An act to add Sections 416.1, 416.2, and 416.3 to, and to amend Sections 442, 581a, 585, 586, and 1014 of, the Code of Civil Procedure, relating to motions.

Referred to Committee on Judiciary.

**Senate Bill No. 816:** By Senator Richards—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 817:** By Senator Richards—An act authorizing the Director of Finance to dispose of a state-owned license and easement.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 818:** By Senator Richards—An act to add Section 11013 to the Government Code, relating to state institutions.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 819:** By Senator Richards—An act to amend Section 1 of the Business and Professions Code, relating to private business and licensed professions and callings.

Referred to Committee on Business and Professions.

**Senate Bill No. 820:** By Senator Richards—An act to amend Section 1 of the Civil Code, relating to persons, property, and obligations.

Referred to Committee on Judiciary.

**Senate Bill No. 821:** By Senator Richards—An act to amend Section 1 of the Code of Civil Procedure, relating to civil actions and procedures.

Referred to Committee on Judiciary.

**Senate Bill No. 822:** By Senator Richards—An act to amend Section 1 of the Corporations Code, relating to corporations and other associations.

Referred to Committee on Public Utilities.

**Senate Bill No. 823:** By Senator Richards—An act to amend Section 1 of the Education Code, relating to education.

Referred to Committee on Education.

**Senate Bill No. 824:** By Senator Richards—An act to amend Section 1 of the Financial Code, relating to financial institutions and transactions.

Referred to Committee on Financial Institutions.

**Senate Bill No. 825:** By Senator Richards—An act to amend Section 1 of the Fish and Game Code, relating to fish, game, and other wild life.

Referred to Committee on Fish and Game.

**Senate Bill No. 826:** By Senator Richards—An act to amend Section 1 of the Health and Safety Code, relating to the preservation of the public health and safety.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 827:** By Senator Richards—An act to amend Section 22 of the Insurance Code, relating to insurance.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 828:** By Senator Cobey—An act to amend Sections 12186, 12187, 12189, and 12203 of the Government Code, relating to fees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 829:** By Senator Cobey—An act to amend Section 75002 of the Government Code, relating to the Judges' Retirement Law.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 830:** By Senator Cobey—An act to amend Section 4311 of the Agricultural Code, relating to petitions for sales stimulation and consumer educational programs.

Referred to Committee on Agriculture.

**Senate Bill No. 831:** By Senator Cobey—An act to add Section 4319.5 to the Agricultural Code, relating to appointment of persons to administer sales stimulation and consumer educational programs on fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 832:** By Senator Cobey—An act to amend Sections 1307, 1390, 1391, 1392, 1398, 1399 and 1401, and the title of Article 6 of Chapter 2, Part 2, Division 1, of the Insurance Code, relating to reciprocal insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 833:** By Senator Ed. C. Johnson (By Request)—An act to amend and renumber the title of Part 9 to be Part 10 of Division 13 of the Water Code, and to add a new Part 9 to the Water Code, relating to the Wheatland Water District.

Referred to Committee on Local Government.

**Senate Bill No. 834:** By Senator Ed. C. Johnson—An act to add Section 34.6 to the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game.

**Senate Bill No. 835:** By Senator Burns—An act to add Section 376 to the Penal Code, relating to the disposition of crops constituting a pest hazard.

Referred to Committee on Judiciary.

**Senate Bill No. 836:** By Senator Burns—An act to amend Section 995 of the Agricultural Code, relating to fig trees.

Referred to Committee on Agriculture.

**Senate Bill No. 837:** By Senator Gibson—An act to amend Section 6 of the Vallejo Sanitation and Flood Control District Act, relating to the Vallejo Sanitation and Flood Control District.

Referred to Committee on Local Government.

**Senate Bill No. 838:** By Senator McBride—An act to amend Section 4984 of the Education Code, relating to noncertificated employees of reorganized school districts.

Referred to Committee on Elections.

**Senate Bill No. 839:** By Senator Burns—An act to be known as Fresno Metropolitan Flood Control Act creating a district subject to the approval of the voters within the district, to be known as Fresno Metropolitan Flood Control District, for the purpose of acquiring and constructing facilities for flood control and the drainage of flood, storm and waste waters and the conservation of any thereof, and providing for the government and powers of said district.

Referred to Committee on Local Government.

**Senate Bill No. 840:** By Senator Thompson—An act to amend Sections 5642 and 5652 of the Public Resources Code, relating to park, recreation and parkway districts.

Referred to Committee on Local Government.

**Senate Bill No. 841:** By Senator Thompson—An act to amend Section 20373, Education Code to transfer to the State Personnel Board the responsibility for establishing and adjusting classification of state college employees.

Referred to Committee on Education.

**Senate Bill No. 842:** By Senator Thompson—An act to amend Section 20392, Education Code, relative to appointment procedures applicable to exempt state college employees.

Referred to Committee on Education.

**Senate Bill No. 843:** By Senator Murdy—An act to amend Section 6877 of the Public Resources Code, relating to oil and gas leases on tide and submerged lands and beds of navigable rivers and lakes.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 844:** By Senator Murdy—An act to amend Section 6873 of the Public Resources Code, relating to oil and gas leases on tide and submerged lands and beds of navigable rivers and lakes.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 845:** By Senator Busch—An act to amend Section 28149 of the Government Code, relating to compensation for public service in counties of the forty-ninth class.

Referred to Committee on Local Government.

**Senate Bill No. 846:** By Senator Murdy—An act to add Section 1551 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 847:** By Senator Murdy—An act to amend Section 92 of the Agricultural Code, relating to county and district agricultural association fairs.

Referred to Committee on Agriculture.

**Senate Bill No. 848:** By Senator Murdy—An act to amend Section 1525 of the Welfare and Institutions Code, relating to state residence requirements for aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 849:** By Senator Murdy—An act to amend Sections 1300.12, 1300.15, 1300.16, 1300.18, 1300.19, 1300.20, and 1300.28 of the Agricultural Code, relating to the administration and enforcement of the California Marketing Act of 1937, as amended, and marketing orders and marketing agreements issued and made effective thereunder.

Referred to Committee on Agriculture.

**Senate Bill No. 850:** By Senators Harold T. Johnson, Montgomery, Miller, and Regan—An act to provide for the reversions of unexpended funds appropriated to the Water Project Authority for expenditure in connection with state acquisition of the Central Valley Project, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 851:** By Senator Harold T. Johnson—An act to add Section 53062 to the Government Code, relating to powers of local governmental agencies.

Referred to Committee on Local Government.

**Senate Bill No. 852:** By Senator Harold T. Johnson—An act to add Section 60623 to the Government Code, relating to community service districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 853:** By Senator Grunsky—An act to add Section 118b to, and to amend Section 119 of, the Penal Code, relating to false swearing.

Referred to Committee on Judiciary.

**Senate Bill No. 854:** By Senator Teale—An act making an appropriation to the Youth Authority for the acquisition of necessary easements.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 855:** By Senator Grunsky—An act to amend Sections 10270.5 and 10270.6 of the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 856:** By Senators Teale, Dale C. Williams, Parkman, Miller, Richards, Desmond, Dorsey, Donnelly, and Burns—An act to amend Sections 23320, 26000, 26004, and the heading of Chapter 18 of Division 9, of the Business and Professions Code, relating to addicting drug rehabilitation.

Referred to Committee on Business and Professions.

**Senate Bill No. 857:** By Senator Grunsky—An act to amend Section 10270 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 858:** By Senator Grunsky—An act to amend Section 10202.8 of the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 859:** By Senators Miller, J. Howard Williams, John F. McCarthy, Harold T. Johnson, and Collier—An act to repeal Article 6 of Chapter 1, Title 1, Part 3 of the Penal Code and to provide for the reappropriation of certain funds in connection therewith, relating to the establishment of penal institutions.

Referred to Committee on Judiciary.

**Senate Bill No. 860:** By Senators Short and Way—An act to amend Section 948 of the Code of Civil Procedure, relating to undertakings on appeal.

Referred to Committee on Judiciary.

**Senate Bill No. 861:** By Senators Short and Way—An act to amend Section 69679 of the Government Code, relating to the Superior Court of the County of San Joaquin.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 862:** By Senators Short, Way, Montgomery, and Miller—An act to amend Section 685 of the Vehicle Code, relating to the transportation of workmen by truck.

Referred to Committee on Transportation.

**Senate Bill No. 863:** By Senators Short, Way, Montgomery, and Miller—An act to amend Section 1683 of the Labor Code, relating to farm labor contractors.

Referred to Committee on Labor.

**Senate Bill No. 864:** By Senator Thompson—An act to add Section 220 to the Revenue and Taxation Code, relating to the exemption from taxation of soil conservation dams, reservoirs and ponds.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 865:** By Senator Thompson—An act to add Section 25206.5 to the Government Code, relating to contracts between counties and districts.

Referred to Committee on Local Government.

**Senate Bill No. 866:** By Senator Thompson—An act to amend Section 214 of the Revenue and Taxation Code, relating to the property tax welfare exemption in respect to property used for scientific purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 867:** By Senator Thompson—An act making an appropriation for the purchase of property adjacent to the campus of San Jose State College.

Referred to Committee on Education.

**Senate Bill No. 868:** By Senator Thompson—An act to add Section 10057 to the Education Code, relating to outdoor science and conservation education.

Referred to Committee on Education.

**Senate Bill No. 869:** By Senators Thompson and Erhart—An act to amend Section 3066 of the Civil Code, relating to the sale of unclaimed clothing or household goods left for cleaning or repair.

Referred to Committee on Judiciary.

**Senate Bill No. 870:** By Senators Thompson and Erhart—An act to amend Section 9575.5 of the Business and Professions Code, relating to the State Board of Dry Cleaners, making an appropriation therefor, to take effect immediately.

Referred to Committee on Business and Professions.

**Senate Bill No. 871:** By Senator Richards—An act to amend Section 1 of the Harbors and Navigation Code, relating to harbors, ports, and navigation.

Referred to Committee on Transportation.

**Senate Bill No. 872:** By Senator Miller—An act to amend Section 1676 of the Insurance Code, relating to insurance agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 873:** By Senators Sutton and Coombs—An act to provide for the establishment and maintenance of a trail originating near Napa and extending to the vicinity of the town of Clearlake Oaks, along the northerly shore of Clear Lake in Lake County and proceeding to a junction with the California state riding and hiking trail in Siskiyou County, pursuant to the provisions of Article 6, Chapter 1 of Division 5 of the Public Resources Code, relating to riding and hiking trails.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 874:** By Senator Dilworth—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Agriculture.

**Senate Bill No. 875:** By Senator Dilworth—An act to amend Sections 12602 and 12604 of the Education Code, relating to school district employees.

Referred to Committee on Education.

**Senate Bill No. 876:** By Senator Dilworth—An act to add Sections 11512, 11513, 11556, 11557, 11558, 11559, and 11560 to the Business and Professions Code, relating to the acquisition of sites for school buildings.

Referred to Committee on Business and Professions.

**Senate Bill No. 877:** By Senator Dilworth—An act making an appropriation for major construction, improvement, and equipment of national guard armories.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 878:** By Senator Dilworth—An act to amend Section 28k of the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), relating to the Palo Verde Irrigation District.

Referred to Committee on Local Government.

**Senate Bill No. 879:** By Senator Dilworth—An act to add Section 7712.2 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 880:** By Senator Dilworth—An act to amend Sections 20343 and 20345 of, and to add Sections 20345.1, 20345.2, and 20345.3 to, the Education Code, relating to tuition fees of state college students.

Referred to Committee on Education.

**Senate Bill No. 881:** By Senator Short—An act to amend Section 413 of the Education Code, relating to the superintendent of schools of a county of the thirteenth class.

Referred to Committee on Education.

**Senate Bill No. 882:** By Senators Sutton, Erhart, Dilworth, and Short—An act to amend Section 395.1 of the Military and Veterans Code, relating to the return and re-entry to public employment after termination of military service, redeclaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 883:** By Senators Sutton and Erhart—An act to amend Sections 340, 416, and 562 of, and add Sections 342 to, the Military and Veterans Code and to repeal Section 561 of said code, relating to the State Militia, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 884:** By Senator Short—An act to amend Section 28113 of the Government Code, relating to compensation for public services in a county of the thirteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 885:** By Senator Thompson—An act to amend Sections 1525, 1526, 1529, 1532, 1541, and 1542 of, and to add Sections 1529.1, 1532.1, 1532.2, 1542.1, and Article 2.1 to Chapter 8 of Part 2 of Division 2 of the Water Code, and to amend Section 6103.1 of the Government Code, relating to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 886:** By Senator Miller—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, and to repeal Sections 13082, 13084, and 13085 of, the Education Code, relating to the classification of certificated employees of school districts.

Referred to Committee on Education.

**Senate Bill No. 887:** By Senator Grunsky—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 888:** By Senator Sutton—An act to amend Sections 106 and 1254 of the Water Code, relating to beneficial uses of water.

Referred to Committee on Water Resources.

**Senate Bill No. 889:** By Senator Dorsey—An act to add Chapter 7 to Part 1 of Division 3 of Title 2 of the Government Code, relating to relief by state agencies from the results of mistake, inadvertence or excusable neglect with respect to matters recognizable by such agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 890:** By Senator Dorsey—An act to amend Section 102 of the Agricultural Code, relating to plant quarantine and inspection.

Referred to Committee on Agriculture.

**Senate Bill No. 891:** By Senator Dorsey—An act to amend Section 4.4 of the drainage district improvement act of 1919, relating to drainage districts.

Referred to Committee on Local Government.

**Senate Bill No. 892:** By Senator Gibson—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 17 thereof, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Business and Professions.

**Senate Bill No. 893:** By Senator Gibson—An act to amend Section 19000 of the Business and Professions Code, relating to furniture and bedding.

Referred to Committee on Business and Professions.



**Senate Bill No. 894:** By Senators Teale, Way, Thompson, and Cobey—An act to add Article 2.5 to Chapter 4, Division 10 of, and to amend Section 11721 of, the Health and Safety Code, relating to narcotics addiction, and making an appropriation.

Referred to Committee on Business and Professions.

**Senate Bill No. 895:** By Senator Gibson—An act to amend Section 5000 of the Business and Professions Code, relating to accountancy.

Referred to Committee on Business and Professions.

**Senate Bill No. 896:** By Senator Gibson—An act to amend Section 5510 of the Business and Professions Code, relating to architecture.

Referred to Committee on Business and Professions.

**Senate Bill No. 897:** By Senator Gibson—An act to amend Section 6500 of the Business and Professions Code, relating to barbers.

Referred to Committee on Business and Professions.

**Senate Bill No. 898:** By Senator Gibson—An act to amend Section 7000 of the Business and Professions Code, relating to contractors.

Referred to Committee on Business and Professions.

**Senate Bill No. 899:** By Senator Gibson—An act to amend Section 7202 of the Business and Professions Code, relating to guide dogs.

Referred to Committee on Business and Professions.

**Senate Bill No. 900:** By Senator Gibson—An act to amend Section 7300 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 901:** By Senator Gibson—An act to amend Section 8520 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Business and Professions.

**Senate Bill No. 902:** By Senator Gibson—An act to amend Section 8700 of the Business and Professions Code, relating to land surveying.

Referred to Committee on Business and Professions.

**Senate Bill No. 903:** By Senator Gibson—An act to amend Section 8900 of the Business and Professions Code, relating to yacht and ship brokers.

Referred to Committee on Business and Professions.

**Senate Bill No. 904:** By Senator Gibson—An act to amend Section 9900 of the Business and Professions Code, relating to social workers.

Referred to Committee on Business and Professions.

**Senate Bill No. 905:** By Senator Gibson—An act to amend Section 9500 of the Business and Professions Code, relating to cleaning, dyeing, and pressing.

Referred to Committee on Business and Professions.

**Senate Bill No. 906:** By Senator Gibson—An act to amend Section 9600 of the Business and Professions Code, relating to cemetery regulation.

Referred to Committee on Business and Professions.

**Senate Bill No. 907:** By Senator Gibson—An act to amend Section 7600 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.

**Senate Bill No. 908:** By Senator Gibson—An act to amend Section 2600 of the Business and Professions Code, relating to physical therapy.

Referred to Committee on Business and Professions.

**Senate Bill No. 909:** By Senator Gibson—An act to amend Section 2650 of the Business and Professions Code, relating to physical therapy.

Referred to Committee on Business and Professions.

**Senate Bill No. 910:** By Senator Gibson—An act to amend Section 2840 of the Business and Professions Code, relating to vocational nurses.

Referred to Committee on Business and Professions.

**Senate Bill No. 911:** By Senator Gibson—An act to amend Section 5620 of the Business and Professions Code, relating to landscape architects.

Referred to Committee on Business and Professions.

**Senate Bill No. 912:** By Senator Gibson—An act to amend Section 6710 of the Business and Professions Code, relating to civil and professional engineers.

Referred to Committee on Business and Professions.

**Senate Bill No. 913:** By Senator Gibson—An act to amend Section 7503 of the Business and Professions Code, relating to private investigators and adjusters.

Referred to Committee on Business and Professions.

**Senate Bill No. 914:** By Senator Gibson—An act to amend Section 18620 of the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Business and Professions.

**Senate Bill No. 915:** By Senator Gibson—An act to amend Section 8000 of the Business and Professions Code, relating to shorthand reporters.

Referred to Committee on Business and Professions.

**Senate Bill No. 916:** By Senator Miller—An act to amend Section 20755 of the Health and Safety Code, relating to the sale of poison.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 917:** By Senator Miller—An act making an appropriation to pay the claim of Leslie S. Tromanhauser against the State of California.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 918:** By Senator Miller—An act to amend Section 476a of the Penal Code, relating to the punishment for making or uttering checks without sufficient funds.

Referred to Committee on Judiciary.

**Senate Bill No. 919:** By Senator Murdy—An act to add Article 7 to Chapter 3 of Part 2 of Division 6 of the Public Resources Code, relating to oil and gas leases on state-owned tide and submerged lands.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 14:** By Senator Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article VI of said Constitution, relating to the appointment of pro tempore judges of the justice court.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 15:** By Senator Richards—A resolution to propose to the people of the State of California an amendment to the Constitution, by amending Section 6 of Article IV thereof, relating to reapportionment of assembly districts.

Referred to Committee on Elections.

**Senate Concurrent Resolution No. 29:** By Senator Coombs—Relative to the passing of Colonel Nelson M. Holderman.

Referred to Committee on Rules.

**Senate Joint Resolution No. 6:** By Senators Way, John F. McCarthy, Short, Ed. C. Johnson, Busch, Richards, Murdy, Harold T. Johnson, Montgomery, Coombs, Abshire, McBride, Collier, Donnelly, Byrne, Gibson, Sutton, Erhart, Desmond, Breed, Dorsey, Thompson, Brown, Miller, Teale, Kraft, Cobey, and Burns—Relative to memorializing the President, Congress, and the Postmaster General of the United States to take appropriate action to cause the issuance of a postage stamp honoring the California Redwoods as "The World's Oldest Living Things."

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 36

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Assistant Secretary Lachlan Richards at the Desk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 36**—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the eighth day of June, 1954.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 36, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 36**

**Assembly Concurrent Resolution No. 36**—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Busch, Cobey, Collier, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, and Way—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered:

By Senator Teale:

**Senate Resolution No. 46**

Relative to the creation of the Senate Interim Committee on Narcotic Addiction

**WHEREAS**, The people of this State have been appalled by the recent revelations of large-scale traffic in narcotics and the tragic consequences resulting therefrom; and

**WHEREAS**, In addition to taking such action as is necessary to curb such traffic, it is important that efforts be made to salvage the lives of those who have already become addicted to the use of narcotics or may hereafter become so addicted, so that such people will again be useful, desirable citizens and so that they will not themselves turn to trafficking in drugs in order to obtain the means to satisfy their craving, all to the benefit of the people of this State at large; and

**WHEREAS**, The problem of determining the best approach to treatment of such people is not one easy of solution and is deserving of serious study by the Senate; now, therefore, be it

*Resolved by the Senate of the State of California*, As follows:

1. The Senate Committee on Narcotics Addiction is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the treatment of narcotics addiction and the prevention thereof, and all matters, dealing with, relating to, or otherwise pertaining to the care and custody of persons actually or potentially addicted to the use of narcotics, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of ---- Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1957 Regular Session, with authority to file its final report not later than the last legislative day of that session.



4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

#### ADJOURNMENT

At 3.26 p.m., on motion of Senator Dorsey, the President declared the Senate adjourned until 2 p.m., Tuesday, January 18, 1955, out of respect to the memory of the late Honorable T. Fenton Knight.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, January 18, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Holse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert L. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Short, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Weybret, on motion of Senator Erhart, due to illness.

Senator Miller, on motion of Senator Montgomery, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert M. Sheldon, Auditor, El Dorado County; and J. H. Hastings, Auditor, Sacramento County.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Felix Leon of San Jose.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lloyd Dethlefsen, chairman, Certified Shorthand Reporters Board, from Merced.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. P. Correia of Yreka.

On request of Senators Coombs and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sarah Dunlap and Anne Best of Berkeley.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Perry Byerly of Berkeley.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Clara Shirpser of San Francisco.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Norman Earl Balch of Fairfield.

#### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA  
DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS  
SACRAMENTO, January 17, 1955

*California Senate*

*State Capitol*

*Sacramento, California*

Attention: Mr. Joe Beek, Secretary

Re: Fifth Biennial Report

GENTLEMEN: The Division of Administrative Procedure presented under date of December 29th 40 copies of its Fifth Biennial Report. We at that time asked that these copies be distributed to the Senators. Inadvertently, this letter has been misplaced.

Hence this may be considered the letter of transmittal to the Senate of this report, copy of which is attached thereto.

Respectfully submitted,

JOHN G. CLARKSON, Chief of Division

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA  
DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS  
SACRAMENTO, December 29, 1954

COPY

*Secretary of the Senate*

*State Capitol*

*Sacramento, California*

Re: Fifth Biennial Report

DEAR SIR: The Division of Administrative Procedure herewith presents to the Senate its Fifth Biennial Report. Please effect distribution.

Respectfully submitted,

JOHN G. CLARKSON, Chief of Division

Report ordered filed with the Secretary of the Senate.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolution ordered enrolled.

## MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 18, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

H. STEPHEN CHASE, a resident of Sacramento; business executive; a Member of the California Highway Commission since October 26, 1951;

to the California Highway Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1959.

FRED W. SPEERS, a resident of Escondido; business executive; veteran of World War II; graduate of Stanford University; since May 1947 has been copublisher and editor of the *Escondido Daily Times-Advocate* and also *Weekly Times-Advocate*; director of the Chamber of Commerce for the past three years;

to the California Highway Commission, vice Charles T. Leigh, term expired, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 17, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

DR. ROBERT E. BURNS, a resident of Stockton; Member of the State Park Commission since July 5, 1951; also is President of the College of the Pacific;

to the State Park Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1959.

CHARLES KASCH, a resident of Ukiah; attorney at law; Member of the State Park Commission since March 25, 1944;

to the State Park Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 17, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

WILLIAM G. WERNER, a resident of Alameda; newspaper publisher since 1921; formerly associated with the *Richmond Independent* and the *Gilroy Dispatch*; from 1949 to date has been publisher of the *Alameda Times-Star*; a director of the California Newspaper Publishers Association, Inc.; interested in civic affairs;

to the State Board of Education, vice Gilbert H. Jertberg, resigned, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.



STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 17, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

CARL F. WENTZ, a resident of San Francisco; president of the California Chamber of Commerce; has been continuously engaged in the banking business in California since 1907, with the exception of three years, when he was president of the First National Bank of Nevada. He returned to California to become president of the Central Bank of Oakland in 1937 and in 1943 became vice president of the Bank of America, becoming president of the Bank of America in 1952, serving until 1954. He is now a member of the board of directors of that institution; a member of the Fish and Game Commission since September 6, 1950;

to the Fish and Game Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1961.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 17, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to third reading.

SENATE, CALIFORNIA LEGISLATURE, January 18, 1955

*To the Honorable Harold J. Powers*

*President of the Senate*

*Sacramento 14, California*

DEAR MR. PRESIDENT: Submitted herewith is the report of the Committee on Rules of its investigation of the election contest of the Honorable Robert I. McCarthy.

Respectfully,

WARD, Chairman

### Report of the Committee on Rules on the Election Contest

Donald J. Bruce, *Contestant*

vs.

Robert I. McCarthy, also known as

Robert Ignatius McCarthy, *Contester*

The Committee on Rules, consisting of Clarence C. Ward, President pro Tempore of the Senate and Chairman, Hugh M. Burns, Arthur H. Breed, Charles Brown, and Paul L. Byrne, to which was referred the contest of Donald J. Bruce of the election of Robert I. McCarthy to the office of Senator from the Fourteenth Senatorial District of the State of California, met pursuant to previous notice on January 17, 1955, with a full committee present. Mr. Donald J. Bruce, contestant, was present and was represented by Mr. George B. Curtis, as counsel. Mr. Robert I. McCarthy was present and was represented by Alex L. Arguello, as counsel. The committee proceeded to a hearing upon said contest pursuant to the Rules relative to contests as

to the qualification, election, and returns of Members of the Senate (Senate Resolution No. 24, Senate Journal, January 10, 1955, p. 132) and received evidence both oral and documentary. Following the receipt of such evidence, the matter was submitted for decision by the committee.

The sole ground of contest presented by Donald J. Bruce, the contestant, was that Robert I. McCarthy had not been a citizen and inhabitant of the Fourteenth Senatorial District of the State of California for more than one year immediately preceding November 2, 1954, as required by Article IV, Section 4, of the Constitution of the State of California.

Your committee after giving careful consideration to the evidence, both documentary and oral, introduced in the matter before it, respectfully reports the following findings:

1. That Robert I. McCarthy received the highest number of votes cast for the office of Senator from the Fourteenth Senatorial District at the general election held November 2, 1954, and that the Honorable Frank M. Jordan, Secretary of State of California, issued to Robert I. McCarthy, a Certificate of Election, certifying that Robert I. McCarthy had been elected to the office of Senator for the Fourteenth Senatorial District.

2. That Robert I. McCarthy was a bona fide citizen and inhabitant of the State of California at all times during the three years immediately preceding November 2, 1954.

3. That Robert I. McCarthy was a bona fide citizen and inhabitant of the Fourteenth Senatorial District of the State of California for more than one year immediately preceding November 2, 1954, within the meaning of Article IV, Section 4 of the Constitution of the State of California.

In view of the foregoing, your committee is of the opinion that Robert I. McCarthy is qualified for the office of Senator of the Fourteenth Senatorial District and the contest should be dismissed.

Wherefore your committee respectfully submits this report.

January 18, 1955

CLARENCE C. WARD, Chairman  
HUGH M. BURNS  
ARTHUR H. BREED, JR.  
CHARLES BROWN  
PAUL L. BYRNE

#### Motion to Adopt Report of Rules Committee

Senator Ward moved that the report submitted by the Rules Committee regarding the contest of the election of Robert I. McCarthy be adopted and that the contest be dismissed.

The roll was called, and the motion carried by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cohey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

#### RESOLUTIONS

The following resolution was offered:

By Senator Montgomery:

#### Senate Resolution No. 47

Relative to the passing of Laura Dickinson Prentice

WHEREAS, On June 11, 1954, the Senate lost one of the most faithful and competent members of its clerical staff in the death of Laura Dickinson Prentice, for 10 years head of the Engrossing and Enrolling Department of the Senate; and

WHEREAS, Laura Dickinson Prentice was a native of the State of Maine, daughter of John Wesley Dickinson, a sea captain who served many years in the fleet of windjammers which earned respect for the Stars and Stripes in the glorious days of sail, his daughter Laura accompanying him on many of his cruises around the Horn and to the Orient from the time she was a child until his retirement from the sea; and

WHEREAS, Laura Dickinson Prentice was a resident of Hanford, Kings County, where she raised her family and was active in civic and church work; and

WHEREAS, Laura Dickinson Prentice was a graduate of Kents Hill College in Maine, was a musician of note and served from 1918 to 1922 as an investigator for the State Board of Medical Examiners, and served the Senate in its Mailing

Department from 1929 to 1933, transferring to the Engrossing and Enrolling Department in 1935 where she served until her death; and

WHEREAS, The office of Engrossing and Enrolling Clerk is one which requires diligence, painstaking attention to detail and absolute reliability, all of which attributes were possessed in Laura Dickinson Prentice in a marked degree; and

WHEREAS, During her long tenure of office, Laura Dickinson Prentice so faithfully discharged the responsibilities entrusted to her that she earned for herself a most enviable reputation as a person of unusual competence and pride in her function in the legislative process; and

WHEREAS, In addition to and beyond the attributes of Laura Dickinson Prentice hereinabove referred to, she was known to her fellow workers as a person of generosity, patriotism and kindly affection; now, therefore, be it

*Resolved*, That the Senate mourns the passing of this member of its staff who served so faithfully over many years and desires by this resolution to pay tribute to the excellent service she rendered, and to convey its sympathy to the members of her family; and be it further

*Resolved*, That when the Senate shall adjourn from its labors of this, the eighteenth day of January, 1955, it shall do so in honor of the memory of Laura Dickinson Prentice, and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to have prepared suitably engrossed copies of this resolution and forward the same to Mrs. Ernest Davies, daughter; L. M. Blakeley, son; and Vincent Dickinson, brother of the late Laura Dickinson Prentice.

Resolution read, and, on motion by Senator Montgomery, unanimously adopted.

#### LETTER OF TRANSMITTAL

SENATE INTERIM COMMITTEE ON EDUCATION AND  
REHABILITATION OF PHYSICALLY HANDICAPPED CHILDREN AND ADULTS

January 18, 1955

*Honorable Harold J. Powers*

*President of the Senate*

*State Capitol, Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 134, adopted June, 1953, the Senate Interim Committee on the Education and Rehabilitation of Handicapped Children and Adults herewith submits its report.

Due to the limitation of the funds made available, the committee has limited its study to specific problems within the scope of the resolution. As indicated in this report, many of the problems presented to the committee require further study, and many related problems were excluded from the committee's agenda.

The committee wishes to express its appreciation to the Department of Education and Department of Mental Hygiene and members of their staff for their cooperation.

Respectfully submitted,

JAMES J. McBRIDE, Chairman  
JAMES E. CUNNINGHAM, Vice Chairman  
STEPHEN P. TEALE

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### Motion to Print Report

Senator McBride moved that 2,500 copies of the report submitted by the Senate Interim Committee on the Education and Rehabilitation of Handicapped Children and Adults be printed for distribution.

Motion carried.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 37

Assembly Concurrent Resolution No. 38

Assembly Concurrent Resolution No. 39

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolutions were read the first time:

**Assembly Concurrent Resolution No. 37**—Relative to commending James Alan Guthrie for his outstanding accomplishments.

Resolution read and referred to Committee on Rules.

**Assembly Concurrent Resolution No. 38**—Relative to commending the United States Junior Chamber of Commerce on the occasion of the celebration of its thirty-fifth anniversary.

Resolution read and referred to Committee on Rules.

**Assembly Concurrent Resolution No. 39**—Relative to approving certain amendments to the charter of the City of Culver City in the County of Los Angeles, State of California, voted for and ratified by the electors of the city at the general municipal election held therein on the thirteenth (13th) day of April, 1954.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 39, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 39**

**Assembly Concurrent Resolution No. 39**—Relative to approving certain amendments to the charter of the City of Culver City in the County of Los Angeles, State of California, voted for and ratified by the electors of the city at the general municipal election held therein on the thirteenth (13th) day of April, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 409

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bill was read the first time:

**Assembly Bill No. 409**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.



**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Joint Resolution No. 7**—Relative to the Caryl Chessman case and writs of habeas corpus.

Referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 10**—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes;

**Senate Concurrent Resolution No. 21**—Relative to Joint Rules of the Senate and Assembly;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eighteenth day of January, 1955, at 2 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 21**—An act to amend Sections 9510, 9514, 9516, and 9605 of the Government Code, relating to the operation and effect of statutes, and declaring the urgency thereof, to take effect immediately.

And reports that the same has been correctly enrolled, and presented to the Governor on the eighteenth day of January, 1955, at 2:30 p.m.

WARD, Chairman

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

**Senate Resolution No. 20**

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend. Be adopted, as amended.

Committee membership 13; committee vote: Ayes 8; absent 5.

COLLIER, Chairman

**Request for Unanimous Consent**

Senator Collier asked for, and was granted, unanimous consent to take up Senate Resolution No. 20, at this time, for consideration of committee amendments.

**Senate Resolution No. 20**—Relative to a cost analysis of plans for highway construction.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

Strike out the second resolved and insert in lieu thereof

*“Resolved, That the Department of Public Works is requested to submit a report containing estimated mileage of each of said routes and the estimated cost per mile*

for construction of each of said routes, and said report to be submitted no later than December 31, 1955."

Amendment read, and adopted.

Senate Resolution No. 20 ordered amended.

#### Request for Unanimous Consent

Senator Way asked for, and was granted, unanimous consent to take up Senate Resolution No. 20, as amended, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 20, AS AMENDED

##### Senate Resolution No. 20

Relative to a cost analysis of plans for highway construction

WHEREAS, The construction or reconstruction of certain portions of State Highway Routes 1 and 56 in Humboldt and Mendocino Counties is contemplated; and

WHEREAS, Facts with respect to the estimated cost of the several projects contemplated are necessary in order that the appropriate state agencies may make the decisions required; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Department of Public Works is hereby requested to submit to the Senate the estimated cost per mile for each of the following projects:

(a) Route 56 between Leggett Valley and a point near Hale's Grove and a point near Thorn and thence to Ferndale and Ferndale.

(b) Rerouting of Route 1 (U. S. 101) around state parks in Humboldt County.

(c) Retaining the existing route of Route 1 (U. S. 101) and straightening said highway and enlarging it to four lanes outside and between state park boundaries, and construction of sidings or turn outs and parking areas within state park boundaries; now, therefore, be it

*Resolved*, That the Department of Public Works is requested to submit a report containing estimated mileage of each of said routes and the estimated cost per mile for construction of each of said routes, and said report to be submitted no later than December 31, 1955; and be it further

*Resolved*, That the Secretary of the Senate be directed to transmit a copy of this resolution to Mr. Frank B. Durkee, Director of Public Works.

Resolution read, and, on motion by Senator Way, unanimously adopted.

#### RESOLUTIONS

The following resolution was offered:

By Senator Murdy:

##### Senate Resolution No. 48

Relative to the construction of state office buildings in local areas of the State

WHEREAS, Studies have shown that the construction of state office buildings in the major metropolitan areas of this State will permit the centralized grouping of state services in such communities so that such services are available at greater convenience to the public than when such services are scattered throughout such areas, and that such construction would provide an actual saving to the State over the cost of renting comparable office space for such services; and

WHEREAS, The need for suitable state office facilities exists in many other cities of the State, such as San Jose, Stockton, Santa Barbara, Bakersfield, Chico, Eureka, Long Beach, Modesto, Monterey, Pasadena, Redding, San Bernardino, San Luis Obispo, Santa Ana, Santa Rosa, Vallejo, and Ventura; and

WHEREAS, There are other rapidly growing communities where the need for the centralized grouping of state services may effect a real savings in state funds as well as provide a better public service to the community; and

WHEREAS, No comparable study has been made of whether similar advantages and savings could be realized by constructing suitable state buildings for state services in these larger cities of the State, other than the five major metropolitan areas; and

WHEREAS, It is of particular importance that it be determined by appropriate study whether the erection of state buildings in such areas can be justified from the standpoint of economy of investment, and in improving the efficiency of state services to the public; and

WHEREAS, It is imperative that such study be made at the earliest possible time in order that the Legislature may formulate its policies to adequately provide for the needs of the State; now, therefore, be it

*Resolved by the Senate of the State of California, That the Director of Finance is directed to cause an immediate study to be undertaken of all phases of a program for the construction of state office buildings in such larger cities and communities including a recommended priority schedule for any such construction that is undertaken, and to report back to the Legislature on the results of such study not later than the 15th day of March, 1955; and be it further*

*Resolved, That the Secretary of the Senate be and he is hereby directed to transmit a copy of this resolution to the Director of Finance.*

Resolution read, and referred to Committee on Rules.

Chief Assistant Secretary Cleve V. Taylor at the Desk

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 920:** By Senator Donnelly—An act to amend Section 12024.5 of the Business and Professions Code, relating to sale of certain foods by weight.

Referred to Committee on Business and Professions.

**Senate Bill No. 921:** By Senators Donnelly, Cobey, Montgomery, Collier, Burns, McBride, Erhart, Coombs, Abshire, Byrne, Ed. C. Johnson, Sutton, Gibson, Thompson, Regan, Dilworth, and Busch—An act to add Section 4292.5 to the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 922:** By Senators Erhart, Thompson, and Dilworth—An act to amend the heading of Article 5 of Chapter 1 of Division 2 of, to amend Sections 1101, 1105, 1106, and 1107 of, to repeal Sections 1102, 1103, and 1104 of, and to add Section 1103 to, the Education Code, relating to meetings of school trustees.

Referred to Committee on Education.

**Senate Bill No. 923:** By Senator Desmond—An act to add Section 60100.5 to the Government Code, relating to community service districts.

Referred to Committee on Local Government.

**Senate Bill No. 924:** By Senators Abshire, J. Howard Williams, and Ed. C. Johnson—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of United States.

Referred to Committee on Fish and Game.

**Senate Bill No. 925:** By Senator Abshire—An act to add Section 2401 to the Agricultural Code, relating to marketing of agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 926:** By Senator Abshire—An act to amend Section 1300.18 of the Agricultural Code, relating to the uniform application of marketing order regulations.

Referred to Committee on Agriculture.

**Senate Bill No. 927:** By Senator Abshire—An act to amend Section 9206 of the Public Resources Code, relating to soil conservation districts.

Referred to Committee on Local Government.

**Senate Bill No. 928:** By Senator Abshire—An act to amend Section 147 of the Welfare and Institutions Code, relating to the solicitation of charitable contributions.

Referred to Committee on Social Welfare.

**Senate Bill No. 929:** By Senator Abshire—An act to amend Section 7500.5 of the Welfare and Institutions Code, relating to community mental hygiene clinics.

Referred to Committee on Social Welfare.

**Senate Bill No. 930:** By Senator Abshire—An act to amend Section 633 of the Unemployment Insurance Code, relating to the exclusion of persons employed by instrumentalities of state or political subdivisions.

Referred to Committee on Social Welfare.

**Senate Bill No. 931:** By Senator Abshire—An act to amend Section 3 of the Abshire-Kelly Salinity Control Barrier Act of 1953, relating to barriers for salinity and flood control purposes.

Referred to Committee on Transportation.

**Senate Bill No. 932:** By Senator Abshire—An act to add Section 139.261 to the Vehicle Code, relating to rules and regulations of the California Highway Patrol.

Referred to Committee on Transportation.

**Senate Bill No. 933:** By Senator Abshire—An act to amend Section 28120 of the Government Code, relating to compensation for public service in counties of the twentieth class.

Referred to Committee on Local Government.

**Senate Bill No. 934:** By Senator Abshire—An act to add Division 11a, comprising Sections 720 to 720.15, inclusive, to the Vehicle Code, relating to the transportation of explosives.

Referred to Committee on Transportation.

**Senate Bill No. 935:** By Senators Brown, Berry, and Harold T. Johnson—An act to add Chapter 2.6 to Division 1, Title 2, of the Government Code, creating a California-Nevada Interstate Compact Commission and prescribing its powers and duties, and to provide an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 936:** By Senator Breed—An act to add Section 526.1 to the Streets and Highways Code, relating to one-way traffic in subterranean tubes.

Referred to Committee on Transportation.



**Senate Bill No. 937:** By Senator Breed—An act to add Sections 11723, 11724, and 11725 to the Health and Safety Code, relating to the establishment of narcotic rehabilitation clinics and making an appropriation therefor.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 938:** By Senator Dale C. Williams—An act to amend Section 28151 of the Government Code, relating to compensation for public service in a county of the fifty-first class.

Referred to Committee on Local Government.

**Senate Bill No. 939:** By Senator Dale C. Williams—An act to amend Section 28145 of the Government Code, relating to compensation for public service in a county of the forty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 940:** By Senator Dale C. Williams—An act to amend Section 28141 of the Government Code, relating to compensation for public service in a county of the forty-first class.

Referred to Committee on Local Government.

**Senate Bill No. 941:** By Senator Dale C. Williams—An act to amend Section 441 of the Education Code, relating to the superintendent of schools of a county of the forty-first class.

Referred to Committee on Education.

**Senate Bill No. 942:** By Senator Dale C. Williams—An act to amend Section 445 of the Education Code, relating to the superintendent of schools of a county of the forty-fifth class.

Referred to Committee on Education.

**Senate Bill No. 943:** By Senator Dale C. Williams—An act transferring the administration of water resources to the Department of Natural Resources.

Referred to Committee on Water Resources.

**Senate Bill No. 944:** By Senator Dale C. Williams—An act to amend Section 211a of the Penal Code, relating to the degrees of robbery.

Referred to Committee on Judiciary.

**Senate Bill No. 945:** By Senator Dale C. Williams—An act to add Sections 50 and 51 to the Construction and Employment Act (Statutes of 1946 (First Extraordinary) Session, Chapter 20), relating to the allocation of funds to cities, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 946:** By Senator Berry—An act to add Article 2.5 to Chapter 1 of Division 5 of the Public Resources Code, relating to historical routes.

Referred to Committee on Transportation.

**Senate Bill No. 947:** By Senator Berry—An act to add Article 2.5 to Chapter 1 of Division 5 of the Public Resources Code, relating to historical routes.

Referred to Committee on Transportation.

**Senate Bill No. 948:** By Senator Berry—An act to amend Section 1822 of the Education Code, relating to school district elections.

Referred to Committee on Education.

**Senate Bill No. 949:** By Senator Richards—An act to add Chapter 8 to Part 4 of Division 6 of, and to amend Section 7409 of, the Welfare and Institutions Code, relating to the establishment and operation of the Neuropsychiatric Institute in the City of Los Angeles.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 950:** By Senator Richards—An act to amend Section 1 of the Labor Code, relating to labor and employment relations.

Referred to Committee on Labor.

**Senate Bill No. 951:** By Senator Richards—An act to amend Section 1 of the Military and Veterans Code, relating to military and veterans' affairs, and national defense.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 952:** By Senator Richards—An act to amend Section 1 of the Penal Code, relating to crimes, their prevention and punishment.

Referred to Committee on Judiciary.

**Senate Bill No. 953:** By Senator Richards—An act to amend Section 1 of the Probate Code, relating to probate.

Referred to Committee on Judiciary.

**Senate Bill No. 954:** By Senator Richards—An act to amend Section 1 of the Public Resources Code, relating to natural resources.

Referred to Committee on Natural Resources.

**Senate Bill No. 955:** By Senator Coombs—An act to add Section 36933.1 to the Government Code, relating to city ordinance codes.

Referred to Committee on Local Government.

**Senate Bill No. 956:** By Senator Way—An act to add Section 104.10 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 957:** By Senator Ed. C. Johnson—An act to add Article 9.6 to Chapter 2 of Part 3 of Division 6 of the Water Code, relating to units of the Central Valley Project.

Referred to Committee on Water Resources.

**Senate Bill No. 958:** By Senator Ed. C. Johnson—An act to add Section 11261 to the Water Code, relating to units of the Central Valley Project.

Referred to Committee on Water Resources.

**Senate Bill No. 959:** By Senator Ed. C. Johnson—An act to add Section 118.5 to the Streets and Highways Code, relating to the use of highway rights of way for public utility facilities.

Referred to Committee on Transportation.

**Senate Bill No. 960:** By Senator Brown—An act to add Section 24073.1 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 961:** By Senator Brown—An act to amend Section 8001 of the Welfare and Institutions Code, relating to Indian affairs.

Referred to Committee on Social Welfare.

**Senate Bill No. 962:** By Senator Brown—An act to amend Section 9000 of the Welfare and Institutions Code, relating to Indian affairs.

Referred to Committee on Social Welfare.

**Senate Bill No. 963:** By Senator Brown—An act to amend Section 8025 of the Welfare and Institutions Code, relating to Indian affairs.

Referred to Committee on Social Welfare.

**Senate Bill No. 964:** By Senator Brown—An act to add Section 20813 to the Government Code, relating to the State Employees' Retirement System in respect to credit therein for service under the State Teachers' Retirement System.

Referred to Committee on Education.

**Senate Bill No. 965:** By Senator Brown—An act to add Sections 11458, 11459 and 11466 to, and to repeal Section 11128 of, the Water Code, relating to the Central Valley Project.

Referred to Committee on Water Resources.

**Senate Bill No. 966:** By Senator Gibson—An act to amend Sections 50022.1, 50022.2, 50022.3 and 50022.5 of the Government Code, relating to the enactment of codes by local agencies.

Referred to Committee on Local Government.

**Senate Bill No. 967:** By Senator Dorsey—An act to amend Section 27640 of the Government Code, relating to county counsels.

Referred to Committee on Local Government.

**Senate Bill No. 968:** By Senator Dorsey—An act to repeal Section 5 of Chapter 13 of the 1947 First Extraordinary Session, and to amend Section 512 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 969:** By Senator Dorsey—An act to amend Section 16435 of the Education Code, relating to safety patrols in the public schools.

Referred to Committee on Education.

**Senate Bill No. 970:** By Senator Murdy—An act to add Section 4781.1 to, and to amend Section 4796 of, the Health and Safety Code, relating to an alternative method of issuing bonds of county sanitation districts.

Referred to Committee on Local Government.

**Senate Bill No. 971:** By Senator Murdy—An act to add Article 2.5 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to consolidation of two or more county sanitation districts.

Referred to Committee on Local Government.

**Senate Bill No. 972:** By Senator Murdy—An act to add Section 4793.2 to the Health and Safety Code, relating to the disposition of moneys remaining in the construction fund of a county sanitation district after completion of construction.

Referred to Committee on Local Government.

**Senate Bill No. 973:** By Senator Murdy—An act to amend Section 44 of the Orange County Water District Act, relating to the Orange County Water District.

Referred to Committee on Local Government.

**Senate Bill No. 974:** By Senator Murdy—An act to amend Section 27 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933 as amended), relating to the Orange County Water District and deleting the provisions with respect to replenishment assessments in the event of a basin-wise adjudication.

Referred to Committee on Local Government.

**Senate Bill No. 975:** By Senator Murdy—An act to amend Section 41 of the Orange County Water District Act, relating to the Orange County Water District.

Referred to Committee on Local Government.

**Senate Bill No. 976:** By Senator Murdy—An act to amend Section 3662 of the Public Utilities Code, relating to rates of highway carriers.

Referred to Committee on Transportation.

**Senate Bill No. 977:** By Senator Harold T. Johnson—An act to amend Section 37420 of the Government Code, relating to sale of property by cities.

Referred to Committee on Local Government.

**Senate Bill No. 978:** By Senator Harold T. Johnson—An act to amend Section 38792 of the Government Code, relating to municipal licensing of dogs.

Referred to Committee on Local Government.

**Senate Bill No. 979:** By Senator Harold T. Johnson—An act to amend Section 1062 of the Government Code, relating to absence from the State of municipal officers.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 980:** By Senator John F. McCarthy—An act to repeal Section 14390 of the Government Code, relating to state contracts.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 981:** By Senators Parkman, Ward, Burns, Dale C. Williams, Thompson—An act to add Section 19592.5 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 982:** By Senators Parkman, Burns, Thompson, Ward, and Dale C. Williams—An act to add Section 19480.2 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 983:** By Senators Parkman, Burns, Thompson, Ward, and Dale C. Williams—An act to add Section 19480.1 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 984:** By Senators Parkman, Burns, Thompson, Ward, and Dale C. Williams—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 985:** By Senator Parkman—An act appropriating to the Department of Finance supplies and equipment in the Service Revolving Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 986:** By Senator Parkman—An act to add Article 15 to Chapter 3, Part 2, Division 1 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 987:** By Senator Breed—An act to repeal Division 10 of, and to add Division 10, comprising Sections 24501 to 27509, inclusive, to, the Public Utilities Code, to amend Section 1241 of the Code of Civil Procedure, and to amend Section 1355.1 of the Financial Code, relating to transit districts.

Referred to Committee on Transportation.

**Senate Bill No. 988:** By Senator Parkman—An act to amend Section 31671 of the Government Code, relating to retirement for county employees.

Referred to Committee on Local Government.

**Senate Bill No. 989:** By Senator Grunsky—An act to amend Section 1860.3 of the Insurance Code, relating to the administration, enforcement and interpretation of provisions of the Insurance Code, relating to rates and rate making.

Referred to Committee on Financial Institutions.

**Senate Bill No. 990:** By Senator Burns—An act to amend Section 5200 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Business and Professions.

**Senate Bill No. 991:** By Senator Burns—An act to repeal the Motor Vehicle Transportation License Tax Law (Part 4, Division 2, Revenue and Taxation Code) and establish a new schedule of Weight Fees (Division 6, Section 372 of the Motor Vehicle Code).

Referred to Committee on Transportation.

**Senate Bill No. 992:** By Senator Burns—An act to repeal the Motor Vehicle Transportation License Tax Law (Part 4, Division 2, Revenue and Taxation Code).

Referred to Committee on Transportation.

**Senate Bill No. 993:** By Senator Burns—An act to amend Section 9654 of the Motor Vehicle Transportation License Tax.

Referred to Committee on Transportation.

**Senate Bill No. 994:** By Senator Burns—An act to amend Section 58501 of the Government Code, relating to the District Investigation Law of 1933.

Referred to Committee on Local Government.

**Senate Bill No. 995:** By Senator Burns—An act to amend Sections 7113 and 7114 of the Health and Safety Code, relating to permission and liability for autopsies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 996:** By Senator Grunsky—An act to repeal Section 701 and Section 702 of the Insurance Code and to add Section 701 to said Code, relating to the duration of certificates of authority issued to insurance carriers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 997:** By Senator Grunsky—An act to amend Section 12924 of the Insurance Code, relating to the issuance of subpoenas.

Referred to Committee on Financial Institutions.

**Senate Bill No. 998:** By Senator Grunsky—An act to amend Section 473 of the Code of Civil Procedure, relating to the giving of notice of default judgment.

Referred to Committee on Judiciary.

**Senate Bill No. 999:** By Senator Grunsky—An act to amend Section 3202 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1000:** By Senator Cunningham—An act to add Article 6 to Chapter 5 of Title 1 of Part 3 of the Penal Code, relating to the employment of prisoners in farm work.

Referred to Committee on Judiciary.

**Senate Bill No. 1001:** By Senator Cunningham—An act to add an article heading to be numbered Article 1 to, and to add Article 2, comprising Sections 3405 to 3409, inclusive, to, Chapter 3 of Title 2 of Part 3 of the Penal Code, relating to rehabilitation of female prisoners.

Referred to Committee on Judiciary.

**Senate Bill No. 1002:** By Senators J. Howard Williams and Breed—An act to add Section 1019 to the Education Code, relating to powers of school district governing boards.

Referred to Committee on Education.

**Senate Bill No. 1003:** By Senator Sutton—An act to amend Section 347 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1004:** By Senator Sutton—An act relating to the voluntary adjustment of farm obligations; creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1005:** By Senator Grunsky—An act creating the Santa Cruz County Flood Control and Water Conservation District for the controlling, conservation, diversion, storage and disposition of storm, flood and other surface waters, prescribing the boundaries, organization, operation, management, financing and other powers and duties of the district.

Referred to Committee on Local Government.

**Senate Bill No. 1006:** By Senator Busch—An act to amend Section 11580 of the Insurance Code, relating to liability insurance policies.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1007:** By Senator Collier—An act to amend Section 139.59 of the Vehicle Code, relating to the issuance of badges to retired members of California Highway Patrol.

Referred to Committee on Transportation.

**Senate Bill No. 1008:** By Senator Collier—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a dormitory building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Sections 13115.55 to, and amend Section 13115.6 of, the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1009:** By Senator Collier—An act to amend Section 143.1 of the Streets and Highways Code, relating to the accounting of receipts and expenditures by the State Controller.

Referred to Committee on Transportation.

**Senate Bill No. 1010:** By Senator Collier—An act to amend Sections 306, 317, 320, 356, 362, 379, 470, 484, 490, and 547 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1011:** By Senator Collier—An act to amend Section 2109 of, and repeal Section 600 of, the Streets and Highways Code, relating to expenditure of highway funds.

Referred to Committee on Transportation.

**Senate Bill No. 1012:** By Senators Berry, Cunningham, Montgomery, and Burns—An act to amend Section 438 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1013:** By Senators Berry, Cunningham, Burns, and Cobey—An act to add Section 556 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1014:** By Senators Berry, Cunningham, Burns, and Byrne—An act to add Section 557 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1015:** By Senators Cunningham, Gibson, Kraft, and Desmond—An act to amend Section 110 of, and to add Section 110.5 to, the Revenue and Taxation Code, relating to the assessment of possessory interests.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1016:** By Senator Cunningham—An act to add Section 6955.5 to the Labor Code, relating to equipment required for cabooses.

Referred to Committee on Labor.

**Senate Bill No. 1017:** By Senator Cunningham—An act to add Section 694.9 to the Vehicle Code, relating to width of loads.

Referred to Committee on Transportation.

**Senate Bill No. 1018:** By Senator Hulse—An act to add Section 653 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1019:** By Senator Hulse—An act to add Section 680.5 to the Streets and Highways Code, relating to contracts for the costs of removal, relocation and repair of facilities on state highways which are not freeways.

Referred to Committee on Transportation.



**Senate Bill No. 1020:** By Senator Hulse—An act to amend Section 364 of the Streets and Highways Code, relating to State Highway Route 64.

Referred to Committee on Transportation.

**Senate Bill No. 1021:** By Senator Hulse—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 1022:** By Senator Hulse—An act to amend Sections 4656.2, 4671, and to repeal Sections 3660 and 3661 of the Revenue and Taxation Code, relating to tax-deeded lands.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1023:** By Senator Hulse—An act to amend Section 1773 of the Labor Code, relating to public works.

Referred to Committee on Labor.

**Senate Bill No. 1024:** By Senator Hulse—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 362 of the Statutes of 1953, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1025:** By Senator Hulse—An act to repeal Chapter 1466 of the Statutes of 1949, relating to property taxation, including the assessment and equalization of property therefor, the adjustment of assessments for allocations of state funds, and the adjustment of tax rates to promote equity in tax burdens, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1026:** By Senator Hulse—An act to repeal Section 628.5 of the Unemployment Insurance Code, relating to unemployment insurance with respect to services excepted from coverage thereunder.

Referred to Committee on Social Welfare.

**Senate Bill No. 1027:** By Senator Hulse—An act to amend Section 1463 of the Penal Code, relating to disposition of fines and forfeitures.

Referred to Committee on Judiciary.

**Senate Bill No. 1028:** By Senator Hulse—An act to amend Sections 18850 and 18853 of the Government Code, relating to salaries of state employees.

Referred to Committee on Local Government.

**Senate Bill No. 1029:** By Senator Way—An act to amend Section 709 of, and to add Section 709.5 to, the Vehicle Code, relating to vehicle and load weight limitations.

Referred to Committee on Transportation.

**Senate Bill No. 1030:** By Senators McBride, Brown, Burns, Collier, and Sutton—An act to add Chapter 7 to Division 12 of the Education Code, providing that the State of California enter into a compact with the Eleven Western States and the Territories of Alaska and Hawaii, each or all, to promote the better cooperation in higher education in certain professional sciences, and to create the Western Interstate Commission for Higher Education; providing for the members of such commission for the State of California; providing for the administration of the provisions of said compact and the participation of this State therein; and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1031:** By Senators McBride, Cunningham, and Teale—An act to add Chapter 13 to Division 4 of, to add Article 14.3 to Chapter 15 of Division 3 of, and to add Section 5153.3 to, the Education Code, relating to the education of emotionally disturbed children.

Referred to Committee on Education.

**Senate Bill No. 1032:** By Senators McBride, Brown, Burns, Collier, and Sutton—An act to add Section 3600.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1033:** By Senator McBride—An act to amend Section 7538 of the Business and Professions Code, relating to private detectives.

Referred to Committee on Business and Professions.

**Senate Bill No. 1034:** By Senators Thompson and Erhart—An act relating to soil conservation and making an appropriation.

Referred to Committee on Natural Resources.

**Senate Bill No. 1035:** By Senator Thompson—An act to amend Section 5071 of the Public Resources Code, relating to riding and hiking trails.

Referred to Committee on Natural Resources.

**Senate Bill No. 1036:** By Senators Thompson and Erhart—An act to amend Section 6503 of the Business and Professions Code, relating to barbers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1037:** By Senator Donnelly—An act to amend Section 9601.1 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1038:** By Senator Donnelly—An act to amend Section 2863 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1039:** By Senator Donnelly—An act to amend Section 7141 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1040:** By Senators John F. McCarthy, Montgomery, Abshire, Erhart, Gibson, Ed. C. Johnson, J. Howard Williams, Parkman, Byrne, Donnelly, Miller, Dale C. Williams, Burns, Teale, and Cunningham—An act to amend Section 19572 of, and to add Section 19578.5 to, the Government Code, relating to disciplinary proceedings against civil servants.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1041:** By Senators John F. McCarthy, Montgomery, Ed. C. Johnson, Erhart, Gibson, Parkman, Abshire, J. Howard Williams, Donnelly, Byrne, Miller, Dale C. Williams, Teale, Burns, and Cunningham—An act to repeal Article 2 of Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code, relating to investigations and hearings by state departments.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1042:** By Senator Dale C. Williams—An act to repeal Sections 132, 145, and 146 of the Fish and Game Code, relating to game refuge districts.

Referred to Committee on Fish and Game.

**Senate Bill No. 1043:** By Senator Desmond—An act to add Section 25659.5 to, and to amend Section 25660 of, the Business and Professions Code, relating to documentary evidence of majority.

Referred to Committee on Business and Professions.

**Senate Bill No. 1044:** By Senator Desmond—An act to amend Section 3125 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1045:** By Senator Desmond—An act to amend Section 54425 and 54515 of the Government Code, relating to revenue bonds, the apportionment of maintenance and operation costs from revenues, and the sufficiency of charges to pay required amounts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1046:** By Senator Desmond—An act to amend Section 8728 of the Education Code, relating to the payment of tuition of high school pupils residing in elementary school districts not in high school districts.

Referred to Committee on Education.

**Senate Concurrent Resolution No. 30:** By Senator Dorsey—Relative to commending the American Legion for organizing American Legion Junior Baseball and requesting the Governor to set aside a day to be known as "American Legion Junior Baseball Day."

Referred to Committee on Rules.

Assistant Secretary Lachlan Richards at the Desk

**Senate Concurrent Resolution No. 31:** By Senator Cunningham—Relative to the rehabilitation of the natural Arrowhead landmark situated in San Bernardino County.

**Request for Unanimous Consent**

Senator Cunningham asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 31, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 31**

**Senate Concurrent Resolution No. 31**—Relative to the rehabilitation of the natural Arrowhead landmark situated in San Bernardino County.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Sutton, Teale, Thompson, Way, Dale C. Williams, and J. Howard Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 2

And reports the same correctly engrossed.

WARD, Chairman

**ADJOURNMENT**

At 3.05 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 2 p.m., Wednesday, January 19, 1955, out of respect to the memory of the late Laura Dickinson Prentice.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWELFTH LEGISLATIVE DAY  
SEVENTEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, January 19, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Weybret, on motion of Senator Harold T. Johnson, due to illness.

Senator Short, on motion of Senator Harold T. Johnson, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Russel Hadwiger of Riverside and Delbert Crane of Elsinore.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Aaron M. Sargent of San Francisco.

On request of Senators Desmond, Thompson, Coombs, and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for

this day was unanimously extended to W. C. Wright, president, Board of Directors, California State Fair; and Dudley Fortin, secretary-manager, California State Fair, both of Sacramento.

On request of Senators Montgomery and Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Merle P. Bigenho of Richmond.

On request of Senators Montgomery, Miller, and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. G. Buchanan, Contra Costa County Supervisor, and Mrs. Buchanan.

On request of Senators Dorsey and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Patterson Goodrich of Los Angeles.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal John Niles, bus driver Charles Bradford, and the following students from Princeton Elementary School: Anita Aldama, Frances Dowden, Rose Ida Ignoffo, Janice Lohman, Glenda Miller, Bernoy Bradford, Franklin Gomes, Tony Lopez, Rommie Mendivel, John O'Neal, Bob Pina, Evan Winn, Nyla Gomez, Pat Gomez, Arvada Freeman, Cora Southam, Joe Bach, Dwace Bryant, Rymun Bryant, Dick Carriere, Don Dyson, Manuel Massa, Mike Piaz, Wayne Rankin, Bill Reed, and Earl Shuman.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Manuel Vassos of Benicia.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Scout Leader Bob McDonald and the following scouts from Piedmont: Bill Poulton, Matt Lifschiz, Ron Weiss, Ron Rau, Tom Medanich, Steve Kay, John McDonald, Mark Huntley, and Jim Parsons.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred J. Brown and Mimi L. Brown of Universal City, Los Angeles County.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to M. J. Wadleigh of San Francisco.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Florence Berry of Placerville.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 84

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 23

Senate Concurrent Resolution No. 28

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By RICHARD BARBEAU, Assistant Clerk

Above resolutions ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 41

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 41**—Relative to commending the American Legion for organizing American Legion junior baseball and requesting the Governor to set aside a day to be known as "American Legion Junior Baseball Day."

**Request for Unanimous Consent**

Senator Dorsey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 41, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 41

**Assembly Concurrent Resolution No. 41**—Relative to commending the American Legion for organizing American Legion junior baseball and requesting the Governor to set aside a day to be known as "American Legion Junior Baseball Day."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

## ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 149

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk



**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bill was read the first time:

**Assembly Bill No. 149**—An act to amend Section 701 of the Unemployment Insurance Code, relating to the elective coverage of federal credit unions, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 652

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By RICHARD BARBEAU, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bill was read the first time:

**Assembly Bill No. 652**—An act to amend Section 24955 of the Water Code, relating to payment of interest on bonds of irrigation districts and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 29

Assembly Concurrent Resolution No. 32

Assembly Concurrent Resolution No. 30

Assembly Concurrent Resolution No. 35

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By RICHARD BARBEAU, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 29**—Relative to commending Arthur B. Krim, Max Youngstien, and William Heineman of the United Artists Corporation, for the production and release of "Romeo and Juliet."

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 29**

**Assembly Concurrent Resolution No. 29**—Relative to commending Arthur B. Krim, Max Youngstien, and William Heineman of the United Artists Corporation, for the production and release of "Romeo and Juliet."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read the first time:

**Assembly Concurrent Resolution No. 30**—Relative to congratulating Judge Sherrill Halbert on his appointment to the United States District Court for the Northern District of California.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 32**—Relative to commending Miss Maureen Connolly.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 35**—Relative to commending Rotary International upon the occasion of the celebration of its golden anniversary.

Referred to Committee on Rules.

#### MOTION TO CONGRATULATE BARTON B. BEEK

Senator Murdy moved that the Senate congratulate Barton B. Beek, the eldest son of Joseph A. Beek, Secretary of the Senate, upon his successfully passing the State Bar and establishing a law office in partnership with John M. Knowles, in Laguna Beach, Orange County.

Motion carried.

#### LETTER OF TRANSMITTAL

January 19, 1955

*Hon. Harold J. Powers, President and Members of the Senate*

GENTLEMEN: Your Senate Special Committee on Governmental Administration created by Senate Resolution 157 (Senate Journal June 10, 1953, page 4145) presents herewith a partial report of its activities and the results of its study on the State purchasing practices and procedures, together with its recommendations.

Respectfully submitted by,

GEORGE MILLER, JR., Chairman  
J. HOWARD WILLIAMS, Vice Chairman  
HAROLD T. JOHNSON  
JOHN F. MCCARTHY  
RANDOLPH COLLIER

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### Motion to Print Report

Senator Miller moved that 2500 copies of the partial report submitted by the Senate Special Committee on Governmental Administration be printed for distribution.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, January 18, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency to which was referred:

Assembly Bill No. 408

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

PARKMAN, Chairman

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 408, at this time, for consideration of committee amendments.

**CONSIDERATION OF ASSEMBLY BILL NO. 408**

**Assembly Bill No. 408**—An act to repeal Chapter 8 of Part 3, Division 3, Title 2 of, and to add Part 4 to Division 5 of Title 2 of the Government Code, relating to agreements for social security coverage of employees of public agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 2, between lines 31 and 32, of the printed bill as amended in Assembly January 14, 1955, insert

"23025.5. The provisions of this chapter shall not be applicable to any employees of a public agency who are members of the State Teachers' Retirement System or who are teacher members of a local retirement system as defined in Section 14271 of the Education Code."

**Amendment No. 2**

On page 2, line 50, strike out "Legislature", and insert "legislative".

**Amendment No. 3**

On page 3, line 17, strike out "(3)".

**Amendment No. 4**

On page 3, line 22, strike out "(3) (C)".

**Amendment No. 5**

On page 3, line 33, strike out "(3)".

**Amendment No. 6**

On page 3 after the comma at the end of line 33, insert "and that the protection afforded employees in positions covered by the retirement system as to which such referendum has been had, as well as those receiving periodic benefits under such retirement system, will not be impaired as a result of making an agreement, bringing such employees under social security in accordance with the declared policy of the Congress set forth in Section 218 (d) of the Social Security Act,".

**Amendment No. 7**

On page 3, between lines 34 and 35, insert

"23027.5. Notwithstanding any other provision of this part, no employees of a public agency who are in positions covered by a retirement system or who are receiving periodic benefits under such retirement system shall be included in an agreement pursuant to this part where such inclusion will impair the protection afforded

such employees by such retirement system, or where such protection has been impaired as a result of legislative enactment in anticipation of such inclusion."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Motion to Print With a Rush Order**

Senator Desmond moved that Assembly Bill No. 408 be sent to print with a rush order.

Motion carried.

**REPORTS OF STANDING COMMITTEES**

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Finance, to which was referred

Senate Bill No. 1

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

**Request for Unanimous Consent**

Senator Harold T. Johnson asked for, and was granted, unanimous consent to take up Senate Bill No. 1, at this time, for consideration.

**CONSIDERATION OF SENATE BILL NO. 1**

**Senate Bill No. 1**—An act relating to the holding of winter Olympic games in California, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Bill No. 409

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 48

Senate Concurrent Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.



SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Joint Resolution No. 7

Assembly Concurrent Resolution No. 37

Assembly Concurrent Resolution No. 16

Assembly Concurrent Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE JOINT RESOLUTION NO. 5

Senator Dilworth moved that Senate Joint Resolution No. 5 be withdrawn from Committee on Natural Resources and re-referred to Committee on Water Resources.

Motion carried.

#### RESOLUTIONS

The following resolution was offered:

By Senator Burns:

##### Senate Resolution No. 49

##### Relative to the Feather River Project

WHEREAS, Many bills relative to the Feather River Project have been introduced in this session of the Legislature; and

WHEREAS, The Division of Water Resources, Department of Public Works, has conducted extensive studies and surveys and is preparing a report relative to the feasibility of the Feather River Project; and

WHEREAS, It is essential to the proper consideration of the legislation during the constitutional recess that members of the Senate have made available to them all available information concerning the Feather River Project; now, therefore, be it

*Resolved by the Senate of the State of California,* That the State Engineer is requested to make available to each member of the Senate, on or before February 10, 1955, a copy of the Feasibility Report on the Feather River Project, together with a summary of all other information in the possession of the Division of Water Resources, Department of Public Works, relative to the Feather River Project; and be it further

*Resolved,* That the Secretary of the Senate transmit a copy of this resolution to the State Engineer.

Resolution read, and referred to Committee on Rules.

#### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**Senate Joint Resolution No. 2**—Relative to repair of Morro Bay Breakwater.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 4**—Relative to the compensation of postal employees.

Resolution read, and presented by Senator Richards.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Regan, Richards, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—27.

NOES—Abshire—1.

Resolution ordered transmitted to the Assembly.

## REQUEST FOR UNANIMOUS CONSENT

Senator Robert I. McCarthy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 38, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 38

**Assembly Concurrent Resolution No. 38**—Relative to commending the United States Junior Chamber of Commerce on the occasion of the celebration of its thirty-fifth anniversary.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assistant Secretary Lachlan Richards at the Desk

## Request for Unanimous Consent

Senator Ward asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 16, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16

**Assembly Concurrent Resolution No. 16**—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

# INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 1047:** By Senator Ward—An act to repeal Section 18109 of the Health and Safety Code, relating to the preservation of public health and safety, including the health and safety of persons, the custody and disposition of dead bodies, the safety and protection of property; and matters incidental thereto.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1048:** By Senator Brown—An act to add Section 5039 to the Public Resources Code, relating to the State Park System, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1049:** By Senator Regan—An act to amend Section 28155 of the Government Code, relating to compensation for public service in a county of the fifty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 1050:** By Senator Regan—An act to amend Section 455 of the Education Code, relating to the superintendent of schools in a county of the fifty-fifth class.

Referred to Committee on Education.

**Senate Bill No. 1051:** By Senator Regan—An act to amend Section 435 of the Education Code, relating to the superintendent of schools in a county of the thirty-fifth class.

Referred to Committee on Education.

**Senate Bill No. 1052:** By Senator Regan—An act to amend Section 28135 of the Government Code, relating to compensation for public service in a county of the thirty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 1053:** By Senator Regan—An act to transfer funds appropriated by the Budget Act of 1952 to the General Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 1054:** By Senator Regan—An act to amend Section 1023 of the Probate Code, relating to distribution of estates.

Referred to Committee on Judiciary.

**Senate Bill No. 1055:** By Senator Regan—An act to amend Sections 14225, 14229, 14230, and 14237 of, and to add Section 14153.5 to, the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Referred to Committee on Local Government.

**Senate Bill No. 1056:** By Senator Regan—An act to amend Section 75070 of the Government Code, relating to the retirement of judges.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1057:** By Senator Regan—An act to amend Section 75033 of the Government Code, relating to the retirement of judges.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1058:** By Senator Regan—An act to amend Section 75032, to repeal Section 75061 of, and to add Section 75060.5 to, the Government Code, relating to the retirement of Judges.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1059:** By Senator Regan—An act to add Section 75030.5 to the Government Code, relating to retirement of judges.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1060:** By Senator Regan—An act to amend Section 69101 of the Government Code, relating to the compensation of justices and judges of courts of record.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1061:** By Senators Regan, Cobey, Richards, Miller, Desmond, Ward, Robert I. McCarthy, Coombs, and Cunningham—An act to amend Section 68841 of the Government Code, relating to the Clerk of the Supreme Court.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1062:** By Senator Regan—An act to add Section 1714.1 to the Civil Code, relating to liability of parents and guardians for torts of minors.  
Referred to Committee on Judiciary.

**Senate Bill No. 1063:** By Senators Regan and Cunningham—An act to amend Section 1714 of the Civil Code and Section 625 of the Code of Civil Procedure, relating to comparative negligence.  
Referred to Committee on Judiciary.

**Senate Bill No. 1064:** By Senator Regan—An act to add Section 207a to the Civil Code, relating to liability of parents for torts of minors.  
Referred to Committee on Judiciary.

**Senate Bill No. 1065:** By Senator Coombs—An act to amend Sections 34080, 34302, 34318, 34321, 34326, 34403, 34405, 34407, 34409, 34452, 34600, 34605, 34606, 34607, 34700, 34876, 35729, 35837, 35838, 36501, 36511, 37113, 37421, 37600, 37650, 38600, 38601, 38630, 38631, 38660, 38791, 38792, 40601, and 51300; the headings of Chapters 5 and 6 and Articles 3 and 4 of Chapter 7, Part 1, Division 2, Title 4; the headings of Articles 2 and 4 of Chapter 2, Article 3 of Chapter 5, Article 2 of Chapter 6, Articles 1 and 3 of Chapter 13, Articles 2 and 4 of Chapter 14, Article 3 of Chapter 15, and Articles 1 and 3 of Chapter 18, Part 2, Division 3, Title 4; the headings of Articles 4 and 5, Chapter 1, Division 4, Title 4; and the heading of Article 2, Chapter 2, Division 5, Title 4 of; to repeal Sections 34100 to 34120, inclusive, 34601 to 34604,



inclusive, 34608, 34850, 34870, 36500, 36800, 36930, 37112, 37200, 37381, 37540, 37900, 37930, 38602, to 38610, inclusive, 38632, 38633, 38770, 38772, 38793, 38794, 38901, 39500, 39730, 39960, 40400, 40600, 40605, 40606, 40800, 41000, 41200, 41600, 41800, 43060, 45340, and 55630; Articles 1 and 2 of Chapter 7, Part 1, Division 2, Title 4; Chapter 2, Part 1, Division 3, Title 4; Article 2 of Chapter 1, Article 3 of Chapter 2, Article 2 of Chapter 4, Article 3 of Chapter 14, Article 4 of Chapter 15, and Article 2 of Chapter 18, Part 2, Division 3, Title 4; Article 2 of Chapter 2, Article 2 of Chapter 3, Article 2 of Chapter 6, Article 2 of Chapter 7, and Chapter 8, Part 3, Division 3, Title 4; and Article 2, Chapter 1, Division 4, Title 4; and the heading of Chapter 1, Part 1, Division 3, Title 4; the headings of Article 1 of Chapter 1 and Article 1 of Chapter 4, Part 2, Division 3, Title 4; the headings of Article 1 of Chapter 2, Article 1 of Chapter 3, Article 1 of Chapter 6, and Article 1 of Chapter 7, Part 3, Division 3, Title 4; and the heading of Article 3, Chapter 1, Division 4, Title 4 of; and to add Sections 34100, 34101, and 34102 to, the Government Code; to amend Sections 2102.1, 2103, 2103.1, 4623, and 14108, and to repeal Section 4622 of, the Education Code; to amend Sections 5932.5, 9700, 9705, 10000, and 11170, and the headings of Chapters 2 and 3, Part 2, Division 11, and to repeal Section 9704 of, the Elections Code; and to amend Section 555 of the Labor Code; relating to the classification of cities.

Referred to Committee on Local Government.

**Senate Bill No. 1066:** By Senator Richards—An act to provide for a commission for the investigation and study of state and local taxation, defining its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1067:** By Senator Richards—An act to add Section 376 to the Education Code, relating to employees of county superintendents of schools.

Referred to Committee on Education.

**Senate Bill No. 1068:** By Senator Richards—An act to amend Section 370 of the Education Code, relating to employees of county superintendents of schools.

Referred to Committee on Education.

**Senate Bill No. 1069:** By Senator Richards—An act to amend Section 3356, and to add Article 2 to Chapter 1, Part 6, Division 1, of the Revenue and Taxation Code, relating to real property taxation and the publication of delinquent lists.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1070:** By Senator Richards—An act to amend Section 1 of the Public Utilities Code, relating to public utilities and other regulated businesses.

Referred to Committee on Public Utilities.

**Senate Bill No. 1071:** By Senator Richards—An act to amend Section 1 of the Revenue and Taxation Code, relating to taxation and the raising of revenue.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1072:** By Senator Richards—An act to amend Section 1 of the Streets and Highways Code, relating to public ways and appurtenances thereto.

Referred to Committee on Transportation.

**Senate Bill No. 1073:** By Senator Richards—An act to amend Section 31 of the Vehicle Code, relating to vehicles and vehicular traffic.

Referred to Committee on Transportation.

**Senate Bill No. 1074:** By Senator Richards—An act to amend Section 102 of the Water Code, relating to the ownership and use of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1075:** By Senator Richards—An act to amend Section 19 of the Welfare and Institutions Code, relating to public protection, care, and assistance to the needy and distressed.

Referred to Committee on Social Welfare.

**Senate Bill No. 1076:** By Senator Richards—An act to amend Section 141 of the Unemployment Insurance Code, relating to unemployment and disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1077:** By Senator Richards—An act to amend Section 100 of the Welfare and Institutions Code, relating to the Department of Social Welfare.

Referred to Committee on Social Welfare.

**Senate Bill No. 1078:** By Senator Richards—An act to amend Section 1710 of the Welfare and Institutions Code, relating to the Department of the Youth Authority.

Referred to Committee on Social Welfare.

**Senate Bill No. 1079:** By Senator Richards—An act to amend Section 7500 of the Welfare and Institutions Code, relating to the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

**Senate Bill No. 1080:** By Senator Abshire—An act to add Section 1960 to the Unemployment Insurance Code, relating to farm placement services.

Referred to Committee on Social Welfare.

**Senate Bill No. 1081:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to add Chapter 9 to Part 3 of Division 2 of the Labor Code, relating to records of labor unions.

Referred to Committee on Labor.

**Senate Bill No. 1082:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to add Section 9414 to the Government Code, relating to witnesses before legislative committees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1083:** By Senators Abshire, Montgomery, and J. Howard Williams—An act to add Chapter 9 to Part 3 of Division 2 of the Labor Code, relating to the control and operation of local units of labor organizations.

Referred to Committee on Labor.

**Senate Bill No. 1084:** By Senators Abshire, Montgomery, and J. Howard Williams—An act to add Chapter 4.5 to Part 3, Division 2 of the Labor Code, consisting of Section 1075, relating to labor unions.

Referred to Committee on Labor.

**Senate Bill No. 1085:** By Senators Abshire and J. Howard Williams—An act to add Section 1253.1 to the Unemployment Insurance Code, relating to unemployment compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1086:** By Senator Murdy—An act to amend Section 484 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1087:** By Senator Murdy—An act to add Section 40 to Chapter 47 of the Statutes of 1944, Fourth Extraordinary Session, relating to postwar public works programs, making an appropriation to be allocated to cities incorporated on or after November 30, 1953, and before April 21, 1954, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 1088:** By Senator Ed. C. Johnson—An act to amend Section 1463 of the Penal Code, relating to disposition of fines and forfeitures.

Referred to Committee on Judiciary.

**Senate Bill No. 1089:** By Senator Murdy—An act to add Chapter 6 to Division 1, Title 2 of the Government Code, relating to state office buildings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1090:** By Senator Murdy—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers.

Referred to Committee on Agriculture.

**Senate Bill No. 1091:** By Senator Collier—An act to amend Sections 6006.5, 6201, and 6367 of, and to add Sections 6021, 6248, and 6404 to, the Revenue and Taxation Code, and to amend Section 148 of the Vehicle Code and to add Section 148.5 thereto, relating to sales and use taxes in respect to motor vehicles and to registration of motor vehicles.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1092:** By Senators Dale C. Williams and Regan—An act to amend Section 330 of the Fish and Game Code, relating to wild-life management areas.

Referred to Committee on Fish and Game.

**Senate Bill No. 1093:** By Senator Sutton—An act to amend Section 860 of the Fish and Game Code, relating to fishing with nets.

Referred to Committee on Fish and Game.

**Senate Bill No. 1094:** By Senator Sutton—An act to add Section 203.6 to the Welfare and Institutions Code, relating to county hospitals.

Referred to Committee on Social Welfare.

**Senate Bill No. 1095:** By Senator Sutton—An act to amend Section 28143 of the Government Code, relating to compensation for public service in a county of the forty-third class.

Referred to Committee on Local Government.

**Senate Bill No. 1096:** By Senator Sutton—An act to amend Section 28148 of the Government Code, relating to compensation for public service in a county of the forty-eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 1097:** By Senator Sutton—An act to amend Section 28148 of the Government Code, relating to compensation for public service in a county of the forty-eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 1098:** By Senator Sutton—An act to amend Section 690.3 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Referred to Committee on Judiciary.

**Senate Bill No. 1099:** By Senator Donnelly—An act to amend Section 16474 of the Government Code, relating to investment of Surplus Money Investment Fund money.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1100:** By Senator Donnelly—An act to amend Section 16305.5 of the Government Code, relating to deposit or investment of Treasury trust account funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1101:** By Senator Busch—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1102:** By Senator Coombs—An act to amend Section 86.1 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.



**Senate Bill No. 1103:** By Senators Berry, Cobey, Donnelly, Harold T. Johnson, Short, and Burns—An act to add Section 558 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1104:** By Senator Coombs—An act to add Sections 1047, 1048, and 1049 to the Military and Veterans Code, relating to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1105:** By Senator Ed. C. Johnson—An act to amend Section 19100 of the Health and Safety Code, relating to buildings exempted from earthquake protection laws.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1106:** By Senator Ed. C. Johnson—An act to amend Section 19100 of the Health and Safety Code, relating to buildings exempted from earthquake protection laws.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1107:** By Senators Miller, J. Howard Williams, Collier, John F. McCarthy, and Harold T. Johnson—An act to create a Department of Purchases in the State Government and to transfer to said department certain functions of certain other state agencies with respect to state purchases, by repealing Chapter 4 of Part 3, Division 3, Title 2 of the Government Code, and adding Part 3.5 to Division 3 of Title 2 of said code, relating to state purchases.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1108:** By Senators Miller, J. Howard Williams, Collier, John F. McCarthy, and Harold T. Johnson—An act to amend Sections 13391, 13394, and 14251 of, and to add Sections 13402 and 13403 to, the Government Code, relating to purchase of supplies for state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1109:** By Senators Miller, J. Howard Williams, Collier, John F. McCarthy, and Harold T. Johnson—An act to repeal Section 13322 of the Government Code, relating to revision of budgets of state agencies by the Department of Finance.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1110:** By Senator Way—An act to amend Section 1250 of the Harbors and Navigation Code, relating to pilots for Humboldt Bay.

Referred to Committee on Transportation.

**Senate Bill No. 1111:** By Senator Dilworth—An act to amend Section 9702 of the Elections Code, relating to campaign financial statements by candidates for municipal offices.

Referred to Committee on Elections.

**Senate Bill No. 1112:** By Senator Dilworth—An act to amend Section 4919 of the Education Code, relating to the reorganization of school districts.

Referred to Committee on Education.

**Senate Bill No. 1113:** By Senator Dilworth—An act relating to the development of Lake Elsinore and an area adjacent thereto for recreational use by the public, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1114:** By Senator Dilworth—An act to amend Sections 9, 14, and 15 and to repeal Section 25 of the Riverside County Flood Control and Water Conservation District Act, relating to the Riverside County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 1115:** By Senator Dilworth—An act to amend Section 7091 of the Education Code, relating to school apportionments.

Referred to Committee on Education.

**Senate Bill No. 1116:** By Senator Dilworth—An act to amend Section 7779 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1117:** By Senator Dilworth—An act to amend Sections 7033, 7034, 7035, 7037, and 7091 of, and to add Sections 7037.3, 7091.1, 7092.2, 7156, and 7707.2 to, the Education Code, relating to school apportionments, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 1118:** By Senator Dilworth—An act to amend Section 28k of the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), relating to the Palo Verde Irrigation District.

Referred to Committee on Local Government.

**Senate Bill No. 1119:** By Senator Dilworth—An act to amend Section 28114 of the Government Code, relating to the compensation for public service.

Referred to Committee on Local Government.

**Senate Bill No. 1120:** By Senator J. Howard Williams—An act to amend Section 11021 of the Business and Professions Code, relating to subdivided lands and the accrual of causes of action relating thereto.

Referred to Committee on Business and Professions.

**Senate Bill No. 1121:** By Senator J. Howard Williams—An act to add Sections 35408 and 35409 to the Water Code, relating to the powers of California water districts.

Referred to Committee on Local Government.

**Senate Bill No. 1122:** By Senator Breed—An act to add Sections 10183, 10184, 10185, 10186, 10307, 10308, 10309, 10310, 10567, 10568, 10569, 10570 to the Business and Professions Code, relating to disciplinary powers of the Real Estate Commissioner.

Referred to Committee on Business and Professions.

**Senate Bill No. 1123:** By Senator Breed—An act to add Sections 12701, 12702, and 12703 to the Water Code, relating to the project on San Lorenzo Creek in Alameda County for flood control and allied purposes.

Referred to Committee on Local Government.

**Senate Bill No. 1124:** By Senator Murdy—An act to add Sections 50, 51, and 52 to the Construction and Employment Act (Statutes of 1946 (First Extraordinary) Session, Chapter 20), relating to the allocation of funds to cities, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1125:** By Senator Collier—An act to repeal Sections 4247, 4272, and 4291 of the Agricultural Code, relating to marketing of fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 1126:** By Senator Cunningham—An act to add Section 2.5 to the San Bernardino County Flood Control Act (Chapter 73, Statutes of 1939), relating to the powers of the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 1127:** By Senators Donnelly and Gibson—An act to add Article 8 to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to legislative research.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1128:** By Senator Harold T. Johnson—An act to amend Section 9351.3 of the Government Code, relating to the Legislators' Retirement System, and providing for the inclusion of officers of the Senate and of the Assembly therein.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1129:** By Senator Harold T. Johnson—An act to add Section 7615 to the Public Utilities Code, relating to rail track motor cars.

Referred to Committee on Public Utilities.

**Senate Bill No. 1130:** By Senators Byrne, Ed. C. Johnson, Collier, Breed, Grunsky, Murdy, Sutton, Erhart, Montgomery, Coombs, Short, Cobey, Harold T. Johnson, Way, Cunningham, John F. McCarthy, McBride, J. Howard Williams, Dale C. Williams, Donnelly, Busch, Kraft, Gibson, Abshire, Dorsey, Berry, Brown, Ward, Robert I. McCarthy, Dilworth, and Hulse—An act relating to plans for the construction of the Feather River Project.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1131:** By Senator Desmond—An act to amend Section 19578 of the Government Code, relating to presumptions.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1132:** By Senator Desmond—An act to amend the Government Code by adding thereto Section 1098, relating to exceptions to prohibitions applicable to specified officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1133:** By Senator Desmond—An act to amend Section 60600 of the Government Code, relating to community service districts.

Referred to Committee on Local Government.

**Senate Bill No. 1134:** By Senator Desmond—An act to add Section 19576.5 to the Government Code, relating to hearing legal issues and legal defenses.

Referred to Committee on Judiciary.

**Senate Bill No. 1135:** By Senator Desmond—An act to amend Sections 60101, 60102, 60104, 60105, 60106, 60111, 60128, and 60141 of the Government Code, and to amend Sections 60120, 60122, 60123, 60124, 60125, and 60127 (all as added by Chapter 1711 of the Statutes of 1951) of the Government Code, relating to community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 1136:** By Senator Desmond—An act to amend Section 2656 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 1137:** By Senator Desmond—An act to amend Section 3101 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 1138:** By Senator Desmond—An act to amend Section 2655 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1139:** By Senator Desmond—An act to amend Section 3254 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1140:** By Senator Desmond—An act to amend Section 3254 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Social Welfare.



**Senate Bill No. 1141:** By Senator Desmond—An act to amend Section 3254 of the Unemployment Insurance Code, relating to unemployment disability insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1142:** By Senator Desmond—An act to amend Sections 3102 and 3103 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1143:** By Senator Desmond—An act to amend Sections 11380 and 11424 of the Government Code, relating to rules and regulations under the Administrative Procedure Act.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1144:** By Senators McBride, Cunningham, and Teale—An act to add Section 12256.5 to the Revenue and Taxation Code, and Chapter 7.5 to Part 1 of Division 4 of the Labor Code, relating to rehabilitation of industrially disabled workers, and providing funds therefor.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1145:** By Senators Breed and Gibson—An act to add Sections 11018.1, 11018.2, and 11018.3 to the Business and Professions Code, relating to real estate subdivisions.

Referred and Committee on Business and Professions.

**Senate Bill No. 1146:** By Senators Breed and Gibson—An act to add Section 11019.1 to the Business and Professions Code, relating to real estate subdivisions.

Referred and Committee on Business and Professions.

**Senate Bill No. 1147:** By Senators Breed and Gibson—An act to amend Section 11013 of the Business and Professions Code, relating to real estate subdivisions.

Referred and Committee on Business and Professions.

**Senate Bill No. 1148:** By Senators Breed and Gibson—An act to amend Sections 11011.5, 11013, 11019, and 11021 of the Business and Professions Code, relating to real estate subdivisions.

Referred and Committee on Business and Professions.

**Senate Bill No. 1149:** By Senators Breed and Gibson—An act to add Sections 11003 and 11004 to, and to amend Sections 11014 and 11017 of, the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 1150:** By Senators Breed and Gibson—An act to add Section 11019.3 and 11019.4 to the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Business and Professions.

**Senate Bill No. 1151:** By Senator McBride—An act to amend Sections 54425 and 54515 of the Government Code, relating to revenue bonds, the apportionment of maintenance and operation costs from revenues, and the sufficiency of charges to pay required amounts.

Referred to Committee on Business and Professions.

**Senate Bill No. 1152:** By Senators Dilworth and Desmond—An act to add Article 4 to Chapter 3, Division 4 of the Education Code, relating to moral instruction in public schools.

Referred to Committee on Education.

**Senate Bill No. 1153:** By Senator Dilworth—An act to add Section 7714.2 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1154:** By Senator Dilworth—An act to add Sections 1300.14a, 1300.14b, 1300.16a, 2135, 2136, 2259.5, 2679, 2680, 2765.5, 3183.5, 3183.6, and 3270.5, to the Agricultural Code, relating to marketing of agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1155:** By Senator Dilworth—An act to amend Section 19626 of the Business and Professions Code, relating to the allocation of the Fair and Exposition Fund.

Referred to Committee on Business and Professions.

**Senate Bill No. 1156:** By Senator Dilworth—An act to amend Section 1152.7 of the Agricultural Code, relating to marketing of agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1157:** By Senator Dilworth—An act to add Section 1160 to the Agricultural Code, relating to production and marketing of olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1158:** By Senator Dilworth—An act to add Section 1158 to the Agricultural Code, relating to marketing of olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1159:** By Senator Dilworth—An act to add Section 1159 to the Agricultural Code, relating to the production and marketing of olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1160:** By Senator Dilworth—An act to add Section 870.6 to the Agricultural Code, relating to olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1161:** By Senator Dilworth—An act to add Section 870.7 to the Agricultural Code, relating to olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1162:** By Senator Dilworth—An act to add Section 1080.3 to the Agricultural Code, relating to agricultural chemicals.

Referred to Committee on Agriculture.

**Senate Bill No. 1163:** By Senator Dilworth—An act to add Section 1157 to the Agricultural Code, relating to production of olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1164:** By Senator Dilworth—An act to amend Section 872 of the Agricultural Code, relating to olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1165:** By Senator Busch—An act to amend Section 449 of the Education Code, relating to the superintendent of schools of a county of the forty-ninth class.

Referred to Committee on Education.

**Senate Bill No. 1166:** By Senator Busch—An act to amend Section 432 of the Education Code, relating to the superintendent of schools of a county of the thirty-second class.

Referred to Committee on Education.

**Senate Bill No. 1167:** By Senators Gibson, Kraft, and Desmond—An act to amend Sections 6731 and 8727 of the Business and Professions Code, relating to planimetric or topographic mapping by aerial photography or photogrammetry.

Referred to Committee on Business and Professions.

**Senate Bill No. 1168:** By Senators Gibson, Kraft, and Desmond—An act to amend Section 2496 of the Business and Professions Code, relating to fees of Board of Osteopathic Examiners.

Referred to Committee on Business and Professions.

**Senate Bill No. 1169:** By Senators Byrne, Ed. C. Johnson, Grunsky, Breed, Murdy, Sutton, Collier, Erhart, Coombs, Short, Cobey, Harold T. Johnson, Montgomery, Way, Donnelly, Cunningham, John F. McCarthy, McBride, Hulse, J. Howard Williams, Kraft, Gibson, Abshire, Busch, Dorsey, Berry, Brown, Ward, Dilworth, Robert I. McCarthy, and Dale C. Williams—An act relating to the Feather River Project.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1170:** By Senators Byrne, Ed. C. Johnson, Collier, Grunsky, Breed, Murdy, Sutton, Erhart, Montgomery, Short, Cobey, Harold T. Johnson, Way, Busch, Ward, Cunningham, John F. McCarthy, McBride, J. Howard Williams, Kraft, Hulse, Gibson, Donnelly, Abshire, Berry, Dorsey, Brown, Dilworth, Robert I. McCarthy, Dale C. Williams, and Coombs—An act relating to a study in connection with the Feather River Project.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1171:** By Senators Byrne, Ed. C. Johnson, Collier, Grunsky, Breed, Murdy, Sutton, Erhart, Montgomery, Coombs, Short, Cobey, Harold T. Johnson, Way, Busch, Cunningham, John F. McCarthy, McBride, Hulse, Donnelly, J. Howard Williams, Kraft, Gibson, Abshire, Dorsey, Berry, Brown, Ward, Dilworth, Robert I. McCarthy, and Dale C. Williams—An act relating to the acquisition of lands, easements, and rights of way for the Feather River Project.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1172:** By Senators Byrne, Ed. C. Johnson, Collier, Grunsky, Breed, Murdy, Sutton, Erhart, Montgomery, Coombs, Cobey, Harold T. Johnson, Short, Way, Cunningham, John F. McCarthy, McBride, Donnelly, Hulse, J. Howard Williams, Busch, Kraft, Gibson, Abshire, Dorsey, Berry, Brown, Ward, Dilworth, Robert I. McCarthy, and Dale C. Williams—An act relating to the necessity of relocating of railways and highways for purposes of the Feather River Project.

Referred to Committee on Transportation.

**Senate Bill No. 1173:** By Senators Byrne, Ed. C. Johnson, Grunsky, Breed, Murdy, Sutton, Collier, Erhart, Short, Way, Cobey, Montgomery, Cunningham, Harold T. Johnson, John F. McCarthy, McBride, Hulse, Busch, Brown, J. Howard Williams, Kraft, Gibson, Donnelly, Ward, Abshire, Dorsey, Desmond, Berry, Dilworth, Robert I. McCarthy, and Dale C. Williams—An act to add Chapter 10 to Part 3 of Division 6 of the Water Code, relating to construction of the Feather River Project.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1174:** By Senators Byrne, Ed. C. Johnson, Collier, Grunsky, Breed, Murdy, Sutton, Erhart, Montgomery, Coombs, Short, Cobey, Harold T. Johnson, Way, Cunningham, John F. McCarthy, McBride, Donnelly, Hulse, Busch, J. Howard Williams, Dale C. Williams, Kraft, Gibson, Abshire, Dorsey, Berry, Brown, Ward, Dilworth, and Robert I. McCarthy—An act relating to the construction of the Feather River Project.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1175:** By Senator Byrne—An act to provide for meeting the building needs of the State by the adoption of a general construction program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1176:** By Senator Byrne—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to the feeding of garbage to swine.

Referred to Committee on Agriculture.



**Senate Bill No. 1177:** By Senator Byrne—An act to amend Section 4216 of the Agricultural Code, relating to distributors of fluid milk or fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 1178:** By Senator Byrne—An act to amend Section 4310 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1179:** By Senator Byrne—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1180:** By Senator Byrne—An act to add Section 1080.3 to the Agricultural Code, relating to herbicides and injurious pest control materials.

Referred to Committee on Agriculture.

**Senate Bill No. 1181:** By Senator Byrne—An act to amend Section 142.5 of the Vehicle Code, relating to agricultural vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1182:** By Senator Byrne—An act to amend Section 30 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1183:** By Senator Byrne—An act to amend Section 30.5 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1184:** By Senator Byrne—An act to amend Section 30.6 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1185:** By Senator Byrne—An act to amend Section 31 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1186:** By Senator Byrne—An act to amend Section 33 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1187:** By Senator Byrne—An act to amend Section 34 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1188:** By Senator Byrne—An act to amend Section 106 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1189:** By Senator Byrne—An act to amend Section 12100 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Business and Professions.

**Senate Bill No. 1190:** By Senator Byrne—An act to amend Section 12105 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Business and Professions.

**Senate Bill No. 1191:** By Senator Byrne—An act to amend Section 12101 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Business and Professions.

**Senate Bill No. 1192:** By Senator Byrne—An act to amend Section 440 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1193:** By Senator Byrne—An act to amend Section 1153 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1194:** By Senator Byrne—An act to add Section 1636 to the Business and Professions Code, relating to persons authorized to practice dentistry in state institutions.

Referred to Committee on Business and Professions.

**Senate Bill No. 1195:** By Senator Byrne—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine in state institutions.

Referred to Committee on Business and Professions.

**Senate Bill No. 1196:** By Senator Byrne—An act to amend Section 5402 of the Public Resources Code, relating to recreation, park, and parkway districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 1197:** By Senator Byrne—An act to repeal Section 5010 as added by Chapter 533 of the Statutes of 1953 of, and to amend Section 5010 as added by Chapter 1028 of the Statutes of 1953 of, the Education Code, relating to the audit of school funds.

Referred to Committee on Education.

**Senate Bill No. 1198:** By Senator Byrne—An act to repeal Section 5010 as added by Chapter 533 of the Statutes of 1953 of, and to amend Section 5010 as added by Chapter 1028 of the Statutes of 1953 of, the Education Code, relating to the audit of school funds.

Referred to Committee on Education.

**Senate Bill No. 1199:** By Senator Byrne—An act to amend Sections 20343 and 20343.1 of, and to repeal Section 20345 of, the Education Code, relating to student fees at state colleges.

Referred to Committee on Education.

**Senate Bill No. 1200:** By Senator Byrne—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1201:** By Senator Byrne—An act to amend Section 1101 of the Insurance Code, relating to interest of officers of admitted insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1202:** By Senator Byrne—An act to add Section 5416.5 to, and to amend Section 5659 of, the Public Resources Code, relating to public districts organized to provide parks, recreation facilities and parkways.

Referred to Committee on Local Government.

**Senate Bill No. 1203:** By Senator Byrne—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Referred to Committee on Local Government.

**Senate Bill No. 1204:** By Senator Byrne—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Referred to Committee on Local Government.

**Senate Bill No. 1205:** By Senator Byrne—An act to add Section 653 to the Unemployment Insurance Code, relating to excluded employments.

Referred to Committee on Social Welfare.

**Senate Bill No. 1206:** By Senator Gibson—An act to add Section 8753, and to amend Section 8805 of the Business and Professions Code, relating to land surveyors.

Referred to Committee on Business and Professions.

**Senate Bill No. 1207:** By Senator Gibson—An act to amend Sections 6751 and 6753 of the Business and Professions Code, relating to professional engineers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1208:** By Senator Gibson—An act to amend Section 6731 of the Business and Professions Code, relating to civil engineering.

Referred to Committee on Business and Professions.

**Senate Bill No. 1209:** By Senator Gibson—An act to amend Section 18851 of the Education Code, relating to the purchase of school supplies.

Referred to Committee on Education.

**Senate Bill No. 1210:** By Senator Thompson—An act to add Section 1103.08 to the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

**Senate Bill No. 1211:** By Senator Thompson—An act to add Section 69902.5 to the Government Code, relating to county employee retirement systems.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1212:** By Senator Thompson—An act to add Part 11.6 to Division 2 of the Revenue and Taxation Code, relating to the taxation of the privilege of severing timber.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1213:** By Senators Montgomery, Cobey, Erhart, Donnelly, and J. Howard Williams—An act to amend Section 4280 of the Agricultural Code, relating to marketing of milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 1214:** By Senators Montgomery and Cobey—An act to add Chapter 10 to Division 5 of the Agricultural Code, relating to cotton.

Referred to Committee on Agriculture.

**Senate Bill No. 1215:** By Senators Montgomery and Cobey—An act to add Section 12931 to the Business and Professions Code, relating to weighing of cotton.

Referred to Committee on Business and Professions.

**Senate Bill No. 1216:** By Senators Montgomery, Dale C. Williams, Dorsey, Abshire, Erhart, J. Howard Williams, Murdy, and Harold T. Johnson—An act to amend Sections 4600, 4903, and 4906 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1217:** By Senators Montgomery and Cobey—An act to amend Section 12930 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Business and Professions.



**Senate Bill No. 1218:** By Senator Montgomery—An act to amend Section 710 of the Vehicle Code, relating to permits for operation of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1219:** By Senators Montgomery and Burns—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 1220:** By Senators Montgomery and Byrne—An act to add Section 157.6 to the Vehicle Code, relating to registration and regulation of vehicles used exclusively for acceleration contests.

Referred to Committee on Transportation.

**Senate Bill No. 1221:** By Senators Dale C. Williams, Cunningham, Harold T. Johnson, Montgomery, McBride, Collier, Way, Burns, Busch, Richards, Robert I. McCarthy, Cobey, Dorsey, Teale, and Regan—An act to add Division 31 to the Health and Safety Code, relating to the health needs of the State, and making an appropriation.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1222:** By Senator John F. McCarthy—An act to amend Section 30701 of the Water Code, relating to county water districts.

Referred to Committee on Local Government.

**Senate Bill No. 1223:** By Senator John F. McCarthy—An act to amend Section 18908 of the Health and Safety Code, relating to the State Building Standards Code.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1224:** By Senator John F. McCarthy—An act to amend Section 13034 of the Education Code, relating to school principals.

Referred to Committee on Education.

**Senate Bill No. 1225:** By Senator John F. McCarthy—An act to add Section 7711.2 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1226:** By Senator John F. McCarthy—An act to repeal Section 35005 of the Government Code, relating to annexation of territory by cities.

Referred to Committee on Local Government.

**Senate Bill No. 1227:** By Senator John F. McCarthy—An act to amend Sections 11554 and 11557 of the Government Code, relating to salaries of the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1228:** By Senator Busch—An act to amend Section 476a of the Penal Code, relating to passing checks and other commercial paper with insufficient funds.

Referred to Committee on Judiciary.

**Senate Bill No. 1229:** By Senator Berry—An act to add Section 702 to the Vehicle Code, relating to the loading of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1230:** By Senators Berry, Dale C. Williams, and Teale—An act to add Section 705.7 to the Vehicle Code, relating to logging trucks.

Referred to Committee on Transportation.

**Senate Bill No. 1231:** By Senators Berry, Dale C. Williams, and Teale—An act to amend Section 705 of the Vehicle Code, relating to vehicle weight limitations.

Referred to Committee on Transportation.

**Senate Bill No. 1232:** By Senator Teale—An act to add Chapter 5 to Division 1 of the Water Code, relating to state assistance in financing water projects developments.

Referred to Committee on Water Resources.

**Senate Bill No. 1233:** By Senator Teale—An act to repeal Sections 200 to 203, inclusive, 10500 to 10506, inclusive, 12591, 12596, and 12600 of the Water Code, to amend and renumber Section 205 of said code to be Section 211 and to add Sections 200 to 210, inclusive, 1253.5, Part 2 to Division 6, comprising Sections 10500 to 10506, inclusive, and Section 12591 to said code, relating to administration of the water resources of the State.

Referred to Committee on Water Resources.

**Senate Bill No. 1234:** By Senator Teale—An act to add Chapter 6 to Division 1 of the Water Code, relating to cooperative water exchanges.

Referred to Committee on Water Resources.

**Senate Bill No. 1235:** By Senators Thompson and Erhart—An act to add Article 4 to Chapter 16 of Division 9 of the Business and Professions Code, relating to official identification cards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1236:** By Senator Cunningham—An act to amend Section 19049 of the Business and Professions Code, relating to furniture and bedding.

Referred to Committee on Business and Professions.

**Senate Bill No. 1237:** By Senator Cunningham—An act to amend Section 19030 of the Business and Professions Code, relating to furniture and bedding.

Referred to Committee on Business and Professions.

**Senate Bill No. 1238:** By Senator Cunningham—An act to amend Section 19209 of, and to add Article 9.5, comprising Sections 19215 to 19215.8, inclusive, to Chapter 3 of Division 8 of the Business and Professions Code, relating to furniture and bedding.

Referred to Committee on Business and Professions.

**Senate Bill No. 1239:** By Senator Cunningham—An act to amend Section 19200.5 of the Business and Professions Code, relating to furniture and bedding.

Referred to Committee on Business and Professions.

**Senate Bill No. 1240:** By Senator Cunningham—An act to amend Section 19070 of the Business and Professions Code, relating to furniture and bedding.

Referred to Committee on Business and Professions.

**Senate Bill No. 1241:** By Senator Cunningham—An act to add Sections 19063, 19064, 19211, and 19212 to the Business and Professions Code, relating to furniture and bedding.

Referred to Committee on Business and Professions.

**Senate Bill No. 1242:** By Senator Dorsey—An act to add Section 27646 to the Government Code, relating to expenses of the county counsel while representing special districts.

Referred to Committee on Local Government.

**Senate Bill No. 1243:** By Senators Burns, Montgomery, Cobey, Donnelly, and Dorsey—An act to amend Section 438 of the Streets and Highways Code, relating to state highways and tunnel.

Referred to Committee on Transportation.

**Senate Bill No. 1244:** By Senator Robert I. McCarthy—An act to amend Sections 4216 and 4272 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 1245:** By Senator Parkman—An act to amend Section 1194.5 of the Insurance Code, relating to excess funds investments by insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1246:** By Senator Parkman—An act to add Chapter 4 to Division 3 of the Health and Safety Code, relating to psittacine birds and public health.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1247:** By Senator Parkman—An act to add Sections 13777.1 and 23043 to the Government Code, relating to agreements for social security coverage of employees of public agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1248:** By Senator Thompson—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 1249:** By Senators Thompson and Parkman—An act to add Section 536 to the Streets and Highways Code, relating to public highways.

Referred to Committee on Transportation.

**Senate Bill No. 1250:** By Senator Thompson—An act to amend Section 5 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the Santa Clara County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 1251:** By Senator Robert I. McCarthy—An act to amend Section 1254 of the Code of Civil Procedure, relating to condemnation of property for the use of school districts.

Referred to Committee on Judiciary.

**Senate Bill No. 1252:** By Senator Busch—An act to amend Sections 4852.01, 4852.02, 4852.03, 4852.06, and 4852.13, and to repeal Section 4852.18 of, and to add Section 4852.18 to, the Penal Code, relating to certificates of rehabilitation.

Referred to Committee on Judiciary.

**Senate Bill No. 1253:** By Senator Robert I. McCarthy—An act to add Section 13374 to the Government Code, relating to purchases and services.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1254:** By Senator Robert I. McCarthy—An act to add Section 486 to, and to amend Sections 488 and 488.5 of, the Vehicle Code, relating to accident reports.

Referred to Committee on Transportation.

**Senate Bill No. 1255:** By Senator Robert I. McCarthy—An act to add Sections 10202.81 and 10270.51 to the California Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1256:** By Senator Robert I. McCarthy—An act to amend Section 249.01 of the Vehicle Code, relating to the definition of "caravaning."

Referred to Committee on Transportation.

**Senate Bill No. 1257:** By Senator Robert I. McCarthy—An act to amend Section 71221 of the Government Code, relating to municipal and justice courts.

Referred to Committee on Judiciary.



**Senate Bill No. 1258:** By Senator Robert I. McCarthy—An act to amend Section 73300 of the Government Code, relating to salaries in municipal court districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1259:** By Senator Robert I. McCarthy—An act to amend Section 74504 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1260:** By Senator Robert I. McCarthy—An act to amend Section 74503 of the Government Code, relating to the Municipal Court of the City and County of San Francisco.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1261:** By Senator Robert I. McCarthy—An act to amend Section 74505 of the Government Code, relating to the Municipal Court in the City and County of San Francisco.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1262:** By Senator Robert I. McCarthy—An act to amend Section 7044 of the Business and Professions Code, relating to contractors.

Referred to Committee on Business and Professions.

**Senate Bill No. 1263:** By Senator Robert I. McCarthy—An act to amend Section 435.6 of the Health and Safety Code, relating to the amount of assistance to eligible hospitals under the California Hospital Survey and Construction Act.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1264:** By Senator Robert I. McCarthy—An act to add Section 9932 to the Education Code, relating to vocational rehabilitation.

Referred to Committee on Education.

**Senate Bill No. 1265:** By Senator Robert I. McCarthy—An act to amend Section 1272 of the Penal Code, relating to admission to bail upon appeal from conviction.

Referred to Committee on Judiciary.

**Senate Bill No. 1266:** By Senator Robert I. McCarthy—An act to add Sections 311.2 and 311.3 to the Agricultural Code, relating to the purchase and sale of animals unfit for human consumption.

Referred to Committee on Agriculture.

**Senate Bill No. 1267:** By Senator Robert I. McCarthy—An act to add Section 3713.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1268:** By Senator Robert I. McCarthy—An act to add Section 13775.5 to the Government Code, relating to agreements for social security coverage of employees of public agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1269:** By Senator Grunsky—An act to add Section 703.5 to the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1270:** By Senator Thompson—An act to amend Section 213 of the Public Utilities Code, relating to highway common carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 1271:** By Senator Thompson—An act to amend Section 7381 of the Business and Professions Code, relating to cosmetological establishments.

Referred to Committee on Business and Professions.

**Senate Bill No. 1272:** By Senators Thompson and Erhart—An act to amend Section 9531 of the Business and Professions Code, relating to cleaning, dyeing and pressing.

Referred to Committee on Business and Professions.

**Senate Bill No. 1273:** By Senators Grunsky, Thompson, and Burns—An act to add Chapter 4, Division 17 of the Streets and Highways Code, relating to issuance of a franchise to the Commonwealth Water and Toll Road Authority and to the construction and operation of facilities by said authority.

Referred to Committee on Transportation.

**Senate Bill No. 1274:** By Senator Robert I. McCarthy—An act making an appropriation to construct an additional fire boat for the San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1275:** By Senator Parkman—An act to amend Sections 19533 and 19539 of, to repeal Section 19539.5 of, and to add Sections 19535 and 19539.5 to, the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1276:** By Senator Parkman—An act to repeal Section 19532.1 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1277:** By Senator Thompson—An act to amend Sections 5082 of, and to repeal Sections 5082.1 and 5082.2 of, the Business and Professions Code, relating to registration as a public accountant.

Referred to Committee on Business and Professions.

**Senate Bill No. 1278:** By Senator McBride—An act to amend Section 74013 of the Government Code, relating to the municipal court established in a district embracing the City of Oxnard and Port Hueneme.

Referred to Committee on Local Government.

**Senate Bill No. 1279:** By Senator Miller—An act to amend Section 2181 of the Welfare and Institutions Code, relating to income of responsible relatives of applicants for or recipients of aid to the aged.

Referred to Committee on Social Welfare.

**Senate Bill No. 1280:** By Senator Miller—An act to amend Section 13842 of the Education Code, relating to minimum salaries for certificated school employees.

Referred to Committee on Education.

**Senate Bill No. 1281:** By Senator Miller—An act to amend Section 13841.1 of the Education Code, relating to sick leave for certificated employees.

Referred to Committee on Education.

**Senate Bill No. 1282:** By Senator Miller—An act to amend Section 8755 of the Education Code, relating to tuition for junior high school pupils.

Referred to Committee on Education.

**Senate Bill No. 1283:** By Senator Miller—An act to amend Section 13583 of the Education Code, relating to dismissal of probationary employees by school districts.

Referred to Committee on Education.

**Senate Bill No. 1284:** By Senator Robert I. McCarthy—An act to repeal Sections 33275 and 33701 of, and to add Sections 33275, 33701, and 33747 to, the Health and Safety Code, relating to community redevelopment.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1285:** By Senator Miller—An act to amend Section 4362 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1286:** By Senator Way—An act to add Section 481.6 to the Fish and Game Code, relating to pollution of Lost Man Creek in Humboldt County.

Referred to Committee on Fish and Game.

**Senate Bill No. 1287:** By Senator Way—An act to add Section 482.1 to the Fish and Game Code, relating to logs on the Klamath and Trinity Rivers.

Referred to Committee on Fish and Game.

**Senate Bill No. 1288:** By Senator Miller—An act to amend Sections 21601, 21602, 21604, 21612, and 21613 of, and to add 21605 to, the Education Code, relating to the schooling and care of cerebral palsied and other similarly handicapped children.

Referred to Committee on Education.

**Senate Bill No. 1289:** By Senator Miller—An act to add Section 1066.5 to the Public Utilities Code, relating to highway carriers.

Referred to Committee on Transportation.

**Senate Bill No. 1290:** By Senator Miller—An act to add Section 1714.8 to the Civil Code, relating to liability for injuries sustained by persons while using civilian defense and other facilities during enemy attack or any defense test.

Referred to Committee on Judiciary.

**Senate Bill No. 1291:** By Senator Miller—An act to amend Section 8.5 of the Civil Defense Act of 1950 (Chapter 3 of the Statutes of the Third Extraordinary Session of 1950), relating to the effective date of the Civil Defense Act of 1950.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1292:** By Senator Miller—An act to amend Section 44.8 of the Vehicle Code, relating to emergency vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1293:** By Senator Miller—An act making an appropriation to the Office of Civil Defense for the purchase and storing of mobile generators.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1294:** By Senator Desmond—An act to amend Section 476a of the Penal Code, relating to passing checks and other commercial paper with insufficient funds.

Referred to Committee on Judiciary.

**Senate Bill No. 1295:** By Senator Desmond—An act to amend Section 3202 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1296:** By Senator Desmond—An act to amend Section 5001 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1297:** By Senator Desmond—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Constitutional Amendment No. 16:** By Senator Teale—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV, relating to a State Water Resources Board.

Referred to Committee on Water Resources.



**Senate Constitutional Amendment No. 17:** By Senator Teale—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 20 to Article XIII, relating to state assistance in financing water projects developments.

Referred to Committee on Water Resources.

**Senate Constitutional Amendment No. 18:** By Senator Byrne—Proposed amendment to Article XVI of the Constitution, relative to a resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4½ to Article XVI thereof, relating to state construction bonds.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 32:** By Senator Byrne—Relative to the Joint Interim Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 33:** By Senator Breed—Relative to approving a certain amendment to the charter of the County of Alameda, State of California, submitted to, voted for, and ratified by, the electors of said county at a special county election held therein on the eighth day of June, 1954.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 34:** By Senator Breed—Relative to approving amendments to the charter of the County of Alameda, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the second day of November, 1954.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 35:** By Senators Richards and Ward—Relative to commending the University of Southern California on the occasion of the celebration of its diamond jubilee.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 36:** By Senator McBride—Relative to the memory of Ida R. Koverman.

Referred to Committee on Rules.

**Senate Joint Resolution No. 7:** By Senator Thompson—Relative to the federal soil conservation program.

Referred to Committee on Natural Resources.

**Senate Joint Resolution No. 8:** By Senator Desmond—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States with respect to income, death, and gift taxes.

Referred to Committee on Revenue and Taxation.

**Senate Joint Resolution No. 9:** By Senators Regan, Dale C. Williams, and Harold T. Johnson—Relative to the Trinity River Project.

Referred to Committee on Rules.

**REQUEST FOR UNANIMOUS CONSENT**

Senators Coombs, Thompson, Richards, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Sutton, Teale, Ward, Way, Dale C. Williams, and J. Howard Williams asked for, and were granted, unanimous consent to take up Senate Concurrent Resolution No. 29, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 29**

**Senate Concurrent Resolution No. 29**—Relative to the passing of Colonel Nelson M. Holderman.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—37.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 260**

Senator Parkman moved that Senate Bill No. 260 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 260**—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill strike out the period, and insert “, and making an appropriation.”

**Amendment No. 2**

On page 1, line 24, strike out “General Fund” and insert “California State Polytechnic College Fund, which fund is hereby created, and the money in such fund is appropriated to the California State Polytechnic College for equine husbandry.”

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Business and Professions.

**ADJOURNMENT**

At 3.40 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m. Thursday, January 20, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTEENTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, January 20, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold H. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:  
Senator Weybret, on motion of Senator Grunsky, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. LeRoy Lyon, Jr., and son Teddy of Fullerton, and Mrs. Harold B. Seymour of Columbus, Ohio.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. George I. Deane, Jr., of Merced.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Donnelly, wife of Senator Donnelly; and Mrs. Richard A. Bristow and two sons, Richard A. Bristow, Jr., and John H. Bristow, from Sacramento.



On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. E. Manley from Healdsburg; teacher, Miss Irene Scott, and the following students from Santa Rosa High School American Government classes: Katherine Aimo, Verne Avila, Mary Bartlett, Shirley Capri, Jeanette Dalpino, Betty Doughty, Margaret Esslemont, Joyce Estes, Elvia Gianini, Coy Gore, Joseph Halpin, Richard Hastain, Dorothy Homann, Dorothy Hoving, James Hurley, Melita Jobe, Robert Johansen, Bonnie Johnson, Judy Jones, William Kee, Ivan Koch, Joanne Lagomarsino, Danny LeCave, Harriet McDrew, Jean McKinnie, Patricia Moodey, Kathleen Muscetti, Shirley Nielsen, Bob Rea, Roberta Reynolds, Beverly Rich, Maxine Romero, Louis Schultz, Valerie Shaublin, Virginia Shinabarger, Ted Smith, Melvin Solie, Charles Spratling, Warren White, and Robert Wicklund.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bill Johnson of Manteca and Leonard J. Ross of Stockton.

On request of Senator Dale C. Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clyde Todd of Tullake.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Earl C. Bolton, administrative assistant to president, University of Southern California; A. C. Marquard, H. W. Schafer, and D. R. Jaqua, all of Lancaster.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to faculty members Dr. G. B. Taylor, Mrs. Gladys King-Taylor, Charles R. Taylor, and the following foreign students from Pacific Union College, Angwin: Ruth Alexis, Oscar Arlt, Eileen Brodie, Ronald Colthirst, Carlisle Gallimore, Albin Gregor, Paul Guillaume, Koki Kim, Robinson Koilpillai, Robert McGregor, Samuel Manoram, Wen Ling Pan, Charles Rochat (also faculty), Masih Shafqat, Herbert Stirling, Thelma Stirling, Peter Tym, Dunbar Watson, William Weatherall, Mrs. Ruth Weber, and William Weeks.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Andrew Santos and Orville Cramer of San Jose.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator Gerald J. O'Gara of San Francisco.

On request of Senators Parkman and Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry Green and William Fong of San Francisco.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Faulkner of Novato.

On request of Senators Miller and John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roger Kent and Mrs. Elizabeth Smith of Kentfield.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Beth

Yoder, Mrs. Allton, and the following students from Knightsen Grammar School: LeRoy Perry, Ray LeVeau, Darrell Lee, Richard Simpson, Danny Kataoka, Richard Ornelas, Arthur Duran, Raymond King, Baristo Alanis, Charles Cekola, Mitsuka Kamigaki, Jerilyn Furi, Nora Stefanie, Angie Martinez, Marian Aguilar, and Josephine Perez.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Norma Insley and Walter Bybee, both of Shoshone.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

COMMONWEALTH OF PUERTO RICO, LEGISLATIVE ASSEMBLY  
CAPITOL, SAN JUAN, PUERTO RICO, January 15, 1955

*Honorable President of the Senate  
Sacramento, California*

SIR: Pursuant to the provisions of the Concurrent Resolution approved by the Legislative Assembly of Commonwealth of Puerto Rico on January 14, 1955, condemning the aggression against democracy in Costa Rica, we have the honor of attaching a certified copy of the said resolution.

Respectfully yours,

ERNESTO RAMOS ANTONINI  
Speaker, House of Representatives  
SAMUEL R. QUIÑONES  
President of the Senate

Incl.

COMMONWEALTH OF PUERTO RICO, LEGISLATIVE ASSEMBLY  
CAPITOL, SAN JUAN, PUERTO RICO

We, Néstor Rigual Camacho and Julio C. Torres, Secretary of the House of Representatives and the Senate of the Commonwealth of Puerto Rico, respectively, certify:

That in sessions held by the House of Representatives and the Senate of the Commonwealth of Puerto Rico the fourteenth of January, 1955, the following concurrent resolution was approved:

### CONCURRENT RESOLUTION

To condemn the aggression which is being inflicted to Democracy in Costa Rica, and for other purposes.

WHEREAS, Democracy is being attacked in one of its most prominent bastions in America, the Republic of Costa Rica;

WHEREAS, The people of Costa Rica being an exemplary expression of democratic reality, the aggression which is being perpetrated against it there must of necessity put on the alert all Americans who profess the conviction that it is on the democratic reality that the foundations of the freedom and the security of the peoples of the New World are settled;

WHEREAS, The people of Puerto Rico firmly believe in the great virtue of Democracy as well as in friendship and peace among peoples;

WHEREAS, The Costa Rican people and the Puerto Rican people are fully identified by their common belief in the principles of Democracy and by their mutual earnest desire that those principles be not impaired, so that they may contribute towards guaranteeing the subsistence and integrity of Democracy in America;

WHEREAS, Any attempt at destroying by violence a government established by the free will of the governed constitutes a menace which makes it imperative, for the preservation of Democracy in America, to mobilize, in a militant moral force, the conscience of the free peoples of the New World;

WHEREAS, We Puerto Ricans firmly believe that any aggression against the democratic institutions in this hemisphere constitutes a serious danger to the integrity of these institutions in America.

*Be it resolved by the Legislative Assembly of the Commonwealth of Puerto Rico:*

1. To condemn, as it does hereby condemn, the aggression which is being inflicted to Democracy in Costa Rica;

2. To express the respect and admiration of the Puerto Rican people for the men who in Costa Rica uphold, with a high spirit and a profound devotion, the integrity of the democratic principles against the aggression of those who pretend to destroy by force of arms a government established by the strength of the popular will;

3. To ratify before the democratic peoples of the world its expression of solidarity with the people of Costa Rica, exhorting them to convey that same expression of solidarity, with their faith placed in the divine justice of Almighty God;

4. To send a copy of this resolution to the Congress of the United States, the Parliaments of all the Republics of Latin America, the Legislative Assemblies of all the States of the United States, the United Nations Organization, the Organization of American States and to the free press of America.

In order to certify this, we give this certificate signed by us in our offices at the Capitol, in San Juan, Puerto Rico, this fifteenth day of January, 1955.

(SEAL)

NESTOR RIGUAL CAMACHO  
Secretary, House of Representatives  
JULIO C. TORRES  
Secretary, Senate of Puerto Rico

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 46

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 46**—Relative to congratulating the City of Modesto on being named an "All American City."

#### Request for Unanimous Consent

Senator Donnelly asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 46, at this time, for consideration.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 46

**Assembly Concurrent Resolution No. 46**—Relative to congratulating the City of Modesto on being named an "All American City."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By RICHARD BARBEAU, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read the first time:

**Assembly Joint Resolution No. 10**—Relative to the extension of veterans benefits.



**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 10, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 10**

**Assembly Joint Resolution No. 10**—Relative to the extension of veterans benefits.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—36.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1

Senate Concurrent Resolution No. 29

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 8**—Relative to the creation of the Joint Legislative Committee for School Visitations;

**Senate Concurrent Resolution No. 23**—Relative to the continuance of joint committees;

**Senate Concurrent Resolution No. 28**—Relative to the visit of General Douglas MacArthur to California;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twentieth day of January, 1955, at 12 m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 84**—An act to amend Sections 6702, 7200, 7202, 7203, 7204, and 7205 of, and to add Section 7206 to, the Financial Code, relating to investments and loans by savings and loan associations, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of January, 1955, at 11.30 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 49

Senate Concurrent Resolution No. 30

Senate Joint Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolutions ordered to third reading.



SENATE CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 30

Assembly Concurrent Resolution No. 32

Assembly Concurrent Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Bill No. 149 (Urgency)

Assembly Bill No. 652 (Urgency)

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported bills ordered to second reading.

#### Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 6; absent 5.

J. HOWARD WILLIAMS, Chairman

Above reported resolution ordered to third reading.

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

#### Request for Unanimous Consent

Senator McBride asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 36

**Senate Concurrent Resolution No. 36**—Relative to the memory of Ida R. Koverman.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Joint Resolution No. 11**—Relative to the Sacramento River Ship Channel.

Referred to Committee on Rules.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 334**

Senator Desmond moved that Senate Bill No. 334 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 334**—An act to add Section 11537 to the Public Utilities Code, relating to municipal utility districts.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "district", insert "which owns and operates an electric distribution system".

Amendment read, and adopted.

Bill ordered printed, and referred to Committee on Local Government.

**WITHDRAWAL AND RE-REFERENCE OF  
SENATE BILLS NOS. 359 AND 360**

Senator Burns moved that Senate Bills Nos. 359 and 360 be withdrawn from Committee on Business and Professions and re-referred to Committee on Governmental Efficiency.

Motion carried.

**LETTER OF TRANSMITTAL**

JOINT COMMITTEE ON WATER PROBLEMS  
January 20, 1955

*To the President of the Senate,  
The Speaker of the Assembly,  
and to Members of the Senate and Assembly*

The Joint Committee on Water Problems, created pursuant to Senate Concurrent Resolution No. 13, Resolutions Chapter 239, Statutes of 1953, submits herewith its Seventh Partial Report. It is a summary of the testimony and evidence presented to your committee in a series of meetings held in various sections of the State to obtain the points of view, suggestions, and recommendations of all interested parties in connection with proposals to create a State Department of Water Resources, on Water Problems of the Counties of Origin, and on Underground Water Problems. The report also covers certain other water matters affecting the public interest and welfare, including those of the Imperial and Palo Verde Valleys.

Your committee is of the opinion that the three major subjects of inquiry are of paramount concern to the people of the State of California.

Respectfully submitted,  
 HAROLD K. LEVERING  
 FRANCIS C. LINDSAY  
 CARLEY V. PORTER  
 J. HOWARD WILLIAMS

BEN HULSE  
 J. A. MURDY, JR.  
 EDWIN J. REGAN  
 HUGH P. DONNELLY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### Motion to Print Report

Senator J. Howard Williams moved that 3,000 copies of the Seventh Partial Report submitted by the Joint Committee on Water Problems be printed for distribution.

Motion carried.

#### LETTER OF TRANSMITTAL

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE  
 SACRAMENTO 14, January 19, 1955

*Hon. Paul Byrne, Member of the Senate  
 State Capitol, Sacramento, California*

DEAR SENATOR BYRNE: Attached is a copy of the "Report on State Building Construction Program" submitted to the Joint Legislative Budget Committee pursuant to Senate Resolution No. 15, First Extraordinary Session 1954, of which you were the author.

Very truly yours,

JOHN M. PEIRCE, Director of Finance

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### Motion to Print Report

Senator Byrne moved that 500 additional copies of the Report on State Building Construction Program submitted to the Joint Legislative Budget Committee pursuant to Senate Resolution No. 15 be printed for distribution.

Motion carried.

#### LETTER OF TRANSMITTAL

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
 SAN FRANCISCO, CALIFORNIA, January 20, 1955

*President of the Senate  
 California Legislature  
 Sacramento, California*

DEAR SIR: Pursuant to Senate Resolution No. 132, read and adopted June 10, 1953, by the Senate of California at the 1953 Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits Part I of its report.

This part of the report is entitled "Local Government Finance in California, 1940-1953." It brings up to date an earlier report on local government finance submitted by this committee to the Legislature in 1947, and traces the developments which have occurred therein since the end of World War II. It further examines the effects which the State's continuous economic growth has had upon the finances of its local units of government.

The committee wishes to thank the many officials of state and local government, the County Supervisors' Association of California, and the League of California Cities for their splendid cooperation in the preparation of this report.

Respectfully submitted,

BEN HULSE, Chairman  
 CLARENCE C. WARD, Vice Chairman  
 HARRY L. PARKMAN  
 HUGH M. BURNS  
 JAMES J. McBRIDE

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**Motion to Print Report**

Senator Hulse moved that 2,500 additional copies of Part I of the report submitted by the Senate Interim Committee on State and Local Taxation be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
SAN FRANCISCO, CALIFORNIA, January 20, 1955

*President of the Senate*  
*California Legislature*  
*Sacramento, California*

DEAR SIR: Pursuant to Senate Resolution No. 132, read and adopted June 10, 1953, by the Senate of California at the 1953 Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits Part II of its report. This part of the report is entitled "The Taxation of Personal Property in California."

This report was undertaken in response to requests from various business and agricultural groups and associations that the committee inquire into the taxation of personal property in California and develop remedies for the inequities which allegedly characterize the present local ad valorem tax.

The committee wishes to thank the many representatives of business, agricultural and financial groups who appeared before it for the purpose of presenting their views with respect to this local tax problem. The cooperation of state and local government officials is also gratefully acknowledged.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HUGH M. BURNS  
JAMES J. McBRIDE

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**Motion to Print Report**

Senator Hulse moved that 2,500 additional copies of Part II of the report submitted by the Senate Interim Committee on State and Local Taxation be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
SAN FRANCISCO, CALIFORNIA, January 20, 1955

*President of the Senate*  
*California Legislature*  
*Sacramento, California*

DEAR SIR: Pursuant to Senate Resolution No. 132 of the 1953 Regular Session of the Legislature, read and adopted by the Senate of the State of California on June 10, 1953, the Senate Interim Committee on State and Local Taxation herewith submits Part III of its report. This is the fourth and final division of previous reports entitled "A Legal History of Property Taxation in California."

The division is concerned with the levy and collection of the general county property tax. The first two divisions relating, respectively, to property subject to taxation and property exempt therefrom, were submitted to the Senate and published in 1951. The third division, which dealt with the assessment and equalization of property, was submitted to the Senate and published in 1953.

This report was prepared for the committee by the Legislative Counsel. The committee gratefully acknowledges the assistance and cooperation of the Legislative Counsel and wishes to express its appreciation to Mr. J. Gould and Mr. J. D. Strauss for their participation in the preparation of this report.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HUGH M. BURNS  
JAMES J. McBRIDE

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.



**Motion to Print Report**

Senator Hulse moved that 3,500 copies of Part III of the report submitted by the Senate Interim Committee on State and Local Taxation be printed for distribution.

Motion carried.

**RESOLUTIONS**

The following resolution was offered:

By Senator Weybret:

**Senate Resolution No. 50**

Relative to augmenting the Funds of the Senate  
Interim Committee on Social Welfare

*Resolved by the Senate*, that in addition to any funds heretofore allocated to it, the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate, for the expenses of the Senate Interim Committee on Social Welfare and its members and for any charges, expenses or claims it may incur under this resolution and Senate Resolution 142, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 50

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Senate Resolution No. 50, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 50****Senate Resolution No. 50**

Relative to augmenting the Funds of the Senate  
Interim Committee on Social Welfare

*Resolved by the Senate*, That in addition to any funds heretofore allocated to it, the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate, for the expenses of the Senate Interim Committee on Social Welfare and its members and for any charges, expenses or claims it may incur under this resolution and Senate Resolution 142, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

NOES—None.

## RECESS

At 2.30 p.m., on motion of Senator Ward, the Senate recessed for the purpose of allowing Senator Coombs to introduce a distinguished guest.

The President appointed Senator Coombs as a committee to escort Mr. Robinson Koilpillai, Headmaster of a Seventh Day Adventist Secondary School in South India, to the rostrum.

Senator Coombs introduced Mr. Koilpillai, who then addressed the Senate briefly, extolling the virtues of foreign student education in times of world strife. He stated that Pacific Union College, of which he is a student, has 80 students of foreign citizenship and that his country of India has sent 1,008 students to schools in the United States this year.

## REASSEMBLED

At 2.34 p.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## RESOLUTIONS

The following resolution was offered:

By Senators Thompson, Montgomery, Erhart, Dorsey, and John F. McCarthy:

**Senate Resolution No. 51**

Relating to overtime work done by the staff of the  
Division of Buildings and Grounds

WHEREAS, It has come to the attention of the Members of the Senate, that although additional help is added to the staff of janitors and elevator operators during the time the Legislature is in session, there are other employees of the Division of Buildings and Grounds under the State Capitol buildings custodian who are required to work overtime without extra compensation, and the policy of giving the time off in lieu of overtime pay is not satisfactory because many of them have more days off to their credit now than they can possibly use; and

WHEREAS, It is the belief of the Members of the Senate that employees required to put in extra time would be willing to serve for a few extra hours each day during the legislative rush period if they were compensated for their extra services; and

WHEREAS, In connection with the garage attendants, it has been noted that on Saturdays, Sundays, and evenings they operate with a smaller crew, sometimes one man, and he is obliged to attend to the parking of many cars during the unusual rush periods when there are night committee meetings and night sessions and Sunday sessions of the Legislature, and if compensated for additional time, they, too, would be willing to work extra hours during unusual rush periods; now, therefore, be it

*Resolved by the Senate of the State of California.* That, during the time that the Legislature is in session, the Department of Finance make the necessary arrangements for payment for the occasional overtime work as is required of the employees in the State Capitol in connection with their duties as members of the staff under the supervision of the building custodian and those working as garage attendants under the supervision of the department of motor vehicle operations.

Resolution read, and referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read the first time:

**Senate Joint Resolution No. 10:** By Senator Donnelly—Relative to parity prices for dairy and poultry products.

**Request for Unanimous Consent**

Senator Donnelly asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 10, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 10**

**Senate Joint Resolution No. 10**—Relative to parity prices for dairy and poultry products.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Senate Joint Resolution No. 11**: By Senator Cunningham—Relative to flood control in San Bernardino County, California.

**Request for Unanimous Consent**

Senator Cunningham asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 11, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 11**

**Senate Joint Resolution No. 11**—Relative to flood control in San Bernardino County, California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, January 20, 1955

**MR. PRESIDENT**: The Committee on Rules, to which was referred the message from the Governor dated January 11, 1955, appointing:

**GEORGE C. FAULKNER**, to the Industrial Accident Commission, vice Dan Murphy, Jr., term expired, for the term prescribed by law, ending January 15, 1959;

**LEO A. VIE**, to the Industrial Accident Commission, vice Ernest B. Webb, term expired, for the term prescribed by law, ending January 15, 1959;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

**WARD**, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of George C. Faulkner and Leo A. Vie as members of the Industrial Accident Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of George C. Faulkner and Leo A. Vie as members of the Industrial Accident Commission?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of George C. Faulkner and Leo A. Vie as Members of the Industrial Accident Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, January 20, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated January 3, 1955, appointing:

MATTHEW J. DOOLEY, to the Public Utilities Commission, vice self, term expired, for the term prescribed by law, ending January 1, 1961;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Matthew J. Dooley as a member of the State Public Utilities Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Matthew J. Dooley as a member of the Public Utilities Commission?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Matthew J. Dooley as a member of the Public Utilities Commission.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, January 20, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated January 18, 1955, appointing:

FRED W. SPEERS, to the California Highway Commission, vice Charles T. Leigh, term expired, for the term prescribed by law, ending January 15, 1959; Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Fred W. Speers as a member of the California Highway Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Fred W. Speers as a member of the California Highway Commission?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Fred W. Speers as a member of the California Highway Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, January 20, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 17, 1955, appointing:

WILLIAM G. WERNER, to the State Board of Education, vice Gilbert H. Jertberg, resigned, for the term prescribed by law, ending January 15, 1959; Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of William G. Werner as a member of the State Board of Education.

The President put the question, "Will the Senate confirm and consent to the appointment of William G. Werner as a member of the State Board of Education?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

#### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of William G. Werner as a member of the State Board of Education.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SACRAMENTO, CALIFORNIA, January 20, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 10, 1955, appointing:

FRED R. DICKSON, Warden, California Institution for Men, vice Kenyon J. Seudder, retiring, for the term prescribed by law, ending at the pleasure of the Director of Corrections;

ERNEST B. WEBB, to Director of Industrial Relations, Department of Industrial Relations, vice Paul Scharrenberg, resigned, for the term prescribed by law, ending at the pleasure of the Governor;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; Absent 1.

WARD, Chairman

### CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

#### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Fred R. Dickson as Warden, California Institution for Men, and Ernest B. Webb as Director of Industrial Relations, Department of Industrial Relations.

The President put the question, "Will the Senate confirm and consent to the appointment of Fred R. Dickson as Warden, California Institution for Men, and Ernest B. Webb as Director of Industrial Relations, Department of Industrial Relations?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

#### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Fred R. Dickson as Warden, California Institution for Men, and Ernest B. Webb as Director of Industrial Relations, Department of Industrial Relations.

**REPORTS OF STANDING COMMITTEES****Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, January 19, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Assembly Bill No. 63

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

**Request for Unanimous Consent**

Senator Murdy asked for, and was granted, unanimous consent to take up Assembly Bill No. 63, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 63**

**Assembly Bill No. 63**—An act to add Sections 30093 and 30094 to the Water Code, relating to the inclusion of an irrigation district in a county water district, the authorizing of payments to retire bonds, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Murdy:

*Resolved*, That Assembly Bill No. 63 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

**CONSIDERATION OF ASSEMBLY BILL NO. 63**

**Assembly Bill No. 63**—An act to add Sections 30093 and 30094 to the Water Code, relating to the inclusion of an irrigation district in a county water district, the authorizing of payments to retire bonds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

**Motion to Amend Assembly Bill No. 63**

Senator Murdy moved the adoption of the following amendment to Assembly Bill No. 63.

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 15 to 21, inclusive.

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Motion to Print With a Rush Order**

Senator Murdy moved that Assembly Bill No. 63 be sent to print with a rush order.

Motion carried.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 409**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1**—An act relating to the holding of winter Olympic games in California, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor.

Bill read third time.

**RECOMMENDATION OF THE GOVERNOR**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 6, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 1**, "An act relating to the holding of winter Olympic games in California, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill establishes the California Olympic Commission, describes its duties, and appropriates the sum of one million dollars from the State Park Fund which has recently been augmented by the release of impounded tideland royalty funds to carry out the purposes of the act. If the commission is to be successful in its efforts to bring Olympic games to California in 1960, it is essential that the commission be authorized as early as possible.

I therefore recommend consideration of Senate Bill No. 1 as an emergency measure.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Alshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—36.  
 NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan Richards at the Desk

## RESOLUTIONS

By Senator Murdy:

### Senate Resolution No. 48

Relative to the construction of state office buildings in local areas of the State

WHEREAS, Studies have shown that the construction of state office buildings in the major metropolitan areas of this State will permit the centralized grouping of state services in such communities so that such services are available at greater convenience to the public than when such services are scattered throughout such areas, and that such construction would provide an actual saving to the State over the cost of renting comparable office space for such services; and

WHEREAS, The need for suitable state office facilities exists in many other cities of the State, such as San Jose, Stockton, Santa Barbara, Bakersfield, Chico, Eureka, Long Beach, Modesto, Monterey, Pasadena, Redding, San Bernardino, San Luis Obispo, Santa Ana, Santa Rosa, Vallejo, and Ventura; and

WHEREAS, There are other rapidly growing communities where the need for the centralized grouping of state services may effect a real savings in state funds as well as provide a better public service to the community; and

WHEREAS, No comparable study has been made of whether similar advantages and savings could be realized by constructing suitable state buildings for state services in these larger cities of the State, other than the five major metropolitan areas; and

WHEREAS, It is of particular importance that it be determined by appropriate study whether the erection of state buildings in such areas can be justified from the standpoint of economy or investment, and in improving the efficiency of state services to the public; and

WHEREAS, It is imperative that such study be made at the earliest possible time in order that the Legislature may formulate its policies to adequately provide for the needs of the State; now, therefore, be it

*Resolved by the Senate of the State of California.* That the Director of Finance is directed to cause an immediate study to be undertaken of all phases of a program for the construction of state office buildings in such larger cities and communities including a recommended priority schedule for any such construction that is undertaken, and to report back to the Legislature on the results of such study not later than the 15th day of March, 1955; and be it further

*Resolved.* That the Secretary of the Senate be and he is hereby directed to transmit a copy of this resolution to the Director of Finance.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 408**—An act to amend Sections 13775, 13776, 13777, 13778, 13779, 13780, 13782, 13783, 13785, 13786, 13787, and 13789 of, and to add Sections 13775.1 and 13790 to the Government Code, relating to agreements for social security coverage of employees of public agencies, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Desmond.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—37.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.37 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**Assembly Joint Resolution No. 7**—Relative to the Caryl Chessman case and writs of habeas corpus.

Resolution read, and presented by Senator Burns.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—Senators Cunningham, Desmond, Miller, Richards, Short, and Dale C. Williams—6.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 37**—Relative to commending James Alan Guthrie for his outstanding accomplishments.

Resolution read, and presented by Senator Cunningham.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered:

By Senator McBride:

**Senate Resolution No. 52**

Relative to augmenting the funds of the Senate Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults (created by Senate Resolution No. 143, as amended, 1953 Regular Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from

the said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasury.

Resolution read, and referred to Committee on Rules.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 52

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

#### Request for Unanimous Consent

Senator McBride asked for, and was granted, unanimous consent to take up Senate Resolution No. 52, at this time, for consideration.

### CONSIDERATION OF SENATE RESOLUTION NO. 52

Relative to augmenting the funds of the Senate Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults (created by Senate Resolution No. 143, as amended, 1953 Regular Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from the said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasury.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was introduced, and read the first time:

**Senate Joint Resolution No. 12:** By Senators Kraft and Hulse—Relative to enacting a statute authorizing an additional United States District Judge for the Southern District of California.

#### Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 12, at this time, for consideration.

### CONSIDERATION OF SENATE JOINT RESOLUTION NO. 12

**Senate Joint Resolution No. 12**—Relative to enacting a statute authorizing an additional United States District Judge for the Southern District of California.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Way, and Dale C. Williams—32.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

### RESOLUTIONS

The following resolution was offered:

By Senator Kraft:

#### Senate Resolution No. 53 Relative to Taxation

**WHEREAS**, The great and continuing increase in population and industry within the County of San Diego in the last decade has created an urgent and immediate need for an equivalent expansion of local governmental operations; and

**WHEREAS**, These increases in large part are the direct result of the rapid enlargement of national defense activities in the County of San Diego not only in military installations but also in housing and defense manufacturing, all of which have required the full range of services provided by all local governmental agencies; and

**WHEREAS**, The enlargement of such national defense activities has resulted in the exemption and removal from local tax rolls of large amounts of property; and

**WHEREAS**, The property tax is the primary support of all local governmental agencies in California, and the removal of property acquired by national defense activities has not only resulted in the failure of these activities to bear their fair share of the cost of local government but has increased the burden of such government on the owners of taxable property by more than 22 percent; and

**WHEREAS**, The cost of providing local governmental services to national defense activities is properly a burden which should be borne by the entire country rather than by the property taxpayers in the immediate vicinity in which these activities are operated; now therefore be it.

*Resolved by the Senate of the State of California*, That the Congress of the United States of America be respectfully requested to approve such measures as may be introduced during its current session to:

(a) Validate the payments of local taxes heretofore paid under protest by local defense manufacturers or inventories of materials held for use on defense contracts, and to clarify the obligations of defense manufacturers with respect to local taxation;

(b) Define and more clearly specify the existing statutory requirement that local taxes shall be paid or payments in lieu of local taxes shall be made by operators of Wherry Housing Projects;

(c) Establish a program for making of payments in lieu of taxes by the United States of America to state and/or local governmental agencies adversely affected by federal acquisition, ownership or use of defense production facilities and other property and installations required for national as distinguished from local purposes; and be it further

*Resolved*, That the Secretary of the Senate be hereby directed to notify the Senators and Congressmen from California of this action.

Resolution read, and referred to Committee on Revenue and Taxation.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1955

**MR. PRESIDENT**: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 27

And respectfully requests your honorable body to concur in said amendments.

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **PAUL F. CRUM**, Assistant Clerk

#### Request for Unanimous Consent

Senator Collier asked for, and was granted, unanimous consent to take up Senate Bill No. 27, at this time, for consideration of Assembly amendments.



**Consideration of Assembly Amendments**

**Senate Bill No. 27**—An act to amend Sections 7351 and 8651 of the Revenue and Taxation Code, Sections 370, 372, 372.1 (as added by Chapter 1200, Statutes of 1953) and 381 of the Vehicle Code, to provide tax levies for the financial support of public highways, and providing that this act shall take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 27?

**Amendment No. 1**

In line 2 of the title of the printed bill, after "372," insert "372.1 (as added by Chapter 1200, Statutes of 1953),".

**Amendment No. 2**

Strike out lines 3 and 4 of the title, and insert "Code, to provide tax".

**Amendment No. 3**

On page 1, line 8, after "tributed" insert "until December 31, 1959, and thereafter the rate shall be five and one-half cents (\$0.05½) for each gallon of fuel distributed".

**Amendment No. 4**

On page 1, line 16, after "used" insert "until December 31, 1959, and thereafter the rate shall be six and one-half cents (\$0.06½) for each gallon of fuel used".

**Amendment No. 5**

On page 2, line 3, after "Fees." insert "On and before December 31, 1959,".

**Amendment No. 6**

On page 2, line 8, after the period insert "On and after January 1, 1960, a registration fee of seven dollars (\$7) shall be paid to the department for the registration of every vehicle of a type subject to registration, except for such thereof as are expressly exempted under this code from the payment of registration fees."

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 7**

On page 3, between lines 18 and 19, insert

"(e) This section shall apply to the registration of every vehicle of a type subject to its provisions until December 31, 1959, and not thereafter.

SEC. 5. Section 372.1 of the Vehicle Code, as added by Chapter 1200, Statutes of 1953, is amended to read:

372.1. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in Section 370, there shall be paid fees as set forth in this section for the registration of every vehicle of a type subject to registration used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(b) For any electric vehicle designed, used or maintained as described in subdivision (a) hereof fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) Less than 6,000 lbs.	\$44.00
(2) 6,000 lbs. or more, but less than 10,000 lbs.	88.00
(3) 10,000 lbs. or more	116.00

(c) For any motor vehicle having not more than two axles and designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) 3,000 lbs. to and including 4,000 lbs.	\$12.00
(2) 4,001 lbs. to and including 5,000 lbs.	24.00
(3) 5,001 lbs. to and including 6,000 lbs.	37.00
(4) 6,001 lbs. to and including 7,000 lbs.	49.00
(5) 7,001 lbs. to and including 8,000 lbs.	61.00

Unladen weight		Fee
(6)	8,001 lbs. to and including 9,000 lbs.	\$73.00
(7)	9,001 lbs. to and including 10,000 lbs.	85.00
(8)	10,001 lbs. to and including 11,000 lbs.	98.00
(9)	11,001 lbs. to and including 12,000 lbs.	110.00
(10)	12,001 lbs. to and including 13,000 lbs.	122.00
(11)	13,001 lbs. to and including 14,000 lbs.	134.00
(12)	14,001 lbs. and over	146.00

(d) For any motor vehicle having three or more axles or for any trailer, semi-trailer, pole or pipe dolly, or other dolly designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight		Fee
(1)	2,000 lbs. to and including 3,000 lbs.	\$10.00
(2)	3,001 lbs. to and including 4,000 lbs.	18.00
(3)	4,001 lbs. to and including 5,000 lbs.	37.00
(4)	5,001 lbs. to and including 6,000 lbs.	55.00
(5)	6,001 lbs. to and including 7,000 lbs.	73.00
(6)	7,001 lbs. to and including 8,000 lbs.	92.00
(7)	8,001 lbs. to and including 9,000 lbs.	110.00
(8)	9,001 lbs. to and including 10,000 lbs.	128.00
(9)	10,001 lbs. to and including 11,000 lbs.	146.00
(10)	11,001 lbs. to and including 12,000 lbs.	165.00
(11)	12,001 lbs. to and including 13,000 lbs.	183.00
(12)	13,001 lbs. to and including 14,000 lbs.	201.00
(13)	14,001 lbs. to and including 15,000 lbs.	220.00
(14)	15,001 lbs. and over	244.00

(e) This section shall apply to the registration of every vehicle of a type subject to its provisions on and after [July 1, 1955.] *January 1, 1960*,

(f) With respect to fees paid under this section the references in Sections 9654 and 9655 of Revenue and Taxation Code to Section 372 of this code shall be deemed to refer to this section. On and after [July 1, 1955.] *January 1, 1960*, references in any provisions of this code or any other provisions of law to Section 372 of this code shall be deemed to refer to this section."

#### Amendment No. 8

On page 3, line 22, strike out "SEC. 5.", and insert "SEC. 6."

#### Amendment No. 9

On page 3, line 24, after "License.", insert "On or before December 31, 1959,".

#### Amendment No. 10

On page 3, line 36, after the period, insert "On and after January 1, 1960, each fee prescribed in this section shall be two dollars and fifty cents (\$2.50)."

#### Amendment No. 11

On page 3 strike out lines 42 and 43.

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 27 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Thompson, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

Above bill ordered enrolled.

## RESOLUTIONS

The following resolutions were offered:

By Senators Regan, John F. McCarthy, Cunningham, Montgomery, Busch, Way, Collier, Dorsey, Miller, Donnelly, Sutton, Teale, McBride, Dale C. Williams, Richards, and Robert I. McCarthy:

## Senate Resolution No. 54

Relative to the Special Senate Committee on Election Contests

*Resolved by the Senate of the State of California,*

1. Notwithstanding the provisions of Senate Resolution No. 24 relative to contests as to the qualifications, elections, and returns of members of the Senate, and notwithstanding the provisions of Senate Resolution No. 34 creating the Special Senate Committee on Election Contests, and assigning to that committee the contest filed by Vern W. Hoffman relative to the election of Alan Short, the powers of the Special Senate Committee on Election Contests are limited as hereinafter set forth.

2. The Special Senate Committee on Election Contests shall have no authority to conduct a recount in said election contest except as authorized by subsequent resolution of the Senate.

3. The Special Senate Committee on Election Contests shall complete the investigation commenced January 20, 1955, on the question whether a recount should be had in said election contest.

4. Upon the completion of said investigation, the Special Senate Committee on Election Contests shall report to the Senate its recommendations as to whether a recount should be had in said contest.

Resolution read, and referred to Committee on Rules.

By Senator Cunningham:

## Senate Resolution No. 55

Relative to achievements of James A. Guthrie

WHEREAS, The Senate has from time to time published brief studies of the lives and achievements of prominent Californians, notably Peter Lassen, Benjamin Ide, and others; and

WHEREAS, These booklets have proved of great value to libraries and educational institutions throughout the State; and

WHEREAS, James A. Guthrie is an outstanding Californian of interesting career and notable achievements, many of which are chronicled in his autobiography; and

WHEREAS, It is desirable that these valuable records be preserved for the benefit of coming generations of Californians; now, therefore, be it

*Resolved*, That the Secretary of the Senate be and he is hereby directed to compile a brief study of the life and achievements of James A. Guthrie, including appropriate excerpts from his autobiography, and to publish 500 copies to be supplied to the libraries and educational institutions of the State.

Resolution read, and, on a motion by Senator Cunningham, adopted.

## Request for Unanimous Consent

Senator Donnelly asked for, and was granted, unanimous consent to take up Assembly Bill No. 652, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY BILL NO. 652

**Assembly Bill No. 652**—An act to amend Section 24955 of the Water Code, relating to payment of interest on bonds of irrigation districts and declaring the urgency thereof, to take effect immediately.

Bill read second time.

## Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Donnelly:

*Resolved*, That Assembly Bill No. 652 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section

requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and Dale C. Williams—32.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

#### Consideration of Assembly Bill No. 652

**Assembly Bill No. 652**—An act to amend Section 24955 of the Water Code, relating to payment of interest on bonds of irrigation districts and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and Dale C. Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time.

**Senate Bill No. 1298:** By Senator Sutton—An act to provide for construction of a building for the use of the California Highway Patrol, and to make an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1299:** By Senator Donnelly—An act to amend Section 1266 of the Agricultural Code, relating to dealers in poultry or poultry products.

Referred to Committee on Agriculture.

**Senate Bill No. 1300:** By Senators Donnelly and Dilworth—An act to amend Section 10501 of the Education Code, relating to prescribed courses of study for high schools.

Referred to Committee on Education.



**Senate Bill No. 1301:** By Senators Erhart, Byrne, and Sutton—An act to amend Section 6359 of the Revenue and Taxation Code, relating to sales and use tax exemption.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1302:** By Senator Erhart—An act to amend Section 20354 of the Education Code, relating to the lease of state college property.

Referred to Committee on Education.

**Senate Bill No. 1303:** By Senator Erhart—An act to amend Section 35002.5 of the Government Code of the State of California relating to the annexation of territory to cities.

Referred to Committee on Local Government.

**Senate Bill No. 1304:** By Senator Richards—An act to add Part 11 to Division 3, Title 2 of the Government Code, relating to state assistance to cities and counties in fostering civil peace through public agencies set up to improve group relations, to provide for the training of state, city, and county law enforcement officers in the prevention and control of intergroup conflicts, and for other similar purposes.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1305:** By Senator Richards—An act to amend Section 69586 of the Government Code, relating to the Superior Court of Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1306:** By Senator Richards—An act to amend Section 69659 of the Government Code, relating to the Superior Court in Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1307:** By Senator Richards—An act to amend Section 834 of the Corporations Code, relating to actions in the right of corporations.

Referred to Committee on Judiciary.

**Senate Bill No. 1308:** By Senator Richards—An act to amend Sections 5.1 and 5.8 of the "Los Angeles Metropolitan Transit Authority Act," relating to the organization, powers and duties of said authority.

Referred to Committee on Transportation.

**Senate Bill No. 1309:** By Senators Teale and Berry—An act to amend Section 365 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1310:** By Senator Cunningham—An act to add Section 860 to the Financial Code, relating to bank deposits by public entities.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1311:** By Senator Cunningham—An act to add Section 60737.09 to the Government Code, relating to community services districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1312:** By Senator Cunningham—An act to add Section 21197 to the Water Code, relating to county water districts.

Referred to Committee on Local Government.

**Senate Bill No. 1313:** By Senator Ward—An act to add Section 556 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1314:** By Senators Berry and Harold T. Johnson—An act to amend Section 547 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1315:** By Senators Berry and Harold T. Johnson—An act to provide improved highway facilities designed to make accessible the Emerald Bay State Park and the western shore of Lake Tahoe, and in connection therewith to add Section 338.5 to the Streets and Highways Code, and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1316:** By Senator Berry—An act to amend Section 16651 of the Public Utilities Code, relating to the fixation of tax rates.

Referred to Committee on Public Utilities.

**Senate Bill No. 1317:** By Senator Berry—An act to amend Section 69643 of the Government Code, relating to the Judge of the Superior Court of the County of Amador.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1318:** By Senator Berry—An act to amend Section 69649 of the Government Code, relating to the Judge of the Superior Court of the County of El Dorado.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1319:** By Senator Breed—An act to add Section 6463 to the Public Resources Code, relating to quiet title actions against the State when lands have been exchanged pursuant to Section 6307 of said code.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1320:** By Senator Breed—An act to amend Section 9766 of the Business and Professions Code, relating to cemeteries.

Referred to Committee on Business and Professions.

**Senate Bill No. 1321:** By Senator Breed—An act to amend Section 7050 of the Health and Safety Code, relating to dead bodies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1322:** By Senator Breed—An act to add Section 8740.1 to the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1323:** By Senator Ed. C. Johnson—An act to amend Section 34278 of the Health and Safety Code, relating to housing authorities.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1324:** By Senator Cobey—An act to amend Section 12651 of the Water Code, relating to flood control.

Referred to Committee on Water Resources.

**Senate Bill No. 1325:** By Senator Cobey—An act making an appropriation for flood control on the San Joaquin River and tributaries.

Referred to Committee on Water Resources.

**Senate Bill No. 1326:** By Senator Cobey—An act to amend Sections 595 and 599 of, and to repeal Sections 597 and 598 of the Agricultural Code, relating to grades of butter.

Referred to Committee on Agriculture.

**Senate Bill No. 1327:** By Senator Cobey—An act to amend Section 441 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Referred to Committee on Agriculture.

**Senate Bill No. 1328:** By Senator Cobey—An act to add Section 451.1 to the Agricultural Code, relating to the sale of market milk.

Referred to Committee on Agriculture.

**Senate Bill No. 1329:** By Senator Cobey—An act to amend Section 525 of the Agricultural Code, relating to dairy farms.

Referred to Committee on Agriculture.

**Senate Bill No. 1330:** By Senator Cobey—An act to repeal Section 545 of the Agricultural Code, relating to dairy farms.

Referred to Committee on Agriculture.

**Senate Bill No. 1331:** By Senator Way—An act to amend Section 20429.1 of the Education Code, relating to admission of students to the state colleges.

Referred to Committee on Education.

**Senate Bill No. 1332:** By Senator Way—An act to add Section 11010.6 to the Government Code, relating to water pollution.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1333:** By Senator Ed. C. Johnson—An act to add Sections 25663, 25664, and 25665 to the Government Code, relating to public hunting.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1334:** By Senator Coombs—An act to amend Sections 1040 and 1041 of the Military and Veterans Code, relating to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1335:** By Senator Coombs—An act to amend Section 5286 of the Business and Professions Code of the State of California relating to outdoor advertising.

Referred to Committee on Business and Professions.

**Senate Bill No. 1336:** By Senator Coombs—An act to amend Section 4703 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1337:** By Senators Coombs, Sutton, and Ed. C. Johnson—An act to amend Section 51681 of the Water Code, relating to reclamation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1338:** By Senator Brown—An act to add Section 24758 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1339:** By Senator Brown—An act to amend Sections 705 of the Vehicle Code, relating to vehicle weight limitations.

Referred to Committee on Transportation.

**Senate Bill No. 1340:** By Senator Brown—An act to amend Section 23102 of the Government Code, relating to the boundary line between Alpine and Tuolumne Counties.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1341:** By Senator Brown—An act to amend Section 15 of Chapter 737 of the Statutes of 1951, relating to the Interim San Francisco Bay Ports Commission.

Referred to Committee on Transportation.

**Senate Bill No. 1342:** By Senator Cunningham—An act to add Sections 11009 and 11010 to the Penal Code, relating to a survey of law enforcement pursuant to the recommendation of the California Special Crime Study Commission on Organized Crime and of the American Bar Association Commission on Organized Crime, and the establishment of organized crime intelligence files.

Referred to Committee on Judiciary.

**Senate Bill No. 1343:** By Senator Dilworth—An act to amend Sections 14262, 14276, 14331, 14337, 14479, 14490, 14631, 14632, 14635 and 14636 of, and to add Sections 14480.1 and 14575.2 to, the Education Code, relating to the State Teachers' Retirement System, providing for a benefit upon death after retirement, and for optional annuity deposits



by members, and providing for increased allowances, with increments in allowance formula, upon service retirement above age 60.

Referred to Committee on Education.

**Senate Bill No. 1344:** By Senator Coombs—An act to amend Section 1012 of the Military and Veterans Code, relating to the Veterans' Home.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1345:** By Senator Dale C. Williams—An act to add Section 40 to Chapter 47 of the Statutes of the 1944 Second Extraordinary Session, relating to postwar public works programs, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1346:** By Senator Dale C. Williams—An act to add Section 330 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1347:** By Senator Dale C. Williams—An act to add Section 502.5 to the Vehicle Code, relating to passengers in vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1348:** By Senator Dale C. Williams—An act to add Article 11 to Chapter 11, Division 2 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 1349:** By Senator Dale C. Williams—An act to add Section 1418 to the Fish and Game Code, relating to hunting and fishing rights of California Indians.

Referred to Committee on Fish and Game.

**Senate Bill No. 1350:** By Senator Dilworth—An act to add Section 7727.2 to the Education Code, relating to state building aid.

Referred to Committee on Education.

**Senate Bill No. 1351:** By Senator Kraft—An act to amend Sections 1141 and 1142 of, and to add Section 1141.1 to, the Agricultural Code, relating to egg products and egg processing firms.

Referred to Committee on Agriculture.

**Senate Bill No. 1352:** By Senator Kraft—An act to add Section 651 to the Business and Professions Code, relating to discounts by persons engaged in the healing arts professions.

Referred to Committee on Business and Professions.

**Senate Bill No. 1353:** By Senator Kraft—An act to amend Section 2193 of the Business and Professions Code, relating to the healing arts.

Referred to Committee on Business and Professions.

**Senate Bill No. 1354:** By Senator Kraft—An act to add Section 270.1 to the Penal Code, relating to failure to provide for minor child.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1355:** By Senator Kraft—An act to amend Section 380 of the Penal Code, relating to drugs and medicines.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1356:** By Senator Kraft—An act to amend Sections 2315, 2321, and 2322 of the Business and Professions Code, relating to the healing arts.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1357:** By Senator Kraft—An act to amend Section 2840 of the Business and Professions Code, relating to vocational nurses.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1358:** By Senator Kraft—An act to amend Section 4002 of the Business and Professions Code, relating to pharmacy.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1359:** By Senator Kraft—An act to amend Sections 4005, 4007, 4008, 4014, 4004, 4006, 4007, and 4012 of, to repeal Sections 4005 and 4006 of, and to add Sections 4005 and 4006 to, the Business and Professions Code, relating to pharmacy.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1360:** By Senator Kraft—An act to amend Sections 4006 and 4008 of the Business and Professions Code, relating to the practice of pharmacy.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1361:** By Senator Kraft—An act to amend Sections 4009 and 4008 of the Business and Professions Code, relating to pharmacy.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1362:** By Senator Kraft—An act to amend Sections 4012 and 4010 of the Business and Professions Code, relating to pharmacy.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1363:** By Senator Kraft—An act to amend Sections 4030 and 4050 of the Business and Professions Code, relating to pharmacy.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1364:** By Senator Kraft—An act to repeal Sections 4033 and 4038 of, and to add Sections 4033 and 4038 to, the Business and Professions Code, relating to pharmacy.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1365:** By Senator Kraft—An act to repeal Sections 4033.1 and 4034 of, and to add Sections 4033.1 and 4034 to, the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1366:** By Senator Kraft—An act to repeal Sections 4033.2, 4033.3, and 4084 of, and to add Sections 4033.2 and 4084 to, the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1367:** By Senator Kraft—An act to repeal Sections 4035 of the Business and Professions Code, and to add Section 4035 to the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1368:** By Senator Kraft—An act to repeal Sections 4036 and 4054 of, and to add Sections 4036 and 4054 to, the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1369:** By Senator Kraft—An act to add Sections 4039.5 and 4061 to the Business and Professions Code, relating to the ownership and conduct of pharmacies.

Referred to Committee on Business and Professions.

**Senate Bill No. 1370:** By Senator Kraft—An act to add Sections 4042, 4043, 4049, 4050, 4051 to, to amend Sections 4030, 4033, 4050, 4085, 4087, 4090, 4093, 4166, 4231, 4232, 4233, 4256, 4385, 4386, 4387, and 4416 of, and to repeal Section 4062 of the Business and Professions Code, and to amend Section 20755 of the Health and Safety Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1371:** By Senator Kraft—An act to amend Sections 4043, 4041, 4056, and 4092 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1372:** By Senator Kraft—An act to add Section 4045 to the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1373:** By Senator Kraft—An act to amend Sections 4048 and 4036 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1374:** By Senator Kraft—An act to add Sections 4052 and 4061 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1375:** By Senator Kraft—An act to amend Sections 4096 and 4089 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1376:** By Senator Kraft—An act to amend Sections 4196 and 4094 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1377:** By Senator Kraft—An act to add Sections 4237 and 4393 to the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1378:** By Senator Kraft—An act to amend Sections 4251 and 4411 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1379:** By Senator Kraft—An act to amend Sections 4256 and 4416 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1380:** By Senator Kraft—An act to amend Section 6535 of the Business and Professions Code, relating to barbers and barber colleges.

Referred to Committee on Business and Professions.

**Senate Bill No. 1381:** By Senator Kraft—An act to amend Section 6537 of the Business and Professions Code, relating to barber colleges.

Referred to Committee on Business and Professions.

**Senate Bill No. 1382:** By Senator Kraft—An act to amend Sections 6560 of the Business and Professions Code, relating to barbers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1383:** By Senator Kraft—An act to amend Section 6561 of the Business and Professions Code, relating to barbers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1384:** By Senator Kraft—An act to amend Section 6710 of the Business and Professions Code, relating to civil and professional engineers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1385:** By Senator Kraft—An act to add Chapter 13.5, comprising Sections 8200 to 8361, inclusive, to Division 3 of the Business and Professions Code, relating to limited building designers, providing for the regulating and licensing thereof, and making an appropriation therefor.

Referred to Committee on Business and Professions.



**Senate Bill No. 1386:** By Senator Kraft—An act to add Section 12023.5 to the Business and Professions Code, relating to cordage, twine and oakum.

Referred to Committee on Business and Professions.

**Senate Bill No. 1387:** By Senator Kraft—An act to repeal Chapter 9 of Division 2 of the Business and Professions Code; Divisions 15 and 22 of the Health and Safety Code; Chapter 8, Division 8 of the Business and Professions Code, and to add Chapter 9 to Division 2 of the Business and Professions Code, relating to pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1388:** By Senator Kraft—An act to amend Section 138 of the Civil Code, relating to divorce and separate maintenance.

Referred to Committee on Judiciary.

**Senate Bill No. 1389:** By Senator Kraft—An act to amend Section 139 of the Civil Code, relating to divorce and separate maintenance.

Referred to Committee on Judiciary.

**Senate Bill No. 1390:** By Senator Kraft—An act to amend Section 404 of the Education Code, relating to the salary of the county superintendent of a county of the fourth class.

Referred to Committee on Education.

**Senate Bill No. 1391:** By Senator Kraft—An act to amend Section 13583 of the Education Code, relating to certificated employees of school districts.

Referred to Committee on Education.

**Senate Bill No. 1392:** By Senators Kraft, Breed, Richards, Short, Way, Montgomery, McBride, John F. McCarthy, Harold T. Johnson, Miller, and Robert I. McCarthy—An act to amend Section 19601 of the Education Code, relating to child care centers.

Referred to Committee on Education.

**Senate Bill No. 1393:** By Senator Kraft—An act to add Article 1.5 to Chapter 1 of Division 9 of the Elections Code, relating to canvass at precincts.

Referred to Committee on Elections.

**Senate Bill No. 1394:** By Senator Kraft—An act to add Article 1.5 to Chapter 7 of Division 9 of the Elections Code, relating to canvass of returns of special or local elections.

Referred to Committee on Elections.

**Senate Bill No. 1395:** By Senator Kraft—An act to amend Section 11007.7 of the Government Code, relating to procuring of insurance by state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1396:** By Senator Kraft—An act to add Section 19334 to the Government Code, relating to leave of absence for state civil service employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1397:** By Senator Kraft—An act to amend Section 25450 of the Government Code, relating to contracts for construction, alteration and repair of buildings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1398:** By Senator Kraft—An act to amend Section 25457 of the Government Code, relating to contracts for construction, alteration and repair of buildings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1399:** By Senator Kraft—An act to amend Section 69595 of the Government Code, relating to superior court judges in San Diego County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1400:** By Senator Kraft—An act to amend Section 69751.5 of the Government Code, relating to sessions of superior courts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1401:** By Senator Kraft—An act to amend Sections 73642, 73643, 73644, 73645, 73952, 73953, 73954, 73955, 74742, 74743, 74744, and 74745 of the Government Code, relating to the municipal courts established in districts in San Diego County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1402:** By Senator Kraft—An act to amend Section 74341 of the Government Code, relating to judges of a municipal court established in a district embracing the City of San Diego.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1403:** By Senator Kraft—An act authorizing the State Park Commission to exchange property of the State of California for property in San Diego County and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1404:** By Senator Kraft—An act to amend Section 6873 of the Public Resources Code, relating to oil and gas leases of state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1405:** By Senator Kraft—An act to add Section 1623 to the Health and Safety Code, relating to biologics and blood transfusions.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1406:** By Senator Kraft—An act to amend Sections 26200, 26202, 26210, 26211.5, 26213, 26214, 26233, 26252, 26273, 26287, 26288, 26290, 26292, and 26362 of, and to add Section 26255 to, the Health and Safety Code, relating to drugs and devices.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1407:** By Senator Kraft—An act to amend Sections 26209, 26327, 26328, 26336, and 26360 of the Health and Safety Code, relating to advertisement, inspection, samples, analyses, and quarantine of drugs and devices.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1408:** By Senator Kraft—An act to add Section 26235.5 to the Health and Safety Code, relating to the destruction of drugs damaged by fire, heat, smoke, water, or other means.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1409:** By Senator Kraft—An act to add Section 26280.5 of the Health and Safety Code, relating to violations of the California Pure Drugs Act.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1410:** By Senator Kraft—An act to add Sections 26280.5 and 26295.5 to, and to amend Section 26295 of, the Health and Safety Code, relating to the adulteration, misbranding, and advertising of drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1411:** By Senator Kraft—An act to amend Sections 26457, 26549, 26560, 26580, and 26581 of, and to add Section 26580.5 to the Health and Safety Code, relating to advertising, sampling, inspection, analyses, and quarantine of foods.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1412:** By Senator Kraft—An act to amend Sections 26470 and 26472 of the Health and Safety Code, relating to the adulteration of meat.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1413:** By Senator Kraft—An act to amend Sections 28003 and 28007 of the Health and Safety Code, relating to horse meat.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1414:** By Senator Kraft—An act to amend Sections 28120 and 28122 of the Health and Safety Code, relating to the application and issuance of licenses to operate cold storage plants or refrigerating warehouse.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1415:** By Senator Kraft—An act to amend Sections 28282, 28283, 28284, 28285, 28288, 28290, and 28314 of the Health and Safety Code, relating to sanitation of food processing establishments.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1416:** By Senator Kraft—An act to amend Section 28716 of, to add Section 28726 to, and to repeal Sections 28714, 28718, 28723, and 28724 of, the Health and Safety Code, relating to the Frozen Food Locker Plant Act of 1951.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1417:** By Senator Kraft—An act to amend Section 29001 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1418:** By Senator Kraft—An act to amend Section 29003.6 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1419:** By Senator Kraft—An act to add Section 29009.5 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1420:** By Senator Kraft—An act to add Section 29011.5 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1421:** By Senator Kraft—An act to amend Section 29013 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1422:** By Senator Kraft—An act to repeal Section 29015.1 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1423:** By Senator Kraft—An act to amend Section 29021 of the Health and Safety Code, and Section 4228 of the Business and Professions Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1424:** By Senator Kraft—An act to amend Section 29026 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1425:** By Senator Kraft—An act to amend Section 29027 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1426:** By Senator Kraft—An act to amend Section 29028 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1427:** By Senator Kraft—An act declaring a portion of revenues from the land conveyed by the State to the City of Coronado to be free from trusts, uses, and conditions.

Referred to Committee on Local Government.



**Senate Bill No. 1428:** By Senator Kraft—An act to amend Section 26220 of the Government Code, relating to the assignment of delinquent county claims and accounts to licensed collection agencies for the purpose of collection.

Referred to Committee on Local Government.

**Senate Bill No. 1429:** By Senator Kraft—An act to create the San Diego City Parking District, and prescribing the powers and duties of said district.

Referred to Committee on Local Government.

**Senate Bill No. 1430:** By Senator Kraft—An act to add Sections 120a, 120b, and 120c to the Military and Veterans Code, relating to the establishment of the California State Reserve List.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1431:** By Senator Kraft—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for veterans' dependents.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1432:** By Senator Kraft—An act to add Section 1500.1 to, and to repeal Section 1508 of, the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1433:** By Senator Kraft—An act to amend Section 1525 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1434:** By Senator Kraft—An act adding Sections 1530, 3048 and 3452 to and amending Sections 2160 and 2500 of the Welfare and Institutions Code, relating to eligibility for aid.

Referred to Committee on Social Welfare.

**Senate Bill No. 1435:** By Senator Kraft—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.4, 103.5, 114.5, 118.2, 119.5, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act.

Referred to Committee on Social Welfare.

**Senate Bill No. 1436:** By Senator Kraft—An act providing for the construction of a jetty and the development of a boat harbor and beach park at the Agua Hedionda Lagoon, as part of the State System of Beaches and Parks, and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1437:** By Senator Kraft—An act appropriating funds for the engineering of a small boat harbor at the mouth of the Agua Hedionda Creek.

Referred to Committee on Transportation.

**Senate Bill No. 1438:** By Senator Kraft—An act appropriating funds for the construction of a small boat harbor at the mouth of the Agua Hedionda Creek.

Referred to Committee on Transportation.

**Senate Bill No. 1439:** By Senator Kraft—An act appropriating funds for the construction of a small boat harbor at the mouth of the Agua Hedionda Creek.

Referred to Committee on Transportation.

**Senate Bill No. 1440:** By Senator Kraft—An act to amend Section 35107 of the Streets and Highways Code, relating to districts formed under the parking district law of 1951.

Referred to Committee on Transportation.

**Senate Bill No. 1441:** By Senator Kraft—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1442:** By Senator Kraft—An act to add Section 604.14 to the Vehicle Code, relating to driving of vehicles by minors.

Referred to Committee on Transportation.

**Senate Bill No. 1443:** By Senator Kraft—An act to amend Section 101 of the Harbors and Navigation Code of the State of California, declaring certain portions of the Agua Hedionda Creek and estuary to be navigable water and a public way.

Referred to Committee on Transportation.

**Senate Bill No. 1444:** By Senator Breed—An act to add Sections 18901.5 and 18901.6 to the Health and Safety Code, relating to the State Building Standards Commission.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1445:** By Senator Dilworth—An act to amend Sections 14262, 14276, 14331, 14337, 14473, 14479, 14480, 14490, 14601, 14631, 14632, 14633, 14635, 14636, 14639, and 14640 of; to repeal Section 14639.5 of; and to add Sections 14276.6, 14276.7, 14276.8, 14480.1, 14575.2, 14636.1, 14636.2, and 14636.3 to, the Education Code, relating to the State Teachers' Retirement System, providing for a benefit upon death after retirement, and for optional annuity deposits by members, and providing for increased allowances, with increments in allowance formula, upon service retirement above age 60.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1446:** By Senator Short—An act to repeal Section 1752.2 and 6515 of the Welfare and Institutions Code and to add Section 19334 to the Government Code, relating to leaves of absence for state employees.

Referred to Committee on Social Welfare.

**Senate Bill No. 1447:** By Senator Sutton—An act to amend Section 985 of the Military and Veterans Code, relating to farm and home purchases for widows of veterans killed in action.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1448:** By Senator Sutton—An act to amend Section 8153 of the Education Code, relating to school holidays.

Referred to Committee on Education.

**Senate Bill No. 1449:** By Senator Gibson—An act to amend Section 1000 of the Business and Professions Code, relating to chiropractors.

Referred to Committee on Business and Professions.

**Senate Bill No. 1450:** By Senators Gibson and Miller—An act to add Article 3 to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the financing and construction of an additional toll bridge across Carquinez Straits near Crockett, including the modification and improvement of the existing Carquinez Bridge and the construction approaches to both bridges.

Referred to Committee on Transportation.

**Senate Bill No. 1451:** By Senators Gibson and Miller—An act to add Article 3 to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the financing and construction of an additional toll bridge and the approaches thereto across Carquinez Straits near Crockett.

Referred to Committee on Transportation.

**Senate Bill No. 1452:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Title 7a, comprising Section 575, to Part 2 of the Code of Civil Procedure, relating to pretrial conferences.

Referred to Committee on Judiciary.

**Senate Bill No. 1453:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Section 77 to the Code of Civil Procedure, to repeal Section 77b of said code, and to repeal Section 69540 of the Government Code, all relating to appellate departments of the superior courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1454:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Section 960 to the Code of Civil Procedure, relating to rules of the Judicial Council governing the practice and procedure in civil cases in the superior courts and in the municipal courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1455:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Section 68508 to the Government Code, relating to rules of the Judicial Council governing the practice and procedure in cases in the superior courts and in the municipal courts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1456:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Section 68509 to the Government Code, relating to rules of the Judicial Council governing the files and records of cases in the superior courts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1457:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Section 68510 to the Government Code, relating to rules of the Judicial Council governing the files and records in cases in the superior courts and in the municipal courts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1458:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Section 681.5 to the Penal Code, relating to rules of the Judicial Council governing the practice and procedure in criminal cases in the superior courts and in the municipal courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1459:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—An act to add Section 259.5 to the Probate Code, relating to rules of the Judicial Council governing the practice and procedure in cases under this code in the superior courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1460:** By Senator Regan—An act to add Section 1256 to the Water Code, relative to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1461:** By Senator Regan—An act to amend Sections 10000 and 10001 of the Water Code, relating to reinstatement of the project known as the "Trinity River Diversion" as a part of the state water plan.

Referred to Committee on Water Resources.

**Senate Bill No. 1462:** By Senator Thompson—An act to amend Section 24866 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1463:** By Senator Thompson—An act to amend Section 24862 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 1464:** By Senator Thompson—An act to amend Section 20354 of the Education Code, relating to the lease of state college property.

Referred to Committee on Education.

**Senate Bill No. 1465:** By Senator Thompson—An act to add Sections 70041.1, 70046.1, 70055.1, 73395, 73396, 73397, 73398, 73399, 73400, and 74045 to the Government Code, relating to official reporters.

Referred to Committee on Judiciary.

**Senate Bill No. 1466:** By Senator Grunsky—An act to amend Section 1202 of the Public Utilities Code, relating to intersections of streets, highways, and railroads.

Referred to Committee on Transportation.

**Senate Bill No. 1467:** By Senator Miller—An act to amend Section 74085 of the Government Code, relating to deputy marshals of the municipal court established in a district embracing the City of Richmond.

Referred to Committee on Local Government.

**Senate Bill No. 1468:** By Senator Miller—An act to amend Section 74084 of the Government Code, relating to the marshal of the municipal court established in a district embracing the City of Richmond.

Referred to Committee on Local Government.

**Senate Bill No. 1469:** By Senator Miller—An act to amend Section 1 of the Elections Code, relating to elections.

Referred to Committee on Elections.

**Senate Bill No. 1470:** By Senator Miller—An act to amend Section 29040 of the Government Code and Section 6301 of the Education Code, relating to county, city, and district finance, budgets and property taxes.

Referred to Committee on Local Government.

**Senate Bill No. 1471:** By Senator Miller—An act to add Section 607.5 to the Revenue and Taxation Code, relating to the assessment for property tax purposes of rights and privileges appertaining to mines or minerals.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1472:** By Senator Miller—An act to repeal Chapter 11 of and to add Chapter 11 comprising Articles 1 to 8 inclusive of Sections 7500 to 7564 inclusive, to Division 3 of the Business and Professions Code relating to private investigators, adjusters, patrolmen and guard services, and to exempt certain persons from the requirement of obtaining a license under the provisions of the chapter.

Referred to Committee on Business and Professions.

**Senate Bill No. 1473:** By Senator Desmond—An act to amend Section 602 of the Code of Civil Procedure relating to the qualifications of jurors.

Referred to Committee on Judiciary.

**Senate Bill No. 1474:** By Senator Desmond—An act to amend Sections 2051 and 2065 of the Code of Civil Procedure relating to witnesses.

Referred to Committee on Judiciary.

**Senate Bill No. 1475:** By Senator Desmond—An act to amend Section 8101 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1476:** By Senator Desmond—An act to add Section 7303 to the Health and Safety Code, relating to dead bodies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1477:** By Senator Desmond—An act to amend Sections 1275, 1277, 2602, 2603, 2625, 2627, 2628, 2629, 2651, 2652, 2656, 2676, 2677, 2701, 2702, 2703, 2705 to 2709, inclusive, 3001, 3004, 3005, 3006, 3010 to 3015, inclusive, 3075, and 3251 of, and to add Sections 2606 and 2704 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1478:** By Senator Desmond—An act to amend Section 55104 of the Water Code, relating to county water works districts.

Referred to Committee on Local Government.

**Senate Bill No. 1479:** By Senators Dorsey, Sutton, Way, Teale, and Thompson—An act to add Article 4.5 to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to juvenile probation departments.

Referred to Committee on Judiciary.

**Senate Bill No. 1480:** By Senator Parkman—An act to amend Section 5307 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1481:** By Senator Parkman—An act to amend Section 5311 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1482:** By Senator Parkman—An act to amend Section 5307.1 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1483:** By Senator Parkman—An act to amend Sections 111, 112, 113, and 114 of the Labor Code, relating to the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1484:** By Senator Parkman—An act to amend Section 410 of the Education Code, relating to the superintendent of schools of a county of the tenth class.

Referred to Committee on Education.

**Senate Bill No. 1485:** By Senator Grunsky—An act to amend Section 6700 of the Financial Code, relating to investments and loans by savings and loan associations.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1486:** By Senator Grunsky—An act to add Section 30358 to the Streets and Highways Code, relating to toll crossings.

Referred to Committee on Transportation.

**Senate Bill No. 1487:** By Senator Grunsky—An act to add Section 30800.5 to the Streets and Highways Code, relating to the granting of franchises for toll bridges, toll roads, and toll ferries.

Referred to Committee on Transportation.

**Senate Bill No. 1488:** By Senator Robert I. McCarthy—An act to authorize the Division of Water Resources, Department of Public Works to complete plans and institute a project or projects to furnish adequate fresh water for all purposes to the San Francisco Bay region Counties of Marin, Sonoma, Napa, Solano, Contra Costa, Alameda, Santa Clara, San Mateo and San Francisco.

Referred to Committee on Water Resources.

**Senate Bill No. 1489:** By Senator Robert I. McCarthy—An act to amend Section 1150 of, and to add Section 1150.1 to, the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1490:** By Senator Robert I. McCarthy—An act to amend Section 1194.8 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1491:** By Senators Sutton, Dilworth, Dale C. Williams, Short, Erhart, Richards, Cobey, and Cunningham—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchase Act of 1943.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1492:** By Senators Sutton, Dilworth, Erhart, Dale C. Williams, Short, Richards, Cobey, and Cunningham—An act to amend Sections 6700 and 6703 of the Government Code, relating to holidays.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1493:** By Senator Collier—An act to add Section 4260 to the Agricultural Code, relating to marketing of milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 1494:** By Senator Collier—An act to amend Sections 4246, 4247, and 4281 of the Agricultural Code, relating to marketing of milk and milk products.

Referred to Committee on Agriculture.

**Senate Bill No. 1495:** By Senator Busch—An act to amend Section 1293 of the Fish and Game Code, relating to depredations by game mammals.

Referred to Committee on Fish and Game.

**Senate Bill No. 1496:** By Senator Busch—An act to add Section 41 to Chapter 1544 of the Statutes of 1951, relating to the Lake County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 1497:** By Senator Busch—An act to amend Section 34 of the Mendocino County Flood Control and Water Conservation District Act, relating to Mendocino County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Senate Bill No. 1498:** By Senator Thompson—An act to amend Section 20397 of the Education Code, relating to employees of state colleges.

Referred to Committee on Local Government.

**Senate Bill No. 1499:** By Senator Thompson—An act to amend Section 5 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the Santa Clara Flood Control and Water District.

Referred to Committee on Local Government.

**Senate Bill No. 1500:** By Senators Short and Way—An act to amend Sections 74802 and 74803 of the Government Code, relating to the municipal court established in a district embracing the City of Stockton.

Referred to Committee on Local Government.

**Senate Bill No. 1501:** By Senator Short—An act to add Section 219.2 to the Penal Code, relating to throwing or shooting at trains, streetcars, or vessels.

Referred to Committee on Judiciary.

**Senate Bill No. 1502:** By Senators Short and Way—An act to add Section 764.5 to the Vehicle Code, relating to procedure on failure to pay a fine.

Referred to Committee on Transportation.

**Senate Bill No. 1503:** By Senator Short—An act to amend Section 74801 of the Government Code, relating to judges of a municipal court established in a district embracing the City of Stockton.

Referred to Committee on Local Government.

**Senate Bill No. 1504:** By Senator Short—An act to amend Section 74804 and repeal and add Section 74805 of the Government Code, relating to the Municipal Court of the City of Stockton.

Referred to Committee on Local Government.



**Senate Bill No. 1505:** By Senators Short and Way—An act to authorize cities, counties, housing authorities and other municipal corporations to acquire, own, operate and dispose of temporary housing projects made available by the Federal Government; and to validate, confirm, ratify and declare legally effective the acquisition of temporary housing projects from the Federal Government and the ownership, operation, and disposal of the same and the revenues therefrom by cities, counties, housing authorities and other municipal corporations.

Referred to Committee on Local Government.

**Senate Bill No. 1506:** By Senator Collier—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to public works programs, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1507:** By Senator Collier—An act to amend Section 26 of the Construction and Employment Act (Chapter 20 of the Statutes of 1946, First Extraordinary Session), relating to allocation of state funds to local agencies for the construction of public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1508:** By Senator Byrne—An act to add Article 6.5 to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1509:** By Senator Byrne—An act to amend Section 100 of the Water Code, relating to the development of water resources.

Referred to Committee on Water Resources.

**Senate Bill No. 1510:** By Senator Miller—An act to add Section 1282 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1511:** By Senator Miller—An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1512:** By Senator Miller—An act to amend Section 1279 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1513:** By Senator Miller—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1514:** By Senator Miller—An act to amend Sections 930 and 1280 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1515:** By Senators Montgomery and Cobey—An act to amend Section 685 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 1516:** By Senators Montgomery and Cobey—An act to amend Section 4400 of the Agricultural Code, relating to stabilization and marketing of milk and milk products.

Referred to Committee on Agriculture.

**Senate Bill No. 1517:** By Senators Montgomery and Cobey—An act to add Section 4396 to the Agricultural Code, relating to marketing and stabilization of milk and milk products.

Referred to Committee on Agriculture.

**Senate Bill No. 1518:** By Senators Burns, Brown, Ed. C. Johnson, Parkman, McBride, Ward, Collier, Regan, and Desmond—An act to amend Sections 11554 and 15623 of, and to add Section 11560.1 to, the Government Code, relating to the State Board of Equalization.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1519:** By Senator Cobey—An act to amend Section 3062 of the Civil Code, relating to liens on animals.

Referred to Committee on Judiciary.

**Senate Bill No. 1520:** By Senators Cobey and Montgomery—An act to amend Section 1299.18 of, and to add Section 1299.19 to, the Agricultural Code, relating to the ginning of cotton.

Referred to Committee on Agriculture.

**Senate Bill No. 1521:** By Senator Cobey—An act to amend Section 8961 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1522:** By Senator Cobey—An act to add Section 4986.1 to the Revenue and Taxation Code, relating to the cancellation of district taxes or assessments.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1523:** By Senator Cobey—An act to amend Sections 704 and 705 of the Vehicle Code, relating to weight limitations.

Referred to Committee on Transportation.

**Senate Bill No. 1524:** By Senator Cobey—An act to amend Section 16601 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1525:** By Senator Cobey—An act to amend Section 1503 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1526:** By Senator Parkman—An act to repeal Section 31553.5 of, and to add a new Section 31553.5 to the Government Code, relating to the retirement of county officers and employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1527:** By Senator Cunningham—An act to amend Section 7 of the San Bernardino Flood Control Act, relating to the San Bernardino County Flood Control District, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 1528:** By Senator Busch—An act to amend Section 1151 of the Fish and Game Code, relating to the use of artificial lights in hunting or fishing.

Referred to Committee on Fish and Game.

**Senate Bill No. 1529:** By Senator Short—An act to amend Section 460 of the Agricultural Code, relating to milk.

Referred to Committee on Agriculture.

**Senate Bill No. 1530:** By Senator Short—An act to add Article 7.1, comprising Sections 31660.1 to 31660.5, inclusive, to Chapter 3, Part 3, Division 4, Title 3 of the Government Code, relating to retirement of county employees.

Referred to Committee on Local Government.

**Senate Bill No. 1531:** By Senator Short—An act to add Section 937 to the Health and Safety Code and to amend Sections 16461 and 16463 of the Education Code, relating to health services for public school pupils.

Referred to Committee on Education.

**Senate Bill No. 1532:** By Senator Short—An act to amend Section 1956 of the Government Code, relating to insurance against the liability of public officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1533:** By Senator Short—An act to add Article 6.5 to Chapter 3, Part 3, Division 12 of the Health and Safety Code, relating to special fire protection zones in fire protection districts in one or more counties.

Referred to Committee on Local Government.

**Senate Bill No. 1534:** By Senator Short—An act to add Article 8.5 to Chapter 3, Part 3, Division 12 of the Health and Safety Code, relating to changing the name of fire protection districts in one or more counties.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1535:** By Senator Short—An act to add Section 14305.5 to, and to amend Sections 14077, 14302, and 14683 of, the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1536:** By Senator Hulse—An act to add Section 7705.2 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1537:** By Senator Hulse—An act to amend Sections 812.4, 812.7, 814, 828.6, 829.35 and 829.4 and to repeal Sections 812.4a, 812.6, 814.1 and 828.7a of the Agricultural Code, relating to vegetables.

Referred to Committee on Agriculture.

**Senate Bill No. 1538:** By Senator Busch—An act to repeal Sections 793, 794.5, 797, and 800 of, and to amend Section 802 of, the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

**Senate Bill No. 1539:** By Senators Donnelly and Gibson—An act to amend Sections 302, 303, 308, 981, 1059, and 2604 of, and to renumber and amend Sections 352, 353, and 354 of, to add Section 355 to, and to repeal Sections 132, 304, 351, and 2058 of, and to repeal the heading of Article 2 of Chapter 2 of Part 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1540:** By Senators Donnelly and Gibson—An act to add Chapter 4 to Part 2, Division 2, Title 2 of the Government Code, and to amend Section 9143 of said code, relating to state fiscal affairs, creating the Legislative Audit Bureau, and the Joint Legislative Audit Committee, prescribing the duties thereof, and providing for the transfer of funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1541:** By Senators Donnelly and Gibson—An act to add Article 9 to Chapter 1, Part 1, Division 3, Title 2 of the Government Code, relating to the reorganization of state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1542:** By Senators Donnelly, Erhart, Cobey, Dale C. Williams, Byrne, Ed. C. Johnson, Coombs, Busch, J. Howard Williams, Teale, Montgomery, Collier, Gibson, Berry, Regan, Way, Abshire, and Sutton—An act to amend Section 4230 of the Agricultural Code, relating to marketing of milk and milk products.

Referred to Committee on Agriculture.



**Senate Bill No. 1543:** By Senators Donnelly, Cobey, Sutton, Dale C. Williams, Byrne, Teale, Ed. C. Johnson, Coombs, Busch, J. Howard Williams, Montgomery, Collier, Gibson, Berry, Regan, Way, Abshire, and Erhart—An act to amend and renumber Section 4292 of the Agricultural Code, relating to marketing of milk and milk products.

Referred to Committee on Agriculture.

**Senate Bill No. 1544:** By Senators Donnelly, Erhart, Cobey, Dale C. Williams, Sutton, Busch, Byrne, Ed. C. Johnson, Coombs, Teale, Collier, Montgomery, Gibson, Berry, Regan, Abshire, Way, and J. Howard Williams—An act to amend and renumber Section 4294.5 of the Agricultural Code, relating to marketing of milk and milk products.

Referred to Committee on Agriculture.

**Senate Bill No. 1545:** By Senator Harold T. Johnson—An act to amend Section 8603 of the Revenue and Taxation Code, relating to definition of the term "motor vehicle".

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1546:** By Senator Gibson—An act to amend Section 2665 of the Business and Professions Code, relating to the practice of physical therapy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1547:** By Senators Desmond, McBride, and Grunsky—An act to amend Section 415.5 of the Vehicle Code, relating to restrictions on operator's or chauffeur's licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1548:** By Senators Desmond, McBride, and Grunsky—An act to amend Section 11624 of the Insurance Code, relating to assigned risk plans.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1549:** By Senator Sutton—An act to amend Sections 12020 and 12028 of, and to add Section 12020.5 to, the Penal Code, relating to the control of deadly weapons.

Referred to Committee on Judiciary.

**Senate Bill No. 1550:** By Senators Desmond, McBride, and Grunsky—An act to amend Section 422.3 of the Vehicle Code, relating to persons subject to the Security Following Accident Law, and releases, judgments and settlement agreements thereunder.

Referred to Committee on Transportation.

**Senate Bill No. 1551:** By Senator Dale C. Williams—An act to amend Section 1164 of the Fish and Game Code, relating to hunting and hunting licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 1552:** By Senator Dale C. Williams—An act to add Chapter 7 to Division 20 of the Health and Safety Code, relating to radioactive wastes.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1553:** By Senator Dale C. Williams—An act to add Chapter 1.5 to Part 1, Division 1 of the Health and Safety Code, transferring the functions of the radiation protection service in the Office of Civil Defense to a new division within the Department of Public Health.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1554:** By Senator Harold T. Johnson—An act to add Sections 7910.2 and 7957.1 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1555:** By Senator Murdy—An act to amend Section 301 of the Agricultural Code, relating to poultry inspection.

Referred to Committee on Agriculture.

**Senate Bill No. 1556:** By Senator Desmond—An act to add Section 12814 to the Public Utilities Code, relating to use of facilities for fishing by municipal utility districts.

Referred to Committee on Fish and Game.

**Senate Bill No. 1557:** By Senator Cunningham—An act to amend Section 2501 of the Water Code, relating to water rights.

Referred to Committee on Water Resources.

**Senate Constitutional Amendment No. 19:** By Senators Miller, Montgomery, Short, and Teale—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Elections.

**Senate Constitutional Amendment No. 20:** By Senators Regan, Grunsky, and Coombs—Proposed amendment to Article VI of the Constitution, relative to amending Section 9 of, and adding Section 27 to, said Article VI, relating to the Judicial Department.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 21:** By Senators Regan, Robert I. McCarthy, Grunsky, and Coombs—Proposed amendment to Article VI of the Constitution, relative to amending Section 4c of, and adding Section 4d to, said Article VI, relating to the Judicial Department.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 22:** By Senators Regan, Robert I. McCarthy, Grunsky, Coombs, and Richards—Proposed amendment to Article VI of the Constitution, relative to amending Section 2 of, adding Section 2a to, and repealing Sections 17 and 25 of, the said Article VI, relating to the Judicial Department.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 23:** By Senators Sutton and Dilworth—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 $\frac{1}{4}$  of Article XIII, relating to exemptions of property on account of military service.

Referred to Committee on Revenue and Taxation.

**Senate Joint Resolution No. 13:** By Senator Regan—Relative to the utilization of the water resources of the State.

Referred to Committee on Water Resources.

**Senate Joint Resolution No. 14:** By Senator Grunsky—Relative to memorializing Congress to increase the amount of aid granted to the needy aged.

Referred to Committee on Social Welfare.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 5

Senate Concurrent Resolution No. 30

Senate Joint Resolution No. 6

Senate Concurrent Resolution No. 36

And reports the same correctly engrossed.

WARD, Chairman

#### ADJOURNMENT

At 4.35 p.m., on motion of Senator Regan, the President declared the Senate adjourned until 11 a.m., Friday, January 21, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FOURTEENTH LEGISLATIVE DAY

NINETEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Friday, January 21, 1955

The Senate met at 11 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Weybret, on motion of Senator Grunsky, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert W. Moore and Mrs. Henry Moore, all of Tulare.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John Didier of Stockton.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chapin Day of San Rafael.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Donald Haines of San Jose.



On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Paul Wilkinson of Hanford.

On request of Senators Kraft and Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Margaret Irely from San Diego and Berkeley.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to sponsors Miss Oliva, Mr. McCaffery, and the following members of the Honor Society, student council from the Marina Junior High School: Betty Lou Park, Kenneth Lee, Susan Scott, James Naritome, Richard King, Eugene Tom, Irene Soto, Barbara Cohn, Marge Conway, Jeanette Jen, Alice Soto, Sophie Kwong, Marcha McFarland, Joan Roble, Jan Rosenthal, Ruby Sit, Gloria Tom, Wendy Tom, Marie Violante, Mary Ellen Wheatly, Julia Wong, Malcolm Dunn, Paul Gorman, John Grillos, Sal Guardino, Alex Konkoff, Joe Tanni, Arthur Ware, Ronald Chung, Benny Yee, Charlotte Binson, Anna Irwin, Susan Jackson, Carolyn Jackson, Yolanda Ghiglieri, Gwendolyn Lai, Pat Larsen, Emily Lee, Irene Natsievsky, Sue Pontier, Diane Scapel, Susan Ju, Kimmy Yee, Beverly Tom, Barbara Wheatly, Georgette Wong, Carolyn Julte, Joe Barnwell, Kenneth Flanagan, James Guerreo, Richard Hyman, Donald Jin, James Jones, Robert Lee, Kenneth Lew, Arnold Low, Larry Miller, Henry Thomas, Gilbert Craddock, Wyane Berry, Carolyn Kitchen, Pamela Prockerby, Marianna Adams, Phillip Decker, Robert Reynolds, Pat Morgan, Jackie McBride, Willie Davis, Sharon Fletcher, May Jee, Irene Jen, Judy Hern, Tehevesa Zolzzi, Sandra Spelman, Leonard Guerreo, Harry Higuera, Vickie Vesser, and Tad DeMartini.

On request of Senators Thompson and Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Malcolm MacKillop of Stockton.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Burt Green, manager, Southern San Joaquin Municipal District; and J. O. Reavis, City Attorney of Delano.

On request of Senator Dale C. Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lew Walker, Linda Walker, and Karen Wagner, all of Susanville.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lorrin Walters of Los Angeles.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Esther Bennett of Stockton.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James Pool of Ventura.

On request of Senator Robert I. McCarthy and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. C. "Pat" Maginn of San Francisco.

On request of Senators Richards and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter Williams Lewis of Oakland.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Agricultural Aviation Association: Mrs. LeRoy Lampson, Robbins; Mrs. L. S. Prior, Jr., Alameda; Mrs. Mildred Rohrbach and Mrs. Robert R. Bunch, Arvin; Mrs. Joanne White, Mrs. R. W. Wilson, and Mrs. Virginia Tierney, Bakersfield; Mrs. and Mr. John J. Small, Carlsbad, N. M.; Mrs. Belle Halley, Corcoran; Gladys Davis, Concord; Mrs. Patricia Medlock and Mrs. Patricia S. Kunze, Davis; Mrs. George Baldick, Hanford; Mrs. Juanita B. Roberts, Huntington Park; Mrs. Robert A. Phillips, Modesto; Mrs. Clayton L. Spangler and Mrs. William Spangler, Nicolaus; Mrs. Robert Wiseman, Orinda; Mrs. Ira B. Seiden, Rio Vista; Mrs. C. T. Jensen and Mrs. Wendell Liittschwager, Sacramento; Leila C. Atwood, Salinas; Mrs. Holly Fletcher, Troutdale, Ore.; Mrs. Annette LaGrande and Mrs. Frank Michand, Jr., Williams; Mrs. Elwin Strehle and Mrs. Lee Sherwood, Willows; and Mrs. Milton B. Watts, Woodland.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. C. Crofoot, leader, and the following members of the Odaociyapi Camp Fire group: Carmen Bartlett, Linda Iceberg, Mary Leone Alberts, Marolyn Ansted, Janice Crofoot, Margaret Doidge, Carol Gill, Denny Heil, Marilyn Kenealy, Carole Perdue, Carol Rose, Linda Schultz, Patty Starr, and Rosemarie Wagner.

**Senator McBride Presiding**

At 11.15 a.m., Senator James J. McBride of the Thirty-third Senatorial District, presiding.

**COMMUNICATIONS**

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, January 20, 1955

*Mr. J. A. Beck*

*Secretary of the Senate  
State Capitol, Sacramento, California*

DEAR MR. BECK: In accordance with Section 143.2 of the Streets and Highways Code, there are transmitted herewith for the use of the Members of the Senate, 200 copies of the budget report of the Division of Highways as included in the Governor's Budget submitted to the 1955 Session of the Legislature. A limited number of additional copies are available, if needed.

Respectfully submitted,

**FRANK B. DURKEE**, Director of Public Works

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, January 20, 1955

Re: Senate Concurrent Resolution No. 18—1954 Regular Session

*Hon. J. A. Beck*

*Secretary of the Senate  
State Capitol, Sacramento, California*

DEAR MR. BECK: Reference is made to Senate Concurrent Resolution No. 18, 1954 Regular Session, by Senators Berry, Way, Teale, Harold T. Johnson, Dale C. Williams, and Regan.

This resolution requested that the Department of Public Works make a comprehensive economic and engineering survey to determine whether it would be in the

public interest to designate specific sections of the public highway system as natural resource roads.

There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, January 20, 1955

Re: Senate Resolution No. 28—1954 First Extraordinary Session

Hon. J. A. Beek

Secretary of the Senate

State Capitol, Sacramento, California

DEAR MR. BEEK: Reference is made to Senate Resolution No. 28, 1954 First Extraordinary Session, by Senator Regan.

This resolution requested the Director of Public Works to report to the Senate of the State of California at its January 1955 Session with respect to the effect of maximum weight limitations on single axles of commercial vehicles and the effect thereof on highway construction and maintenance.

There are enclosed six copies of a report which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

Report ordered filed with the Secretary of the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: Your Committee on Rules has examined:

**Senate Bill No. 27**—An act to amend Sections 7351 and 8651 of the Revenue and Taxation Code, Sections 370, 372, 372.1 (as added by Chapter 1200, Statutes of 1953), and 381 of the Vehicle Code, to provide tax levies for the financial support of public highways, and providing that this act shall take effect immediately.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-first day of January, 1955, at 10 a.m.

WARD, Chairman

## RESOLUTIONS

The following resolutions were offered:

By Senator Way:

### Senate Resolution No. 56

Relative to fish and game

WHEREAS, The State of California has not added to the staff of wildlife protection officers for many years; and

WHEREAS, The number of hunters and fishermen have doubled and redoubled during this period; and

WHEREAS, The work of patrol has increased to a point where it is impossible to perform the patrol work alone; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Legislature of the State of California take prompt action to double the size of the patrol; and be it further

*Resolved*, That action be taken to bring the Wildlife Protection Branch under a single state-wide head, separate from the jurisdiction of regional offices; and be it further

*Resolved*, That the Legislature of the State of California make a complete investigation of the Department of Fish and Game.

Resolution read, and referred to Committee on Rules.



By Senator Dale C. Williams:

**Senate Resolution No. 57**

Relative to the creation of the Senate Interim Committee  
on Tax-exempt Organizations

WHEREAS, The privilege of exemption from taxation is a high one, costly to the State and not to be lightly bestowed; and

WHEREAS, Such privilege should be enjoyed only by such organizations as merit it, by reason of truly charitable or other plainly beneficial activities; and

WHEREAS, It is important to the State that it be known whether there are some organizations enjoying the privilege which, by reason of the nature of their activities, are undeserving thereof, and, on the other hand, whether there are organizations which do not enjoy the privilege but are deserving thereof; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Tax-exempt Organizations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to organizations devoted to, or purporting to be devoted to, charitable, educational or other socially beneficial purposes and which are, or are eligible to be, exempt from taxation, or which seek or desire such privilege, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1957 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 149**—An act to amend Section 701 of the Unemployment Insurance Code, relating to the elective coverage of instrumentalities of the United States, declaring the urgency thereof, to take effect immediately.

Bill read second time.



**Request for Unanimous Consent**

Senator McBride asked for, and was granted, unanimous consent to take up Assembly Bill No. 149, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 149****Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator McBride:

*Resolved*, That Assembly Bill No. 149 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

**CONSIDERATION OF ASSEMBLY BILL NO. 149**

**Assembly Bill No. 149**—An act to amend Section 701 of the Unemployment Insurance Code, relating to the elective coverage of instrumentalities of the United States, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution No. 30**—Relative to commending the American Legion for organizing American Legion Junior Baseball and requesting the Governor to set aside a day to be known as "American Legion Junior Baseball Day."

Resolution read.

**Motion to Strike From the File**

Senator Dorsey moved that Senate Concurrent Resolution No. 30 be stricken from the file.

Motion carried.

**Senate Joint Resolution No. 6**—Relative to memorializing the President, Congress, and the Postmaster General of the United States to take appropriate action to cause the issuance of a postage stamp honoring the California Redwoods as "The World's Oldest Living Things."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Busch, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Way, and Dale C. Williams—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 5**—Relative to memorializing the President and Congress of the United States and the Secretary of the Interior to take appropriate action to permit prospecting and mining in the Joshua Tree National Monument.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Richards, Short, Teale, Way, Dale C. Williams, and J. Howard Williams—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 409**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Murdy.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, Dale C. Williams, and J. Howard Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 63**—An act to add Sections 30093 and 30094 to the Water Code, relating to the inclusion of an irrigation district in a

county water district, the authorizing of payments to retire bonds, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Murdy.

**Urgency Clause**

Urgency clause read, and adopted on January 20, 1955.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 30**—Relative to congratulating Judge Sherrill Halbert on his appointment to the United States District Court for the Northern District of California.

Resolution read, and presented by Senator Donnelly.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 32**—Relative to commending Miss Maureen Connolly.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Busch, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Richards, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 35**—Relative to commending Rotary International upon the occasion of celebration of its golden anniversary.

Resolution read, and presented by Senator Richards.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Richards, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 6

Assembly Concurrent Resolution No. 20

Assembly Concurrent Resolution No. 42

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By RICHARD BARBEAU, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolutions were read the first time:

**Assembly Concurrent Resolution No. 20**—Relative to the exchange of surplus state land.

Referred to Committee on Governmental Efficiency.

**Assembly Concurrent Resolution No. 42**—Relative to speed limit signs on freeways.

Referred to Committee on Transportation.

**Assembly Joint Resolution No. 6**—Relative to operation of federal dams.

Referred to Committee on Water Resources.

**REPORTS OF STANDING COMMITTEES****Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred: Senate Resolution No. 53

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

MCBRIDE, Chairman

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Resolution No. 53, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 53****Senate Resolution No. 53****Relative to taxation**

WHEREAS, The great and continuing increase in population and industry within the County of San Diego in the last decade has created an urgent and immediate need for an equivalent expansion of local governmental operations; and

WHEREAS, These increases in large part are the direct result of the rapid enlargement of national defense activities in the County of San Diego not only in military installations but also in housing and defense manufacturing, all of which have required the full range of services provided by all local governmental agencies; and

WHEREAS, The enlargement of such national defense activities has resulted in the exemption and removal from local tax rolls of large amounts of property; and

WHEREAS, The property tax is the primary support of all local governmental agencies in California, and the removal of property acquired by national defense activities has not only resulted in the failure of these activities to bear their fair share of the cost of local government but has increased the burden of such government on the owners of taxable property by more than 22 percent; and

WHEREAS, The cost of providing local governmental services to national defense activities is properly a burden which should be borne by the entire Country rather



than by the property taxpayers in the immediate vicinity in which these activities are operated; *now, therefore, be it*

*Resolved by the Senate of the State of California*, That the Congress of the United States of America be respectfully requested to approve such measures as may be introduced during its current session to:

(a) Validate the payments of local taxes heretofore paid under protest by local defense manufacturers or inventories of materials held for use on defense contracts, and to clarify the obligations of defense manufacturers with respect to local taxation;

(b) Define and more clearly specify the existing statutory requirement that local taxes shall be paid or payments in lieu of local taxes shall be made by operators of Wherry Housing Projects;

(c) Establish a program for making of payments in lieu of taxes by the United States of America to state and or local governmental agencies adversely affected by federal acquisition, ownership or use of defense production facilities and other property and installations required for national as distinguished from local purposes; and be it further

*Resolved*, That the Secretary of the Senate be hereby directed to notify the Senators and Congressmen from California of this action.

Resolution read, and, on a motion by Senator Kraft, adopted.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to third reading.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 11

Senate Concurrent Resolution No. 36

Senate Joint Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By RICHARD BARBEAU, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 408

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Assistant Secretary Lachlan Richards at the Desk

### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 1558:** By Senator Ward—An act to add Article 8 to Chapter 1, Division 3 of the Public Resources Code, relating to oil and gas.

Referred to Committee on Natural Resources.

**Senate Bill No. 1559:** By Senators Teale, Dale C. Williams, and Collier—An act to add Sections 32222.1, 32222.2, 32222.3, and 32222.4 to the Water Code, relating to county water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1560:** By Senator Brown—An act to amend Section 1347 of the Fish and Game Code, relating to elk.

Referred to Committee on Fish and Game.

**Senate Bill No. 1561:** By Senator Brown—An act to amend Section 332 of the Fish and Game Code, relating to wilderness areas.

Referred to Committee on Fish and Game.

**Senate Bill No. 1562:** By Senator Brown—An act to amend Section 6816 of the Public Resources Code, relating to the State Harbor Fund.

Referred to Committee on Transportation.

**Senate Bill No. 1563:** By Senator Brown—An act to add Part 4 to Division 6 of the Harbors and Navigation Code, relating to the State Harbor Fund, and making an appropriation.

Referred to Committee on Transportation.

**Senate Bill No. 1564:** By Senator Brown—An act to amend Section 1743 of the Harbors and Navigation Code, relating to San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1565:** By Senator Brown—An act to amend Section 1700 of the Harbors and Navigation Code, relating to San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1566:** By Senator Short—An act to add Chapter 2.3 to Part 5 of Division 1 of the Revenue and Taxation Code, and to add Section 29021 to the Government Code, relating to property taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1567:** By Senator Short—An act to amend Section 17.1 of the Welfare and Institutions Code, relating to the residence of a minor child of a mentally ill person.

Referred to Committee on Social Welfare.

**Senate Bill No. 1568:** By Senator J. Howard Williams—An act to add Section 20334.1 to the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1569:** By Senator Short—An act to add Section 14305.5 to, and amend Sections 14077 and 14683 of, the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1570:** By Senator Short—An act to add Section 24008 to the Government Code, relating to county fire wardens.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1571:** By Senators Sutton, Busch, and Teale—An act to add Section 5011 to the Education Code, relating to audits of school district funds.

Referred to Committee on Education.

**Senate Bill No. 1572:** By Senator Short—An act to add Article 8.5 to Chapter 3, Part 3, Division 12 of the Health and Safety Code, relating to the transfer of territory from one fire protection district in one or more counties to another such district.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1573:** By Senator Short—An act to add Sections 8967, 8967.5, 8968, 8968.5, and 8969 of the Health and Safety Code, relating to dedication of property of public cemetery districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1574:** By Senator Short—An act to amend Section 742 of the Vehicle Code, relating to procedures following an arrest.

Referred to Committee on Transportation.

**Senate Bill No. 1575:** By Senator Kraft—An act to add Section 1142 of the Insurance Code, relating to foreign insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1576:** By Senator Kraft—An act to add Section 710 to the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1577:** By Senator Kraft—An act to amend Section 252 of the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1578:** By Senator Kraft—An act to add Sections 570, 571, and 572 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1579:** By Senator Brown—An act to add Section 215.5 to the Vehicle Code, relating to highway user taxes.

Referred to Committee on Transportation.

**Senate Bill No. 1580:** By Senator Brown—An act to amend Section 1743 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1581:** By Senator Brown—An act to amend Section 1700 of the Harbors and Navigation Code, relating to San Francisco Harbor.

Referred to Committee on Transportation.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 1582:** By Senator Robert I. McCarthy—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1583:** By Senator Robert I. McCarthy—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1584:** By Senator Robert I. McCarthy—An act to amend Section 7352 of the Revenue and Taxation Code, relating to taxable distributions of motor vehicle fuel.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1585:** By Senator Robert I. McCarthy—An act to add Section 1219 to the Civil Code, relating to acknowledgment and proof of execution, certification and recording of oil and gas leases.

Referred to Committee on Judiciary.

**Senate Bill No. 1586:** By Senator Robert I. McCarthy—An act to amend Section 1743 of the Harbors and Navigation Code, relating to San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1587:** By Senator Robert I. McCarthy—An act to add Section 3065 to the Harbors and Navigation Code, relating to San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1588:** By Senator Robert I. McCarthy—An act to amend Sections 11002 and 11003 of the Government Code, relating to time within which tax payments and claims for credit or refund must be filed.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1589:** By Senator Robert I. McCarthy—An act to amend Section 1700 of the Harbors and Navigation Code, relating to San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1590:** By Senator Robert I. McCarthy—An act to amend Section 1732 of the Harbors and Navigation Code, relating to San Francisco Harbor.

Referred to Committee on Transportation.



**Senate Bill No. 1591:** By Senator Short—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies.

Referred to Committee on Labor.

**Senate Bill No. 1592:** By Senator Short—An act to amend Section 830.1 of the Agricultural Code, relating to standards for agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1593:** By Senator Grunsky—An act to add Section 1011.5 to the Insurance Code, relating to proceedings against insurers in cases of insolvency and delinquency.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1594:** By Senator Grunsky—An act to add Section 7031.5 to the Education Code, relating to foundation programs of school districts.

Referred to Committee on Education.

**Senate Bill No. 1595:** By Senator Grunsky—An act to amend Section 6050 of the Elections Code, relating to voting machines.

Referred to Committee on Elections.

**Senate Bill No. 1596:** By Senators Sutton, Dale C. Williams, Montgomery, Cunningham, Robert I. McCarthy, Short, Berry, Cobey, Miller, and Erhart—An act to amend Section 898 of the Military and Veterans Code, relating to the Veterans' Dependents' Education Fund.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1597:** By Senator Sutton—An act to amend Section 860 of the Fish and Game Code, relating to taking fish with nets.

Referred to Committee on Fish and Game.

**Senate Bill No. 1598:** By Senator Donnelly—An act to add Section 16603 to the Business and Professions Code, relating to tie-in sales of magazines and other publications.

Referred to Committee on Business and Professions.

**Senate Bill No. 1599:** By Senator Donnelly—An act to amend Section 464 of the Agricultural Code, relating to milk.

Referred to Committee on Agriculture.

**Senate Bill No. 1600:** By Senator Donnelly—An act to amend Section 542.1 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 1601:** By Senator Donnelly—An act to amend Section 542 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 1602:** By Senator Donnelly—An act to amend Section 509 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 1603:** By Senator Donnelly—An act to amend Section 503 of the Agricultural Code, relating to milk and dairy products.  
Referred to Committee on Agriculture.

**Senate Bill No. 1604:** By Senator Donnelly—An act to amend Section 500 of the Agricultural Code, relating to milk and dairy products.  
Referred to Committee on Agriculture.

**Senate Bill No. 1605:** By Senator Donnelly—An act to amend Section 501 of the Agricultural Code, relating to milk and dairy products.  
Referred to Committee on Agriculture.

**Senate Bill No. 1606:** By Senator Donnelly—An act to amend Section 460 of the Agricultural Code, relating to milk.  
Referred to Committee on Agriculture.

**Senate Bill No. 1607:** By Senator Berry—An act to add Section 4665 to the Labor Code, relating to workmen's compensation.  
Referred to Committee on Labor.

**Senate Bill No. 1608:** By Senator Berry—An act to add Section 5040 to the Public Resources Code, relating to a James W. Marshall Gold Discovery Museum at Coloma, El Dorado County, California, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1609:** By Senator Berry—An act to add Section 1171.5 to the Fish and Game Code, relating to hunting of birds.

Referred to Committee on Fish and Game.

**Senate Bill No. 1610:** By Senator Dale C. Williams—An act to amend Section 737 of the Vehicle Code, relating to procedure following arrest for hitchhiking.

Referred to Committee on Transportation.

**Senate Bill No. 1611:** By Senator Dale C. Williams—An act to amend Section 679.1 of the Vehicle Code, relating to vehicles carrying logs or poles.

Referred to Committee on Transportation.

**Senate Bill No. 1612:** By Senator Dale C. Williams—An act to amend Section 737.5 of the Vehicle Code, relating to procedure after arrest for a violation of the Vehicle Code.

Referred to Committee on Transportation.

**Senate Bill No. 1613:** By Senator Busch—An act to authorize the conveyance of certain property, belonging to the State of California and situated in the County of Mendocino, to the River Union Elementary School District of Mendocino County, State of California.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1614:** By Senator Miller—An act to add Section 674.5 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1615:** By Senator Miller—An act to amend Section 5463, 6499, 6514, 6644, and 6917 of the Health and Safety Code, and to amend Section 58501 of the Government Code, relating to sewers and sanitation.

Referred to Committee on Local Government.

**Senate Bill No. 1616:** By Senator Miller—An act to amend Section 1463 of the Penal Code, relating to disposition of fines and forfeitures.

Referred to Committee on Judiciary.

**Senate Bill No. 1617:** By Senator Miller—An act to amend Section 860 of the Fish and Game Code, relating to taking fish.

Referred to Committee on Fish and Game.

**Senate Bill No. 1618:** By Senator Miller—An act to add Article 12.5 to Chapter 10, Title 8 of the Government Code, relating to the municipal court established in the Martinez Judicial District.

Referred to Committee on Local Government.

**Senate Bill No. 1619:** By Senator Miller—An act to add Article 7.5 to Chapter 10, Title 8 of the Government Code, relating to the municipal court established in the Concord Judicial District.

Referred to Committee on Local Government.

**Senate Bill No. 1620:** By Senator Miller—An act to amend Section 72054 of the Government Code, relating to courts and fees for services performed by court clerks.

Referred to Committee on Local Government.

**Senate Bill No. 1621:** By Senators Gibson and Miller—An act to add Article 3 to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the financing and construction of an additional toll bridge across Carquinez Straits near Crockett, including the modification and improvement of the existing Carquinez Bridge and the construction of approaches to both bridges.

Referred to Committee on Transportation.

**Senate Bill No. 1622:** By Senator Gibson—An act making an appropriation for the restoration of the Benicia State Capitol Historical Monument.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1623:** By Senator Gibson—An act to repeal Section 29012 of, and to add Sections 29012, 29012.1, 29012.2, and 29012.3 to, the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1624:** By Senator Gibson—An act to amend Section 29003.5 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1625:** By Senator Cunningham—An act to amend Section 3166.1 of the Civil Code, relating to bank holidays.

Referred to Committee on Judiciary.

**Senate Bill No. 1626:** By Senator Cunningham—An act to add Chapter 8, comprising Sections 5601 to 5672, inclusive, to Division 2 of the Public Utilities Code, relating to the regulation of dump truck carriers.

Referred to Committee on Transportation.

**Senate Bill No. 1627:** By Senator Coombs—An act to add Section 12663 to the Water Code, relating to a plan for construction of the Cache Creek Project for flood control and water conservation purposes.

Referred to Committee on Water Resources.

**Senate Bill No. 1628:** By Senator Coombs—An act to amend Section 207 of the Health and Safety Code, relating to the preservation of public health and safety.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1629:** By Senator Coombs—An act to repeal Section 5010 as added by Chapter 533 of the Statutes of 1953 of, and to amend Section 5010 as added by Chapter 1028 of the Statutes of 1953 of, the Education Code, relating to the audit of school funds.

Referred to Committee on Education.

**Senate Bill No. 1630:** By Senator Coombs—An act to add Sections 18711.5 and 18716 to the Business and Professions Code, relating to the payment of taxes on revenue received from boxing or wrestling contests, matches or exhibitions.

Referred to Committee on Business and Professions.

**Senate Bill No. 1631:** By Senator Collier—An act to amend Section 12359 of the Insurance Code, relating to title insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1632:** By Senator Murdy—An act to repeal Chapter 12 of Division 6 of the Agricultural Code, relating to marketing of agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1633:** By Senator Murdy—An act to add Section 1271.5 to the Agricultural Code, relating to commission merchants dealing in farm products.

Referred to Committee on Agriculture.



**Senate Bill No. 1634:** By Senator Murdy—An act to repeal Chapter 13 of Division 6 of the Agricultural Code, relating to marketing of agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1635:** By Senator Ed. C. Johnson—An act to amend Section 1201 of the Fish and Game Code, relating to pheasants.

Referred to Committee on Fish and Game.

**Senate Bill No. 1636:** By Senator Parkman—An act to amend Sections 9606, 9606.7, and 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1637:** By Senator Parkman—An act to amend Sections 757, 1836, 1837, and 1907 of the Revenue and Taxation Code, relating to the procedure for assessing and equalizing assessments of property in the State of California.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1638:** By Senator Sutton—An act to amend Section 1051 of the Public Utilities Code, relating to warehousemen.

Referred to Committee on Public Utilities.

**Senate Bill No. 1639:** By Senator Sutton—An act to add Section 9095.5 to the Insurance Code, relating to fraternal fire insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1640:** By Senator Sutton—An act to add Chapter 4 to Part 1 of Division 2 of the Water Code, relating to use of water and intrastate compacts in connection therewith.

Referred to Committee on Water Resources.

**Senate Bill No. 1641:** By Senators Collier and Hulse—An act to amend Section 90 of the Streets and Highways Code, relating to the acquisition, construction, control, maintenance, and operation of highways, and the administration thereof.

Referred to Committee on Transportation.

**Senate Bill No. 1642:** By Senators Collier and Hulse—An act to amend Section 188.4 of the Streets and Highways Code, relating to the expenditure of funds available for state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1643:** By Senators Collier and Hulse—An act to amend Section 143.1 of the Streets and Highways Code, relating to the expenditure of funds available for state highways, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 1644:** By Senator Collier—An act to amend Section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Referred to Committee on Judiciary.

**Senate Bill No. 1645:** By Senator Collier—An act to amend Section 4302 of the Public Utilities Code, relating to carriers regulated by the Public Utilities Commission.

Referred to Committee on Transportation.

**Senate Bill No. 1646:** By Senator Collier—An act to add Section 374.3 of the Vehicle Code, relating to exemptions from registration and weight fees.

Referred to Committee on Transportation.

**Senate Bill No. 1647:** By Senator Collier—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees.

Referred to Committee on Transportation.

**Senate Bill No. 1648:** By Senator Collier—An act to add Section 374.2 to the Vehicle Code, relating to registration and weight fees.

Referred to Committee on Transportation.

**Senate Bill No. 1649:** By Senator Collier—An act to amend Section 238 of the Public Utilities Code, relating to the definition of "vessel."

Referred to Committee on Transportation.

**Senate Bill No. 1650:** By Senator Collier—An act to amend Section 242 of the Public Utilities Code, relating to the definition of "wharfinger."

Referred to Committee on Transportation.

**Senate Bill No. 1651:** By Senator Collier—An act to amend Section 239 of the Public Utilities Code, relating to the definition of "warehouseman."

Referred to Committee on Public Utilities.

**Senate Bill No. 1652:** By Senator Collier—An act to amend Section 754 of the Revenue and Taxation Code, to amend and renumber Sections 1833 to 1836, inclusive, and 1838 to 1843, inclusive, of said code, and to repeal Sections 1832, 1837, and Article 4, Chapter 2, Part 3, Division 1 comprised of Sections 2001 to 2005, inclusive, of said code, all relating to property taxation and providing for the assessment of property and the equalization of assessments.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1653:** By Senator Collier—An act to amend Section 754 of the Revenue and Taxation Code, to amend and renumber Sections 1833 to 1836, inclusive, and 1838 to 1843, inclusive, of said code, to add Section 216 to said code, and to repeal Sections 1832, 1837, and Article 4, Chapter 2, Part 3, Division 1 comprised of Sections 2001 to 2005, inclusive, of said code, all relating to property taxation and providing for the assessment of property, the equalization of assessments, and the exemption of personal property.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1654:** By Senator Collier—An act to amend Sections 106, 210, and 754 of the Revenue and Taxation Code, to amend and renumber Sections 1831 to 1836, inclusive, and 1838 to 1843, inclusive, of said code, and to repeal Sections 1832, 1837, and Article 4, Chapter 2, Part 3, Division 1 comprised of Sections 2001 to 2005, inclusive, of said code, all relating to property taxation and providing for the assessment of property, the equalization of assessments, and the exemption of the personal property of householders.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1655:** By Senators J. Howard Williams, Murdy, and Hulse—An act to amend Sections 22, 401, 1005.1, 1005.2, 2563, 4332, 4873, 4159, 4160, 5045, 7979, 8000, 8360, 8361, 8362, 8373, 8400, 8655, 8686, 8689, 8692, 8693, 8694, 8697, 10000, 10500, 11135, 11411, 11412, 11551, 11552, 12005, 12586, 12609, 12610, 12611, 12612, 12617, 12618, 12623, 12627, 12631, 12632, 13011, 20016, 20019, 20082, 20083, 20084, 20085, 20086, 20021, 20027, 20820, 20981, 23456, 23460, 31006, 32653, 32670, 32671, 32672, 32699, 32715, and 33463; the title of Article 1 of Chapter 2 of Division 1, the title to Chapter 2 of Part 2 of Division 5, the title of Article 2 of Chapter 3 of Part 2 of Division 5, the title to Article 5 of Chapter 3 of Part 4 of Division 5, the title of Article 2 of Chapter 3 of Part 8 of Division 12, the title of Chapter 4, Part 1, Division 14, the title of Article 4 of Chapter 1 of Part 5 of Division 14, the title of Article 1 of Chapter 2 of Part 5 of Division 14, and the title of Article 1 of Chapter 3 of Part 5 of Division 14, of, to amend and renumber Section 200 and to renumber Sections 12601 and 12603 of, to repeal Sections 23, 201, 202, 203, 227, 10505, 10506, 6001, 6050, 6051, 8695, 8698, 8699, 11417, 12591, 12592, 12593, 12594, 12595, 12596, 12597, 12598, 12599, 12600, 12602, 12604, 12605, 12606, 12607, 12616, 20544, 20545, and 30029 and Article 3 of Chapter 5 of Part 2 of Division 2 and Article 5 of Chapter 1 of Part 3 of Division 6 of, the Water Code, to add Sections 26, 111, 112, and 12005 to, to add the title to Chapter 2.5 of Division 1 and the title to Article 1 of Chapter 2.5 of Division 1, Article 2 to Chapter 2 of Division 1, Article 3 to Chapter 2 of Division 1, Article 4 to Chapter 2 of Division 1, Article 6 to Chapter 2.5 of Division 1, Article 7 to Chapter 2.5 of Division 1, Division 15, and Article 3 to Chapter 3 to Part 2 of Division 2 of, the Water Code and to amend Sections 4001, 11041, 12049, 13370, 14005, 14255, 14314, 14316, 14331, 14370, 14371, 14377, 16048, and 16049 of, and to add Section 14254.5 to the Government Code, relating to water resources and creating a Department of Water Resources for the proper administration thereof, prescribing its powers and functions.

Referred to Committee on Water Resources.

**Senate Bill No. 1656:** By Senators J. Howard Williams, Murdy, and Hulse—An act to amend Sections 11155, 11156, 11160, 11701, 11550, 12572, 12585, 12627, 12628, 12629, 12630, 12631, 12673, 12679, 12698, 12801, 12803, 12825, 12827, 12828, 12829, and 12830, the title to Division 6, the title to Part 1 of Division 6, and the title to Part 6 of Division 6 of, to amend and renumber the title of Article 6 of Chapter 1 of Part 3 of Division 6, the title to Article 3 of Chapter 3 of Part 3 of Division 6, and the title to Article 4 of Chapter 3 of Part 3 of

Division 6 of, to add the title to Chapter 1 of Part 1 of Division 6, the title to Article 1 of Chapter 1 of Part 1 of Division 6, the title to Chapter 2 of Part 1 of Division 6, and Part 2 to Division 6, and Article 4 to Chapter 1 of Part 6 of Division 6, to repeal Sections 11702, 12617, 12618, 12619, 12620, 12621, 12622, 12623, 12624, 12625, 12626, 12632, 12633, 12634, the title to Part 2 of Division 6, Articles 1 and 2 of Chapter 3 of Part 3 of Division 6, and Article 4 of Chapter 1 of Part 6 of Division 6 of, the Water Code, relating to administration of water resources and their development.

Referred to Committee on Water Resources.

**Senate Bill No. 1657:** By Senators J. Howard Williams, Murdy, and Hulse—An act to amend Section 14033 of, and to repeal Sections 14034, 14035, 14036, and 14037 of, the Government Code, and to add Sections 150, 151, 152, 153, 154, 155, 156, and 158 to the Water Code, relating to the expenditure of funds by the Department of Water Resources, and making an appropriation therefor.

Referred to Committee on Water Resources.

**Senate Bill No. 1658:** By Senator J. Howard Williams—An act to appropriate funds for the support of the Water Project Authority.

Referred to Committee on Water Resources.

**Senate Bill No. 1659:** By Senator J. Howard Williams—An act to appropriate funds for the support of the Department of Water Resources.

Referred to Committee on Water Resources.

**Senate Bill No. 1660:** By Senator J. Howard Williams—An act to add Section 4906.5 to the Labor Code and to amend Section 2714 of the Unemployment Insurance Code, relating to workmen's compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1661:** By Senator J. Howard Williams—An act to add Section 2630 to the Unemployment Insurance Code, relating to disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1662:** By Senator Ed. C. Johnson—An act to amend Section 8361 of the Water Code, relating to flood control.

Referred to Committee on Water Resources.

**Senate Bill No. 1663:** By Senator Ed. C. Johnson—An act to add Section 10.5 to the Fish and Game Code, relating to fish, game, and other wildlife resources.

Referred to Committee on Fish and Game.

**Senate Bill No. 1664:** By Senators Way and Collier—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.



**Senate Bill No. 1665:** By Senators Way and Collier—An act to add Section 1238.7 to the Code of Civil Procedure, relating to eminent domain proceedings for timber access roads.

Referred to Committee on Judiciary.

**Senate Bill No. 1666:** By Senator Miller—An act relating to minimum wages and establishing a wage board.

Referred to Committee on Labor.

**Senate Bill No. 1667:** By Senator Way—An act to amend Section 704 of the Vehicle Code, relating to weight of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1668:** By Senator Erhart—An act to repeal Section 734 of the Fish and Game Code.

Referred to Committee on Fish and Game.

**Senate Bill No. 1669:** By Senator Donnelly—An act to amend Section 9805.5 of the Education Code, relating to the education of mentally retarded minors.

Referred to Committee on Education.

**Senate Bill No. 1670:** By Senator Donnelly—An act to amend Section 8271 of the Education Code, relating to the public schools.

Referred to Committee on Education.

**Senate Bill No. 1671:** By Senator Donnelly—An act to add Article 4 to Chapter 6 of Division 12 of the Education Code, relating to books and materials in the public schools.

Referred to Committee on Education.

**Senate Bill No. 1672:** By Senator Donnelly—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

**Senate Bill No. 1673:** By Senator Donnelly—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to responsible relatives of applicants for or recipients of aid to the aged.

Referred to Committee on Social Welfare.

**Senate Bill No. 1674:** By Senator Sutton—An act to amend Section 28140 of the Government Code, relating to compensation for public service in a county of the fortieth class.

Referred to Committee on Local Government.

**Senate Bill No. 1675:** By Senator Brown—An act to add Section 5005 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1676:** By Senator Brown—An act to amend Section 4750 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1677:** By Senator Way—An act to add Section 270.5 to, and to amend Section 272 of, the Labor Code, relating to security for payment of wages.

Referred to Committee on Labor.

**Senate Bill No. 1678:** By Senator Byrne—An act to add Section 928a to the Penal Code, relating to grand juries.

Referred to Committee on Judiciary.

**Senate Bill No. 1679:** By Senator Byrne—An act to amend Section 25241 of the Water Code, relating to irrigation district revenue bonds.

Referred to Committee on Water Resources.

**Senate Bill No. 1680:** By Senator Montgomery—An act to add Chapter 4 to Part 2 of Division 1 of the Public Utilities Code, relating to regulating cotton gins and the ginning of cotton.

Referred to Committee on Public Utilities.

**Senate Bill No. 1681:** By Senators Abshire, Murdy, Montgomery, and J. Howard Williams—An act to amend Sections 4750 and 4751 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1682:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1683:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to amend Section 4750 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1684:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to add Section 3208.1 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1685:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to add Section 5100.5 to the Labor Code, relating to commutation of compensation in workmen's compensation proceedings.

Referred to Committee on Labor.

**Senate Bill No. 1686:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to add Section 3208.2 to the Labor Code relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1687:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to amend Section 5412 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1688:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to add Section 135 to the Labor Code, relating to records of the Industrial Accident Commission.

Referred to Committee on Labor.

**Senate Bill No. 1689:** By Senators Abshire, Montgomery, Murdy, and J. Howard Williams—An act to repeal Section 5500.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1690:** By Senators Abshire, Murdy, Montgomery, and J. Howard Williams—An act to add Section 3600.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1691:** By Senators Abshire, Murdy, and J. Howard Williams—An act to amend Section 5313 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1692:** By Senators Abshire, Murdy, and J. Howard Williams—An act to amend Section 3202 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1693:** By Senator Abshire—An act to amend Section 3600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1694:** By Senator Abshire—An act to add Section 4664 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1695:** By Senator Abshire—An act to amend Sections 5803 and 5804 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1696:** By Senator Abshire—An act to amend Section 5903 and 5952 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1697:** By Senator Abshire—An act to amend Section 5100 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Joint Resolution No. 15:** By Senator Dale C. Williams—Relative to the establishment of separate waterfowl seasons in California.

Referred to Committee on Fish and Game.

**RECESS**

At 12.10 p.m., on motion of Senator Ward, the Senate recessed until 2 p.m.

**REASSEMBLED**

At 2 p.m., the Senate reconvened.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON PUBLIC LANDS  
SENATE CHAMBER, SACRAMENTO, January 21, 1955

*Hon. Harold J. Powers, President and Members of the Senate*

GENTLEMEN: Pursuant to Senate Resolution No. 166 of the 1953 Regular Session, your Interim Committee on Public Lands tenders herewith its report on California State Land Ownership and Land Use, this report representing one of a series on public land ownership in the State of California.

It is the first time in the history of the State that an inventory of state lands has been contained in one document and, in the instance of lands in some categories, the first time there has been any knowledge of state land ownership and use. This effort also represents the first time any attempt has been made to make a general analysis of state land management, and it is believed that the report proves the necessity for further appraisal of state land ownership, particularly in conjunction with an appraisal of federal land ownership. Your committee has found that almost 50 percent of the land area of California is now in the jurisdiction of some level of government, and a concerted effort should be made by the Senate of the State of California to determine the effect of such ownership on its citizens, both from a standpoint of land use and the effect of such ownership on the economy of the State.

Recommendations which in some measure will temporarily alleviate the burden of hardship areas have been included in the report pending conclusive findings to support general remedial legislation.

Respectfully submitted,

EDWIN J. REGAN, Chairman  
JAMES E. CUNNINGHAM  
HAROLD T. JOHNSON, Vice Chairman

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**Motion to Print Report**

Senator Regan moved that 5,000 copies of the report submitted by the Interim Committee on Public Lands be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON  
STATE-WIDE SYSTEM BEACHES, PARKS AND ROADSIDE STOPS  
SACRAMENTO, January 21, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Committee on a State-wide System of Beaches and Parks, created by Senate Resolution 118 (Senate Journal 1953, page 4127), presents herewith a partial report of its activities, and the result of its study to date, together with its recommendations.

Respectfully submitted by,

LOUIS G. SUTTON, Chairman  
A. A. ERHART, Vice chairman  
STEPHEN P. TEALE

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.



**Motion to Print Report**

Senator Sutton moved that 3,000 additional copies of the partial report submitted by the Senate Interim Committee on a State-wide System of Beaches and Parks, be printed for distribution.

Motion carried.

**RESOLUTIONS**

The following resolution was offered:

By Senators Burns, Parkman, and Thompson:

**Senate Resolution No. 58**

Relative to congratulating Milton P. Duffy upon the completion of 40 years of service to the State

**WHEREAS**, On the ninth day of July, 1954, Milton P. Duffy, Chief of the State Department of Public Health's Bureau of Food and Drug Inspections, completed 40 years of faithful service to the State of California; and

**WHEREAS**, An internationally known expert in the field of food packing and processing, in 1947 and 1948 he served as a consultant to General Douglas MacArthur at Allied Headquarters in Japan; and

**WHEREAS**, He early gained great fame for his work in developing a cannery inspection service for the purpose of controlling botulism in commercial products. Since 1921, the year a separate bureau of food and drug inspections was set up in the State Department of Public Health with Mr. Duffy as its chief, there has not been a single outbreak of botulism in commercially canned food products; and

**WHEREAS**, A registered chemical engineer and a registered pharmacist in California, Mr. Duffy has been a member of the Food Standards Committee of the Federal Food and Drug Administration and the president of the Association of Food and Drug Officials of the United States. He is a charter member of the Institute of Food Technologists, a member of the National Association of Sanitarians and a fellow of the American Public Health Association; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the State of California do hereby congratulate and thank Mr. Milton P. Duffy upon the completion of 40 years of outstanding service to the people of the State of California; and be it further

*Resolved*, That the Secretary of the Senate be hereby directed to prepare and transmit a suitable copy of this resolution to Mr. Milton P. Duffy.

Resolution read, and, on motion of Senator Burns, unanimously adopted.

**Senator Byrne Presiding**

At 2:40 p.m., Senator Paul Byrne of the Sixth Senatorial District, presiding.

**REPORTS OF STANDING COMMITTEES****Committee on Education**

SENATE CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 878

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

DONNELLY, Chairman

**Request for Unanimous Consent**

Senator Donnelly asked for, and was granted, unanimous consent to take up Assembly Bill No. 878, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 878**

**Assembly Bill No. 878**—An act to add Section 4946.1 to the Education Code, relating to unified school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Donnelly:

*Resolved*, That Assembly Bill No. 878 present a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold I. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—30.

**NOES**—None.

Article IV, Section 15, of the Constitution was declared suspended.

**CONSIDERATION OF ASSEMBLY BILL NO. 878**

**Assembly Bill No. 878**—An act to add Section 4946.1 to the Education Code, relating to unified school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Richards, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Legislative Representation**

SPECIAL SENATE COMMITTEE ON LEGISLATIVE REPRESENTATION  
January 21, 1955

*Honorable Harold J. Powers*

*President of the Senate*

*Senate Chamber, State Capitol*

*Sacramento, California*

DEAR SIR: I am submitting herewith Progress Report of the Special Senate Committee on Legislative Representation for consideration of the Members of the Senate.

Your committee requests that this progress report be appropriately inserted in the Senate Daily Journal.

Respectfully submitted,

JAMES J. McBRIDE, Chairman  
Special Senate Committee on  
Legislative Representation

## PROGRESS REPORT OF THE SPECIAL SENATE COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Senate and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and where necessary, has made investigation and your committee has found with respect to all of the persons named in this report that each is of good moral character, has complied with the provisions of Chapter 8, Part 1, Subdivision 2, Title 2, of the Government Code, and unless good cause to the contrary is shown, is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

- Adams, Ray, 541 S. Spring St., Los Angeles  
California Motel Assn.; California Tavern Assn.
- Agrillo, Anthony, P. O. Box 494, San Jose  
California State Assn. of Journeyman Barbers, Hairdressers,  
Cosmetologists and Proprietors
- Albrecht, Eugene L., 1808 Cottage Grove Ave., San Mateo  
California State Firemen's Assn.
- Allen, Howard P., 601 W. Fifth St., Los Angeles  
Southern California Edison Co.
- Alloway, George O., 1220 Rowan Bldg., Los Angeles  
Heerst Publishing Co.
- Anderson, Alan G., 1625 Russ Bldg., San Francisco  
Municipal License Tax Assn.
- Anderson, Wm. C., 25 Thorington Bldg., Merced  
Western Dairymen's Assn.
- Arnold, Lewis E., Rm. 600, City Hall, Los Angeles  
City of Los Angeles, Bureau of Engineering
- Astor, Z. Harry, 5710 E. Beverly Blvd., Los Angeles  
Council of Disposal Assns.
- Ballard, G. W., 844 Pacific Bldg., San Francisco 3  
Brotherhood of Railroad Trainmen
- Barton, Wm. H., 693 Sutter St., San Francisco  
California Teachers Assn.
- Bayer, Charles P., 1151 S. Broadway, Los Angeles  
Los Angeles Chamber of Commerce
- Beekus, Robert J., 2404 W. Seventh St., Los Angeles  
Dairy Institute of California
- Benton, Roy L., 1545 N. Verdugo Rd., Glendale  
Pacific Union Conference of Seventh Day Adventists
- Bookman, Joe, 330 N. Broadway, Los Angeles  
Los Angeles County Peace Officers Assn.
- Bramkamp, Lynn, Rm. 523 Forum Bldg., Sacramento  
California Milk Producers Federation
- Branstetter, Charles H., Box 1142-B, Sacramento  
Agricultural Aircraft Assn.

- Branstetter, Wanda, Box 1142-B, Sacramento  
Agricultural Aircraft Assn.
- Brekke, Thore, 1050 S. Prairie Ave., Inglewood  
Hollywood Turf Club
- Brennan, Raymond Louis, Rm. 1028, 417 S. Hill St., Los Angeles  
Interment Assn. of California
- Bromley, Elmer P., 3946 Wilshire Blvd., Los Angeles  
Southern California Edison Co.  
Southern Counties Gas Co.  
California Electric Power Corporation  
San Diego Gas and Electric Co.  
Pacific Gas and Electric Co.  
California-Oregon Power Co.  
Southern California Gas Co.
- Bruce, Robert, 140 New Montgomery St., San Francisco  
Pacific Telephone & Telegraph Co.
- Bruns, Walter E., 200 Montgomery St., San Francisco  
Bank of America National Trust and Savings Assn.
- Butler, Monroe, 417 S. Hill St., Los Angeles  
The Superior Oil Co.  
Artists' Managers Guild
- Callahan, Michael R., 324 E. Fourth St., Long Beach  
California State Council of Culinary Workers, Bartenders, and Hotel  
Service Employees
- Cannon, Vern H., 25 Taylor St., Rm. 722, San Francisco  
California Teamsters Legislative Council
- Carpenter, Richard, Hotel Claremont Bldg., Berkeley  
League of California Cities
- Carr, Francis J., 245 Market St., San Francisco  
Pacific Gas & Electric Co.
- Carr, James K., 2101 K St., Sacramento  
Sacramento Municipal Utility District
- Chandler, Laurence, 633 S. La Brea, Los Angeles  
California Loan and Finance Assn.
- Chelew, John R., 725 S. Spring, Los Angeles  
Merchants and Manufacturers Assn.
- Cheshire, Harry V., Jr., Terminal Annex, Bx. 2890, Los Angeles  
Automobile Club of Southern California
- Clarke, Henry L., 781 Ventura St., Richmond  
California State Federation of Teachers
- Cleary, Donald W., City Hall, San Francisco  
City and County of San Francisco
- Cleves, William B., 1408 W. Third St., Los Angeles  
Yellow Cab Co.
- Clopton, Mort L., 639 S. Spring St., Los Angeles  
California Manufacturers Assn.
- Conner, Elbert S., 903 State St., Santa Barbara  
Society of California Accountants
- Connors, James M., 444 Market St., San Francisco  
Board of Trade of San Francisco
- Conser, Eugene P., 117 W. Ninth St., Los Angeles  
California Real Estate Assn.



- Consiglio, Thomas, 2780 E. Gage Ave., Huntington Park  
United Steel Workers of California
- Cooper, Vincent T., 500 Elks Bldg., Sacramento  
County Supervisors Assn.
- Cragin, J. Harold, 2185 Huntington Drive, San Marino  
California Portland Cement Co.  
Monolith Portland Cement Co.  
Riverside Cement Co.  
Southwestern Portland Cement Co.
- Craig, Edward, 810 S. Flower St., Los Angeles  
Pacific Lighting Corp.
- Cralle, Robert E., 35 N. Raymond Ave., Pasadena  
California Association of School Administrators
- Creede, Frank J., 220 Bush St., San Francisco  
Keith, Creede, & Sedgwick, Attorneys at Law
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Malt Beverage Industry
- Davis, J. Allen, 2601 S. Figueroa, Los Angeles  
Automobile Club of Southern California
- Dean, J. M., 2351 W. Third St., Los Angeles  
Building Material Dealers' Credit Assn.
- Derrough, John H., 580 Washington St., San Francisco  
Insurance Brokers Exchange of California
- Devereaux, E. A., 2032 Oregon Way, Sacramento  
California Association of Chiropractors, Inc.
- Dudley, Arthur S., 531 Southgate Rd., Sacramento  
Western Tax Council, Inc.
- Durbrow, Robert T., 932 Pacific Bldg., San Francisco  
Irrigation Districts Assn. of California
- Eckart, Harold F., 821 Market St., San Francisco  
California Federated Institute
- Ellis, William V., 951 Pacific Bldg., San Francisco  
California State Legis. Board Brotherhood of Locomotive Firemen  
and Enginemen
- Ellsworth, Von T., 2223 Fulton St., Berkeley  
California Farm Bureau Federation
- Farley, Goscoe O., 2100 Central Tower, San Francisco  
State Bar of California
- Ferris, Melton, 26 O'Farrell St., San Francisco  
California Council of Architects
- Fossette, Carl, 1233 Hermosa Ave., Hermosa Beach  
West Basin Water Assn.
- Fraser, John H., 500 Elks Bldg., Sacramento  
County Supervisors Assn.
- Gallegos, Joseph, 150 Golden Gate Ave., San Francisco  
Northern California District Council ILWU
- Gardner, Nial, 605 Market St., San Francisco  
California Rental Owners Association
- Garrod, R. V., 4680 Wilshire Blvd., Los Angeles  
Farmers Underwriters Assn.

- Genser, Joseph, 340 11th St., Richmond 5  
California State Federation of Teachers (AFL)
- Gibbs, Charles E., 25 California St., San Francisco 11  
Associated Farmers of California
- Gilchrist, John P., 1127 12th St., Sacramento  
Northern California Seafood Institute
- Gilman, Don E., 530 W. Sixth St., Los Angeles  
Kelco Co.
- Gilmore, Joseph P., 57 Post St., San Francisco  
Draymen's Association of San Francisco
- Gilmore, John F., 1400 10th St., Sacramento  
California Hay, Grain & Feed Dealers Assn.
- Gitchell, George A., 140 New Montgomery St., San Francisco  
The Pacific Telephone and Telegraph Co.
- Glass, Mrs. Margaret M., 929 E. Second St., Los Angeles  
Challenge Cream and Butter Assn.
- Groezinger, Leland B., 400 Montgomery St., San Francisco  
American Mutual Alliance  
California County Mutual Insurance Assn.  
Occidental Life Insurance Co.  
Pacific Mutual Life Insurance Co.
- Gupta, Ruth Church, 2237 Chestnut St., San Francisco  
California Federation of Business and Professional Women's Clubs
- Hadeler, William D., 525 Market St., San Francisco  
California Grocers Assn.
- Haggerty, C. J., 995 Market St., San Francisco  
California State Federation of Labor
- Haggott, Ben, 1233 Hermosa Ave., Hermosa Beach  
West Basin Water Assn.
- Hammell, Irving E., 2811 Capitol Ave., Sacramento  
Allied Printing Trades Legislative Committee
- Hanley, Robert E., 2223 Fulton St., Berkeley  
California Farm Bureau Federation
- Harris, Homer A., 704 Market Court, Los Angeles  
Associated Produce Dealers & Brokers of Los Angeles
- Hawkins, Frederick, 200 Bush St., San Francisco  
Life Insurance Association of America  
Canners League of California  
Tubbs Cordage Co.
- Healey, Lester, Box 521, Riverside  
California Electric Power Co.
- Hibbert, Maurice E., 727 W. Seventh St., Los Angeles  
Challenge Cream and Butter Assn.
- Hill, William V., 58 Sutter St., San Francisco 4  
California Transit Assn.
- Holmes, Carl M., 1414 K St., Sacramento  
The Pacific Telephone & Telegraph Co.
- Honey, Joseph H., Box 494, San Jose  
California State Association of Journeymen Barbers, Hairdressers,  
Cosmetologists and Proprietors

- Hubbard, Leslie, Room 523, Forum Bldg., Sacramento  
California Milk Producers Federation
- Hull, Wayne J., 2323 W. Eighth St., Los Angeles  
District Council of Painters No. 36
- Hunt, J. W., 226 Odd Fellows Bldg., Sacramento  
Pacific State Cold Storage Warehouseman's Assn.  
California Association of Ice Industries  
California Warehousemen's Assn.
- Hunt, Oswald A., 300 S. Sea St., Oxnard  
Wilmark Service System, Inc.
- Irvin, Robert L., 502 Jergins Trust Bldg., Long Beach  
Twin Coast Newspapers, Inc.
- Irwin, Frank, 926 J St., Sacramento  
California Taxpayers' Assn.
- Jefferson, Stanley M., Box 146, Glendale  
Pacific Union Conference of Seventh Day Adventists
- Johnsen, Richard, Jr., 1400 10th Street, Sacramento  
California Farm Bureau Federation
- Johnson, Roberta, 1031 S. Grand Avenue, Los Angeles  
California Institute of Social Welfare
- Kahn, Max, 1616 Mills Tower, San Francisco  
Jefferson E. Peyser (Wine Institute)
- Keaton, Morgan, 525 Market St., San Francisco  
California Grocers Assn.
- Keller, Lewis, Hotel Claremont Bldg., Berkeley  
League of California Cities
- Kennedy, Anthony J., 635 Forum Bldg., Sacramento  
California State Dental Assn.  
Southern California State Dental Assn.  
Legislative Council of Professional Engineers
- Kennedy, Harold W., 1100 Hall of Records, Los Angeles  
Board of Supervisors of Los Angeles County
- Kennedy, Vincent D., 515 Forum Bldg., Sacramento  
California Retailers Association
- Knight, T. F., Jr., 315 W. Ninth, Los Angeles  
California Manufacturers Assn.
- Knorp, Albert F., 300 Montgomery St., San Francisco  
Home Builders Council of California  
California Chapter, American Mining Congress
- Kramer, Calvin W., 2301 E St., Sacramento  
Brotherhood of Maintenance of Way Employees
- Landels, Edward D., 275 Bush St., San Francisco  
Bankers' Association of California  
Trustees of Willow Land Company  
Investment Bankers Association of America
- Langstaff, Clarence H., 1100 Hall of Records, Los Angeles  
Board of Supervisors of Los Angeles County
- Larkin, Gordon C., 3024 Via Campa, Montebello  
Order of Railway Conductors and Brakemen
- LeFevre, Allan, Eddy St. at Pierce, San Francisco  
Foster & Kleiser

- Lenahan, J. W., 351 California St., San Francisco  
California Court Reporters Association
- Little, Walter J., 530 W. Sixth St., Los Angeles  
Atchison, Topeka, and Santa Fe Railroad  
Southern Pacific Company  
Northwestern Pacific Railroad  
Western Pacific Railroad  
Union Pacific Railroad
- Long, John B., 809 Pacific Electric Bldg., 610 S. Main, Los Angeles  
California Newspaper Publishers Assn., Inc.
- Love, Dan R., Jr., 65 Market St., San Francisco  
Southern Pacific Company
- Luther, John M., Forum Bldg., Sacramento  
California Central Valleys Flood Control Assn.
- Lynch, John Knox, 821 Market St., San Francisco  
La Salle Extension University
- Lyons, William, 207 S. Broadway, Los Angeles  
City of Los Angeles, Department of Water and Power
- Mack, J. D., 785 Market St., San Francisco  
Associated Plumbing Contractors of California
- MacMillan, Mrs. M. D., 1641 11th Ave., Sacramento  
California Congress of Parents and Teachers, Inc.
- Manley, Mrs. J. E., 215 Second St., Healdsburg  
California Congress of Parents and Teachers, Inc.
- Marshal, Ross, Box 2416, Terminal Annex, Los Angeles  
Hearst Publishing Co., Inc.
- Martin, Jay, Courthouse Bldg., Oakland  
District Attorney of Alameda County
- Martin, Theodore W., P. O. Box 112, Whittier  
State Highway Employees Assn.
- Mather, Allen F., 1400 10th St., Sacramento  
Agricultural Council of California
- Meredith, George F., 417 S. Hill, Los Angeles  
Association of Independent Oil Producers
- Merrill, Louis S., 2500 Stockton Blvd., Sacramento  
Western Fairs Assn., Inc.
- Merz, Elmer J., 304 Mitau Bldg., Sacramento  
California Assn. of Nurserymen
- Miller, James A., 621 Hope St., Los Angeles  
California State Hotel Assn.
- Mitchell, Graham R., 816 San Fernando Bldg., Los Angeles  
California State Legislative Board, Brotherhood of Locomotive  
Engineers
- Mitchell, Virgil H., 308 Main St., Salinas  
United Packing House Workers of America
- Morton, Harold C., 1126 Pacific Mutual Bldg., Los Angeles  
Superior Oil Company  
Artists' Managers' Guild
- Munyon, Robert W., 1400 10th St., Sacramento  
Agricultural Council of California



- Murphy, Clarence E., 5464 Foothill Blvd., Oakland  
California Credit Union League
- McDougall, William R., 500 Elks Bldg., Sacramento  
County Supervisors Association
- McGilvray, Kenneth, 714 Forum Bldg., Sacramento  
Building Material Dealer's Credit Association
- McGinn, Hulda, 988 Market St., Suite 205, San Francisco 2  
California Theaters' Assn.
- McGlynn, Harold J., 649 S. Olive, Los Angeles  
The Pacific Telephone & Telegraph Co.
- McKay, Robert E., 693 Sutter St., San Francisco 2  
California Teachers' Assn.
- McKenzie, Jack G., 1014 Merchants Exchange Bldg., San Francisco  
The National Board of Fire Underwriters
- McLain, George, 1031 S. Grand Ave., Los Angeles  
California Inst. of Social Welfare
- McLennan, A. D., 121 E. Sixth St., Los Angeles  
Atchison, Topeka, and Santa Fe Railway Co.
- McWhinney, W. C., 601 W. Fifth St., Los Angeles  
Southern California Edison Co.
- Neal, William, 412 City Hall, Los Angeles  
City of Los Angeles
- Nichols, Margot D., 460 Staten Ave., Oakland  
Women's Pharmaceutical Assn. of the Pacific Coast
- Norcross, Lee H., 2624 W. Sixth St., Los Angeles  
California Chiropractic Assn.
- O'Brien, Timothy W., 1323 K St., Sacramento  
California State Employees Assn.
- Oosterveen, Adolph, 3050 E. Fourth St., Los Angeles  
American Naturopathic Assn. of California
- Oughton, Albert R., 1955 36th St., Sacramento  
International Union of Operating Engineers
- Pascoe, William S., 593 Market St., San Francisco  
California Association of Timber Truckers
- Peterson, Lynn G., 1910 N. Main St., Los Angeles  
Pabst Brewing Co.
- Pettis, John A., Jr., 900 Courthouse Bldg., 1225 Fallon St., Oakland  
District Attorney of Alameda County
- Peyser, Jefferson E., 1616 Mills Tower, San Francisco  
Wine Institute
- Philip, Fayette H., 2942 25th St., Sacramento  
Women's Pharmaceutical Association of the Pacific Coast
- Phillips, James H., 1831 I St., Sacramento  
California State Employees Assn.  
California Association of Driver's License Examiners  
Los Alamitos Race Course  
Dog Defenders League of California
- Phillips, Lloyd A., Senator Hotel, Sacramento  
Southern Pacific Co.  
Atchison, Topeka, and Santa Fe Railway.  
Union Pacific Railway  
Northwestern Railway  
Western Pacific Railway

- Read, Ben H., 510 S. Spring, Los Angeles  
Public Health League of California
- Read, Eugene A., 427 13th St., Oakland  
Oakland Chamber of Commerce
- Real, John J., Berth 73, San Pedro  
Fishermen's Cooperative Assn. of San Pedro
- Redwine, Kent, 1618 N. Las Palmas, Hollywood 28  
Association of Motion Picture Producers, Inc.  
Motion Picture Association of America, Inc.
- Reynolds, Harold G., 1331 T St., Sacramento  
California State Builders Exchange  
Construction Industry Legislative Council
- Richards, Russell D., 1400 10th St., Sacramento  
Calif. Farm Bureau Federation
- Robbins, Wesley E., 185 Post St., San Francisco  
California State Nurses' Assn.
- Rooney, J. Kerwin, Port of Oakland, Oakland  
Board of Port Commissioners, Port of Oakland
- Ross, Kenneth A., Jr.  
Associated General Contractors, Northern Chapter, 850 Battery St.,  
San Francisco  
Associated General Contractors, Southern Chapter, 816 W. Fifth St.,  
Los Angeles
- Rossi, Jack G., 25 California St., San Francisco  
Associated Farmers of California, Inc.
- Salisbury, E. E., 510 S. Spring St., Los Angeles  
Public Health League of California
- Sargent, Arthur M., 681 Market St., San Francisco  
California Society of Certified Public Accountants
- Schofield, W. R., 681 Market St., San Francisco  
California Forest Protective Association
- Schumacher, Thomas C., 1298 Wilshire Blvd., Los Angeles  
California Osteopathic Assn.
- Shawver, Samuel H., 1125 Savoy St., San Diego  
Federated Fire Fighters of California
- Shepard, George M., 28 N. First St., San Jose  
California Drycleaners Association
- Shields, Randle P., 333 Pine St., San Francisco  
San Francisco Chamber of Commerce
- Shults, Albert J., Standard Oil Bldg., San Francisco  
General Petroleum Corporation  
Pillsbury, Madison & Sutro (Standard Oil)
- Shumway, Forrest N., 1100 Hall of Records, Los Angeles  
Board of Supervisors of Los Angeles County
- Siegel, William M., 500 Elks Bldg., Sacramento  
County Supervisors Association
- Sloan, E. F., Box 108, San Carlos  
Citizens Defense League of California  
California Rifle and Pistol Assn.

- Smith, Helen M., 3703 H St., Sacramento  
League of Women Voters of California
- Snowden, Mrs. J. Frank, 311 N. Atlantic, Alhambra  
California Congress of Parents and Teachers
- Spencer, J. C., 150 Van Ness Ave., San Francisco  
California State Automobile Assn.
- Stevens, Bernice, 3102 Stuart St., Oakland  
California Association of Medical Laboratory Technicians
- Stevens, Charles R., 1632 Russ Bldg., San Francisco  
Pillsbury, Madison & Sutro (Standard Oil)  
Shell Oil Company  
Richfield Oil Corporation  
General Petroleum Corporation
- Stevens, Lawrence C., 555 S. Flower St., Los Angeles  
Richfield Oil Co.
- Stewart, James D., 1050 S. Prairie Ave., Inglewood  
Hollywood Turf Club
- Stuart, C. A., 711 E. Market St., Stockton  
Board of Supervisors of San Joaquin County
- Swing, Ralph, 313 Central Bldg., San Bernardino  
Los Angeles Turf Club, Inc.
- Tarnoff, Harry L., 115½ N. Larchmont Blvd., Los Angeles  
California Retail Liquor Dealers Institute
- Taylor, Ralph H., 1400 10th St., Sacramento  
Agricultural Council of California
- Temple, William L., 151 Second Ave., San Mateo  
Malt Beverage Industry of California
- Thigpen, W. R., 400 Post St., San Francisco  
United Air Lines  
Air Transport Assn.
- Tomlinson, Stanley T., 903 State St., Santa Barbara  
American Express Co.
- Trask, Bert, 3301 S. Grand Ave., Los Angeles  
California Motor Transport Assn.
- Troost, Frank W., 3411½ W. 43d Place, Los Angeles  
California Monument Assn., Inc.
- Trusty, L. Sherman, 349 S. Hill St., Los Angeles  
California Barber School Assn.
- Tuttle, Richard E., 433 S. Spring, Los Angeles  
California Land Title Assn.
- Vanderlip, Loran C., 350 Bush St., San Francisco  
California State Chamber of Commerce
- Wakefield, George W., 1100 Hall of Records, Los Angeles  
Board of Supervisors of the County of Los Angeles
- Wakefield, Harold S., 2404 W. Seventh St., Los Angeles  
Dairy Institute of California
- Walker, Chester W., P. O. Box 99, Hamilton City  
California Livestock Auction Yards Assn., Inc.
- Walters, Ralph D., 2506 Shattuck Ave., Berkeley  
California Council for the Blind

Watts, William T., 140 New Montgomery St., San Francisco  
The Pacific Telephone & Telegraph Co.  
Weber, Georges M., 1830 Sutter St., San Francisco  
Friends Committee on Legislation  
White, Lawrence B., Box 891, Long Beach  
California School Boards Assn., Inc.  
Whitlow, Evelyn E., 1121 S. Hill St., Los Angeles  
California Federation of Business and Professional Women's Clubs  
Wilkins, Philip C., 818 19th St., Sacramento  
California Association of State Auditors  
Williams, W. F., 1404 Franklin St., Oakland  
California Association of Insurance Agents  
Wood, Lydia A., 551 S. Kingsley, Los Angeles  
Women's Christian Temperance Union of Southern California  
United Church Women of Southern California  
Yarwood, Paul, Room 204, 1400 10th St., Sacramento  
California Optometric Assn.  
Youngberg, J. C., 948 Russ Bldg., San Francisco  
Stone & Youngberg, Investments

**Senator Grunsky Presiding**

At 2.55 p.m., Senator Donald L. Grunsky of the Twenty-third Senatorial District, presiding.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 1698:** By Senator Desmond—An act to amend Section 21203 of the Financial Code, relating to pawnbrokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1699:** By Senators Desmond, Thompson, Brown, Robert I. McCarthy, Gibson, Coombs, J. Howard Williams, Regan, Abshire, Collier, and Richards—An act to amend Section 21201 of the Financial Code, relating to pawnbrokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1700:** By Senator Dilworth—An act to amend Section 20491 of, and to add Sections 20491.1 and 20533 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1701:** By Senator Erhart—An act to amend Section 5075 of the Penal Code, relating to membership of the Audit Authority.

Referred to Committee on Judiciary.

**Senate Bill No. 1702:** By Senator Desmond—An act to add Section 100.4 to the Streets and Highways Code, relating to the construction of freeways.

Referred to Committee on Transportation.



**Senate Bill No. 1703:** By Senator Desmond—An act to amend Section 3166.1 of the Civil Code, relating to bank holidays.

Referred to Committee on Judiciary.

**Senate Bill No. 1704:** By Senator Desmond—An act to add Section 17138 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1705:** By Senator Desmond—An act to amend Section 60240 of the Government Code, relating to community services districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1706:** By Senator Desmond—An act to add Section 54906 to the Government Code, relating to county fire protection districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1707:** By Senator Desmond—An act to amend Section 1963 of the Code of Civil Procedure, relating to disputable presumptions in actions at law.

Referred to Committee on Judiciary.

**Senate Bill No. 1708:** By Senator Desmond—An act to amend Section 7383 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1709:** By Senator Desmond—An act to add Section 7437.5 to the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1710:** By Senator Desmond—An act to amend Sections 5500, 5537, and 5538 of, and to add Sections 5500.1, 5537.2, and 5541 to, the Business and Professions Code, relating to architecture.

Referred to Committee on Business and Professions.

**Senate Bill No. 1711:** By Senator Desmond—An act to amend Section 6900 of the Government Code, relating to vending stands and eating establishments in state buildings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1712:** By Senators Desmond, McBride, and Grunsky—An act to add Chapter 4 to Division 7 of the Vehicle Code, relating to motor vehicles involved in accidents.

Referred to Committee on Transportation.

**Senate Bill No. 1713:** By Senators Desmond, McBride, and Grunsky—An act to amend Section 421 of the Vehicle Code, relating to reinstatement of driving privileges.

Referred to Committee on Transportation.

**Senate Bill No. 1714:** By Senator Desmond—An act to amend Section 60800 of the Government Code, relating to community services districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1715:** By Senator Desmond—An act to amend Section 60730 of the Government Code, relating to community services districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1716:** By Senator Desmond—An act to amend Section 60400 of the Government Code, relating to community services districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1717:** By Senator Desmond—An act to add Section 7525.5 to the Health and Safety Code, relating to dead bodies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1718:** By Senator Desmond—An act to amend Section 8031 and to repeal Section 8032 of the Business and Professions Code, relating to the licensing and regulation of shorthand reporters.

Referred to Committee on Business and Professions.

**Senate Bill No. 1719:** By Senator Desmond—An act to add Section 12265 and 12627 to the Revenue and Taxation Code, relating to the taxation of contributions paid into the Unemployment Compensation Disability Insurance Fund and relating to the collection of state taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1720:** By Senator Desmond—An act to amend Section 23 of the Insurance Code, and to add Section 23 (a) to the Insurance Code, relating to the definition of insurer.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1721:** By Senator Berry—An act relating to including the James W. Marshall Gold Discovery Site into the State Park System, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1722:** By Senator Cunningham—An act to amend Section 70141.5 of the Government Code, relating to court commissioner of superior courts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1723:** By Senator Harold T. Johnson—An act to amend Section 156 of the Vehicle Code, relating to license plates.

Referred to Committee on Transportation.

**Senate Bill No. 1724:** By Senator Harold T. Johnson—An act to amend Section 3352 of the Labor Code, relating to persons excluded from workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1725:** By Senator Harold T. Johnson—An act to provide for the acquisition, preservation, and marking of the Overland Immigrant Trail from State Line to Sutter's Fort via Donner Pass, and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1726:** By Senator Cobey—An act making an appropriation for the improvement of the junction of State Highway Routes 125 and 126.

Referred to Committee on Transportation.

**Senate Bill No. 1727:** By Senator Breed—An act to amend Sections 10450, 10452, and 10453, and to add Section 10450.5 to the Business and Professions Code, relating to the Real Estate Fund and the Real Estate Education and Research Fund.

Referred to Committee on Business and Professions.

**Senate Bill No. 1728:** By Senator Breed—An act to amend Sections 6844, 6876, 6885.7, 6890, 6891, and 6893 of, and to add Section 6893.1 to, the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1729:** By Senator Harold T. Johnson—An act to provide for the construction of an exhibits building at Donner Memorial State Park, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1730:** By Senator Harold T. Johnson—An act to provide for the acquisition, operation, and maintenance of Gold Hill Historical Park at Grass Valley, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1731:** By Senator Harold T. Johnson—An act to amend Section 7301 of the Education Code, relating to the apportionment of the Forest Reserve School Fund.

Referred to Committee on Education.

**Senate Bill No. 1732:** By Senator Way—An act to repeal Section 1197.5 of, and to add Section 1197.5 to, the Labor Code, relating to prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries.

Referred to Committee on Judiciary.

**Senate Bill No. 1733:** By Senator Way—An act making an appropriation for permanent improvements for the Humboldt County Fair.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1734:** By Senator Weybret—An act to repeal Sections 7612 and 7613 of the Public Utilities Code, relating to rail track motor cars.

Referred to Committee on Public Utilities.

**Senate Bill No. 1735:** By Senator Breed—An act making an appropriation for the support of the Small Boat Harbor Commission.

Referred to Committee on Transportation.

**Senate Bill No. 1736:** By Senator Breed—An act to add Part 7 to Division 8 of the Harbors and Navigation Code, relating to small boat harbors.

Referred to Committee on Transportation.

**Senate Bill No. 1737:** By Senators McBride, Cunningham, and Teale—An act to add Section 12256.5 to the Revenue and Taxation Code, and to add Article 4 to Chapter 12 of Division 4 of the Education Code, relating to the rehabilitation of industrially disabled workers, and providing funds therefor.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1738:** By Senator McBride—An act to amend Section 2 of the Ventura County Flood Control Act, relating to the Ventura County Flood Control District.

Referred to Committee on Local Government.

**Senate Bill No. 1739:** By Senator McBride—An act to amend Section 3300 of the Health and Safety Code, relating to tuberculosis.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1740:** By Senator McBride—An act to amend Section 53051 of the Government Code, relating to liability of local agencies.

Referred to Committee on Local Government.

**Senate Bill No. 1741:** By Senator Parkman—An act to amend Section 19484 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Business and Professions.

**Senate Bill No. 1742:** By Senator McBride—An act to amend Section 69990 of the Government Code, relating to official reporters.

Referred to Committee on Judiciary.

**Senate Bill No. 1743:** By Senator McBride—An act making an appropriation to be used for the further development of Port Hueneme.

Referred to Committee on Transportation.

**Senate Bill No. 1744:** By Senators Desmond and Kraft—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Referred to Committee on Judiciary.

**Senate Bill No. 1745:** By Senator J. Howard Williams—An act to add Section 22233 to the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.



**Senate Bill No. 1746:** By Senator Byrne—An act to amend Section 5658 of the Public Resources Code, relating to park, recreation and parkway districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1747:** By Senator Richards—An act to amend Section 2466 of the Civil Code, relating to the use of fictitious names for transacting business.

Referred to Committee on Judiciary.

**Senate Bill No. 1748:** By Senator Richards—An act to amend Sections 5402, 5417.3, 5418, and 5427 of the Public Resources Code, relating to parks, recreation and parking districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1749:** By Senator Richards—An act to amend Sections 26831, 26832, and 26837 of the Government Code, relating to fees charged by the county clerk.

Referred to Committee on Judiciary.

**Senate Bill No. 1750:** By Senator Richards—An act to amend Section 4850 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1751:** By Senator Richards—An act to amend Sections 72750, 72752, 72753, 72754, and 72755 of the Government Code, relating to officers and attaches of municipal courts.

Referred to Committee on Local Government.

**Senate Bill No. 1752:** By Senator Richards—An act to amend Section 26820 of the Government Code, relating to fees charged by the county clerk.

Referred to Committee on Judiciary.

**Senate Bill No. 1753:** By Senator Robert I. McCarthy—An act to amend Section 23661 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1754:** By Senator Robert I. McCarthy—An act to add Section 6207 to, and to amend Section 6300 of, the Elections Code, relating to voting machines.

Referred to Committee on Elections.

**Senate Bill No. 1755:** By Senator Robert I. McCarthy—An act to amend Section 1700 of the Harbors and Navigation Code, relating to the Board of Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1756:** By Senator Richards—An act to amend Sections 32 and 23705 of the Revenue and Taxation Code, relating to property tax and bank and corporation tax exemption loyalty declarations.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1757:** By Senator Richards (By Request)—An act to amend Section 2288 of the Business and Professions Code, relating to the qualifications for a physician's and surgeon's certificate.

Referred to Committee on Business and Professions.

**Senate Bill No. 1758:** By Senators Abshire and Busch—An act to add Sections 439.71 and 439.72 to the Agricultural Code, relating to the procedure following arrest for violations of local ordinances pertaining to the regulation and licensing of dogs.

Referred to Committee on Agriculture.

**Senate Bill No. 1759:** By Senator Abshire—An act to amend Section 5439 of the Public Resources Code, relating to county recreation districts.

Referred to Committee on Local Government.

**Senate Bill No. 1760:** By Senator Abshire—An act to add Section 5050.6 to the Insurance Code, relating to county mutual fire insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1761:** By Senator Abshire—An act to amend Section 9023 of the Business and Professions Code, relating to social work.

Referred to Committee on Business and Professions.

**Senate Bill No. 1762:** By Senator Abshire—An act to amend Sections 8, 10, and 17 of the Storm Water District Act of 1909 (Chapter 222 of the Statutes of 1909), relating to storm water districts.

Referred to Committee on Local Government.

**Senate Bill No. 1763:** By Senator Abshire—An act to amend Section 50053 of Government Code, relating to financial affairs of local agencies.

Referred to Committee on Local Government.

**Senate Bill No. 1764:** By Senator Abshire—An act to amend Section 71043 of the Government Code, relating to population of judicial districts.

Referred to Committee on Local Government.

**Senate Bill No. 1765:** By Senator Richards—An act relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, religion, color, national origin, or ancestry, creating a state commission on fair employment practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees, providing for the judicial enforcement and review of its orders, providing for an educational program for the elimination of discrimination because of race, religion, color, national origin or ancestry, and making an appropriation for the purposes of this act.

Referred to Committee on Labor.

**Senate Bill No. 1766:** By Senator Richards—An act to add Chapter 3 to Division 12 of the Education Code, relating to providing for equality of opportunity in the educational system, the prohibiting of discrimination based on race, color, religion, ancestry or national origin,

in securing accommodations, advantages, facilities and privileges of any educational institution covered by this act, and making such rights subject to the right of religious or denominational educational institutions to grant preference on the basis of religious affiliation, and making an appropriation therefor.

Referred to Committee on Labor.

**Senate Bill No. 1767:** By Senator Richards—An act to amend Section 2652 of, and to repeal Sections 2676 and 2677 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 1768:** By Senator Richards—An act to add Part 12 to Division 3 of Title 2 of the Government Code, creating a Civil Rights Commission, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1769:** By Senator Richards—An act to add Chapter 6 to Division 7 of the Elections Code, comprising Sections 5400 to 5407, inclusive, relating to the publication of a voters handbook to be mailed to each registered voter prior to the direct primary and prior to the general election.

Referred to Committee on Elections.

**Senate Bill No. 1770:** By Senator Richards—An act to amend Sections 2011, 2160, 3049, and 3449 of, and to repeal Sections 2181, 2181.01, 2181.05, 2224, 3088, 3088.1, 3474, and 3474.1 of, the Welfare and Institutions Code, relating to relatives' responsibility requirements with respect to public assistance programs.

Referred to Committee on Social Welfare.

**Senate Bill No. 1771:** By Senator Richards—An act to add Section 13777.1 to the Government Code, relating to agreements for social security coverage of public employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1772:** By Senator Richards—An act to pay the claim of Robert Walker Kenny against the State of California.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1773:** By Senator Richards (By Request)—An act to add Division 16 to the Elections Code, creating a Fair Elections Practices Study Commission, and making an appropriation.

Referred to Committee on Elections.

**Senate Bill No. 1774:** By Senator Richards—An act to amend Section 72706 of the Government Code, relating to the salaries of commissioners of the municipal court.

Referred to Committee on Local Government.

**Senate Bill No. 1775:** By Senator Richards—An act to amend Section 72703 of the Government Code, relating to the appointment of clerks in the municipal court.

Referred to Committee on Local Government.

**Senate Bill No. 1776:** By Senator Richards—An act to amend Section 72751 to the Government Code, relating to the salary of the clerk of the municipal court.

Referred to Committee on Local Government.

**Senate Bill No. 1777:** By Senator Richards—An act to amend Section 70140 of the Government Code, relating to superior court commissioners in counties with a population of 2,000,000 or over.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1778:** By Senators Dale C. Williams, Cunningham, Brown, Montgomery, Parkman, and Busch—An act to create the California Commission for the Study of Capital Punishment, prescribing its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1779:** By Senator Regan—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1780:** By Senator Regan—An act to amend Section 1956 of the Government Code, relating to liability insurance for public officers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1781:** By Senator Regan—An act to add Section 8401 to the Government Code, relating to contracts for the publication of notices and documents.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1782:** By Senator Regan—An act to add Article 1.5 to Chapter 6 of Division 4 of the Agricultural Code, relating to dietetic and diabetic ice milk and ice cream.

Referred to Committee on Agriculture.

**Senate Bill No. 1783:** By Senator Regan—An act to amend Section 210 of the Code of Civil Procedure, relating to jurors.

Referred to Committee on Judiciary.

**Senate Bill No. 1784:** By Senators Regan, Harold T. Johnson, Cunningham—An act to add Sections 15790.1 and 15790.2 to the Government Code, relating to the acquisition of property by the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1785:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to amend Section 6201 of the Public Resources Code, relating to state lands.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 1786:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to amend Section 6202 of the Public Resources Code, relating to state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1787:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to amend Section 6219 of the Public Resources Code, relating to state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1788:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to add Section 6201.5 to the Public Resources Code, relating to state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1789:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to add Section 5017 to the Public Resources Code, relating to state owned beach and park lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1790:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to add Section 184.1 to the Government Code, relating to acquisition of property by the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1791:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to add Section 6825 to the Public Resources Code, and to amend Section 13109 of the Government Code, relating to oil and gas leases of state-owned lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1792:** By Senators Regan and Harold T. Johnson—An act to add Sections 15790.3 and 15790.4 to the Government Code, and to amend Sections 6501, 6501.1, 6501.2, 6502, 6503, 6504, 6505.5, 6507, 6508, and 6509 of the Public Resources Code, relating to state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1793:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to add Section 5002.5 to the Public Resources Code, relating to state parks.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1794:** By Senators Regan, Harold T. Johnson, and Cunningham—An act to add Chapter 9 to Part 4 of Division 5 of the Water Code, relating to the Stockton Deep Water Channel project, and making an appropriation.

Referred to Committee on Transportation.

**Senate Bill No. 1795:** By Senators Regan and Harold T. Johnson—An act to add Section 1916 to the Harbors and Navigation Code, relating to state-owned lands under the jurisdiction of the Board of State Harbor Commissions for San Francisco Harbor.

Referred to Committee on Transportation.

**Senate Bill No. 1796:** By Senators Regan and Harold T. Johnson—An act to amend Section 330 of, and to add Section 330.5 to the Fish and Game Code, relating to property of the State used for fish and game purposes.

Referred to Committee on Fish and Game.

**Senate Bill No. 1797:** By Senators Regan and Harold T. Johnson—An act to add Section 6222 to the Public Resources Code, relating to public lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1798:** By Senator Parkman—An act to amend Section 31692 of the Government Code, relating to members of county employees retirement systems in respect to employment of persons who have attained the age of compulsory retirement.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1799:** By Senator Parkman—An act to add Section 19144 to the Government Code, relating to state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1800:** By Senator Parkman—An act to amend Section 19143 of the Government Code, relating to civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1801:** By Senator Parkman—An act to amend Section 102 of the Revenue and Taxation Code, relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1802:** By Senator Parkman—An act to amend Section 90 of the Streets and Highways Code, relating to highways.

Referred to Committee on Transportation.

**Senate Bill No. 1803:** By Senator Ward—An act to amend Section 1774 of the Government Code, relating to appointments to office by the Governor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1804:** By Senator Burns—An act to amend Section 26883 of the Government Code, relating to audits performed by counties.

Referred to Committee on Local Government.

**Senate Bill No. 1805:** By Senator Burns—An act to amend Sections 245, 246, and 248 of the Vehicle Code, relating to automobile wreckers.

Referred to Committee on Transportation.

**Senate Bill No. 1806:** By Senator Burns—An act to amend Sections 245, 246, and 248 of the Vehicle Code, relating to automobile wreckers.

Referred to Committee on Transportation.

**Senate Bill No. 1807:** By Senator Burns—An act to amend Section 17020 of the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1808:** By Senator Burns—An act to amend Section 6451 of the Revenue and Taxation Code, relating to sales and use tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1809:** By Senator Burns—An act to amend Sections 17052, 17053.5, 23151, 23184, 23186, and 23501 of the Revenue and Taxation Code, relating to personal income and bank and corporation taxes, to take effect immediately, tax levy.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1810:** By Senator Burns—An act to add Section 23045 to, and to amend Sections 23320, 23321, 23397, 23664, 23665, 23786, 24040, 24043, 24046, 24407, 24468, 24469, and 25171 of, the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Business and Professions.

**Senate Bill No. 1811:** By Senator Burns—An act to repeal Section 8965 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1812:** By Senator Burns—An act to add Chapter 11B, comprising Sections 11518.1 to 11518 to Division 2, Part 2 of the Insurance Code, relating to voluntary health service plans.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1813:** By Senator Burns—An act to amend Section 4621 of the Education Code, relating to governing boards of unified school districts conterminous with or including a chartered city or city and county.

Referred to Committee on Education.

**Senate Bill No. 1814:** By Senator Burns—An act to add Section 13 to the Business and Professions Code, relating to persons licensed under any provisions of said code and disciplinary proceedings with respect to such persons.

Referred to Committee on Business and Professions.

**Senate Bill No. 1815:** By Senator Burns—An act to amend Section 1063 of the Public Utilities Code, relating to highway carriers.

Referred to Committee on Transportation.

**Senate Bill No. 1816:** By Senator Burns—An act to amend Sections 73682, 73683, and 73684 of the Government Code, relating to officers and attaches of the municipal court in a district embracing the City of Fresno.

Referred to Committee on Local Government.

**Senate Bill No. 1817:** By Senator Burns—An act to amend Section 28109 of the Government Code, relating to compensation for public service in a county of the ninth class.

Referred to Committee on Local Government.

**Senate Bill No. 1818:** By Senator Burns—An act to add Part 1.5 (consisting of Sections 7200 to 7206, inclusive) to Division 2 of the Revenue and Taxation Code of the State of California, relating to uniform sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1819:** By Senator Burns—An act to amend Section 6363 of the Revenue and Taxation Code, relating to the exemption of certain meals and food products from sales and use tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1820:** By Senator Burns—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 414, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 1821:** By Senator Burns—An act to add Section 11736.2 to the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1822:** By Senator Burns—An act to add Section 11736.1 to the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Labor.

**Senate Bill No. 1823:** By Senator Burns—An act to amend Section 11730 of the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Labor.

**Senate Bill No. 1824:** By Senator Burns—An act to amend Section 7605 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1825:** By Senator Burns—An act to amend Section 7666 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1826:** By Senator Burns—An act to amend Section 7640 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.



**Senate Bill No. 1827:** By Senator Burns—An act to add Section 1256.2 to the Code of Civil Procedure, relating to condemnation proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 1828:** By Senator Burns—An act to amend Section 7726 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1829:** By Senator Burns—An act to amend Section 7725 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1830:** By Senator Burns—An act to add Section 1256.3 to the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

**Senate Bill No. 1831:** By Senator Burns—An act to amend Sections 55104, 55150, 55152, 55180, 55350, 55374, 55520, 55522 and 55523 of the Water Code, relating to county water works districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1832:** By Senator Burns—An act to add Sections 55161, 55877 and 55890.1 to the Water Code, relating to county water works districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1833:** By Senator Burns—An act to add Article 3 to Chapter 4 of Part 5 of Division 16 of the Water Code, relating to county water works districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1834:** By Senator Burns—An act to amend Section 1255 of the Code of Civil Procedure, relating to the allowance of costs in condemnation proceedings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1835:** By Senator Burns—An act to add Section 1247b to the Code of Civil Procedure, relating to evidence in eminent domain proceedings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1836:** By Senator Burns—An act to add Section 1241.1 to the Code of Civil Procedure, relating to the disposition of real property acquired by the state and other governmental agencies by condemnation proceedings or purchase in lieu thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1837:** By Senator Burns—An act to add Section 25665 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Business and Professions.

**Senate Bill No. 1838:** By Senator Burns—An act to add Section 24070.1 to the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Business and Professions.

**Senate Bill No. 1839:** By Senators Burns and Collier—An act to amend Section 19572 of the Government Code, relating to discipline of state employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1840:** By Senator Burns—An act to add Section 1189.2 to the Code of Civil Procedure, relating to notice requisite to filing and enforcing a mechanic's lien.

Referred to Committee on Judiciary.

**Senate Bill No. 1841:** By Senator John F. McCarthy—An act to amend Section 5439 of the Public Resources Code, relating to county recreation districts.

Referred to Committee on Local Government.

**Senate Bill No. 1842:** By Senator John F. McCarthy—An act to add Section 48 to the Elections Code empowering the Secretary of State to call meetings of the county clerks and registrars of voters to discuss administration of the election laws and promote uniformity of procedure in such matters; authorizing the same to be attended also by one designated deputy of each clerk or registrar; declaring expenses of such clerks, registrars and deputies in attending such meetings as a county charge, and limiting the amount thereof.

Referred to Committee on Elections.

**Senate Bill No. 1843:** By Senator John F. McCarthy—An act to add Section 30608 to the Streets and Highways Code, relating to the operation of transportation facilities of the Key System in the event of public emergency created by stoppage of service.

Referred to Committee on Transportation.

**Senate Bill No. 1844:** By Senator John F. McCarthy—An act to add Section 7360.1 to the Business and Professions Code, relating to authorizing permanent waver licensees to perform certain cosmetological practices.

Referred to Committee on Business and Professions.

**Senate Bill No. 1845:** By Senator John F. McCarthy—An act to amend Section 6 of the San Francisco Bay Area Metropolitan Rapid Transit District Act (Chapter 1329 of the Statutes of 1949), relating to rapid transit in the San Francisco Bay metropolitan area.

Referred to Committee on Transportation.

**Senate Bill No. 1846:** By Senator John F. McCarthy—An act to amend Section 6420 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health and Safety.

**SENATE BILL No. 1247.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1248.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1249.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1250.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1251.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1252.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1253.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1254.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1255.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**SENATE BILL No. 1256.** The Senate Chamber is now in closed session until the adjournment of the Senate and Professor Cook, speaking by telephone, presents under the title of The Day Law.

Referred to Committee on Education and Training.

**Senate Bill No. 1857:** By Senator Gibson—An act to amend Section 4202 of the Business and Professions Code, relating to exempting licentiates in pharmacy and registered pharmacists from jury duty.

Referred to Committee on Business and Professions.

**Senate Bill No. 1858:** By Senator Gibson—An act to amend Sections 21204, 21220, 21260, 21261, 21262, 21265, 21266, and 21267 of, and to repeal Sections 21222, 21223, and 21228 of, the Business and Professions Code, relating to prophylactics.

Referred to Committee on Business and Professions.

**Senate Bill No. 1859:** By Senator Sutton—An act to add Section 3271 to the Unemployment Insurance Code, relating to disability insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1860:** By Senator Richards—An act to amend Section 6700 of the Business and Professions Code, relating to professional engineering.

Referred to Committee on Business and Professions.

**Senate Bill No. 1861:** By Senator Richards—An act to add Section 41.1 to the Civil Code, relating to the recovery of civil damages for the malicious or wilful destruction of property by minors.

Referred to Committee on Judiciary.

**Senate Bill No. 1862:** By Senator Richards—An act to amend Section 1269 of the Penal Code, relating to bail.

Referred to Committee on Judiciary.

**Senate Bill No. 1863:** By Senator Richards—An act making an appropriation for the support of the Division of Savings and Loan.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1864:** By Senator Byrne—An act to add Section 17703 to the Business and Professions Code, relating to premium stamps.

Referred to Committee on Business and Professions.

**Senate Bill No. 1865:** By Senator Miller—An act to amend Section 6802 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1866:** By Senator Harold T. Johnson—An act to amend Section 1597.1 of the Education Code, relating to school districts and particularly the indebtedness thereof.

Referred to Committee on Education.

**Senate Bill No. 1867:** By Senator Donnelly—An act to amend Section 19203 of the Education Code, relating to books, apparatus and materials of school districts.

Referred to Committee on Education.



**Senate Bill No. 1868:** By Senator Harold T. Johnson—An act to amend Section 110 of, and to add Section 110.5 to, the Revenue and Taxation Code, relating to the assessment of possessory interests.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1869:** By Senator McBride—An act to amend Section 69892 of the Government Code, relating to secretaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1870:** By Senator McBride—An act to amend Section 7402, and to repeal Section 7408, of the Education Code, relating to bond elections in school districts.

Referred to Committee on Education.

**Senate Bill No. 1871:** By Senator McBride—An act to amend Section 7402 of the Education Code, relating to bond elections in school districts.

Referred to Committee on Education.

**Senate Bill No. 1872:** By Senator McBride—An act to amend Section 6358 of the Education Code, relating to school district elections.

Referred to Committee on Education.

**Senate Bill No. 1873:** By Senator McBride—An act to amend Section 7402 of the Education Code, relating to bond elections in school districts.

Referred to Committee on Education.

**Senate Bill No. 1874:** By Senator McBride—An act to add Chapter 4 to Part 6 of Division 6 of the Water Code, relating to watershed protection flood prevention projects.

Referred to Committee on Water Resources.

**Senate Bill No. 1875:** By Senators McBride, Cunningham, and Teale—An act to add Section 19601.8 to the Education Code, relating to child care centers.

Referred to Committee on Education.

**Senate Bill No. 1876:** By Senator McBride—An act to amend Sections 30302 and 30500 of the Water Code, relating to county water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1877:** By Senator McBride—An act to amend Sections 1005.1 and 1005.2 of the Water Code, relating to underground water.

Referred to Committee on Water Resources.

**Senate Bill No. 1878:** By Senator McBride—An act to amend Section 20840 of the Business and Professions Code, relating to required labeling of lubricating or motor oil containers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1879:** By Senator McBride—An act to amend Section 69900 of the Government Code, relating to phonographic reporters' salaries.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1880:** By Senator McBride—An act to add Sections 7804 and 7805 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1881:** By Senator McBride—An act to add Chapter 5 to Part 6 of Division 6 of the Water Code, creating a Watershed Protection and Flood Prevention Fund, and making an appropriation thereto.

Referred to Committee on Water Resources.

**Senate Bill No. 1882:** By Senator Dilworth—An act to add Section 5067.1 to the Education Code, transferring certain funds out of the Public School Building Loan Fund to the State School Building Aid Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 1883:** By Senators Berry, Cunningham, Way, and Burns—An act to amend Sections 372, 373, and 487 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1884:** By Senator Grunsky—An act to amend Sections 74692 and 74693 of the Government Code, relating to municipal courts established in districts in Santa Cruz County.

Referred to Committee on Local Government.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Desmond asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 11, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 11

**Assembly Joint Resolution No. 11**—Relative to the Sacramento River Ship Channel.

Resolution read.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Desmond moved a call of the Senate.

Motion carried. Time, 3.20 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.22 p.m., on motion of Senator Desmond, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Joint Resolution No. 11 was adopted by the following vote:

AYES—Senators Abshire, Berry, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—27.  
NOES—None.

Resolution ordered transmitted to the Assembly.

#### RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

##### Senate Resolution No. 59

Relative to printing Histories, Bills, and Journals

WHEREAS, The whole purpose of the legislative recess will have been defeated if pending legislation is not printed and distributed early in such recess; therefore, be it

*Resolved*, That the Secretary of the Senate be and he is hereby directed to do everything possible to secure the early printing and distribution of Histories and pending measures; and be it further

*Resolved*, That the State Printer be and he is hereby directed to spare no effort to complete the printing of pending measures and Histories in order that the same may be distributed to Members of the Legislature, libraries, the press, and the public generally as early in the legislative recess as is possible; and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to transmit a copy of this resolution to the State Printer.

Resolution read, and adopted.

#### RECESS

At 3.25 p.m., on motion of Senator Desmond, the Senate recessed until 3.35 p.m.

#### REASSEMBLED

At 3.35 p.m., the Senate reconvened.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 63

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January, 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 51

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 51**—Relative to the untimely passing of the Honorable Daniel N. Stevens.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 51, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 51**

**Assembly Concurrent Resolution No. 51**—Relative to the untimely passing of the Honorable Daniel N. Stevens.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PETER H. SNURR, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Joint Resolution No. 12**—Relative to the Forest Service.

**Request for Unanimous Consent**

Senator Regan asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 12, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 12**

**Assembly Joint Resolution No. 12**—Relative to the Forest Service.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2493

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk



**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bill was read the first time:

**Assembly Bill No. 2943**—An act to add Section 18155 to the Education Code, relating to school buildings, and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Resolution No. 49**—Relative to the Feather River Project. Resolution read.

**Motion to Amend**

Senator Burns moved the adoption of the following amendment:

**Amendment No. 1**

In lines 2 and 3 of the first resolve of the printed measure appearing on page 570 of the Senate Journal, January 19, 1955, strike out "February 10, 1955", and insert "February 18, 1955".

Amendment read and adopted.

Resolution ordered amended.

**Request for Unanimous Consent**

Senator Burns asked for, and was granted, unanimous consent to take up Senate Resolution No. 49, at this time, for consideration, as amended.

**CONSIDERATION OF SENATE RESOLUTION NO. 49, AS AMENDED****Senate Resolution No. 49****Relative to the Feather River Project**

WHEREAS, Many bills relative to the Feather River Project have been introduced in this session of the Legislature; and

WHEREAS, The Division of Water Resources, Department of Public Works, has conducted extensive studies and surveys and is preparing a report relative to the feasibility of the Feather River Project; and

WHEREAS, It is essential to the proper consideration of the legislation during the constitutional recess that members of the Senate have made available to them all available information concerning the Feather River Project; now, therefore, be it

*Resolved by the Senate of the State of California*, That the State Engineer is requested to make available to each Member of the Senate, on or before February 18, 1955, a copy of the Feasibility Report on the Feather River Project, together with a summary of all other information in the possession of the Division of Water Resources, Department of Public Works, relative to the Feather River Project; and be it further

*Resolved*, That the Secretary of the Senate transmit a copy of this resolution to the State Engineer.

Resolution read, and, on motion of Senator Burns, adopted.

**Call of the Senate**

Senator McCarthy moved a call of the Senate.

Motion carried.

Time, 3.35 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****WITHDRAWAL FROM COMMITTEE OF SENATE RESOLUTION NO. 54**

Senator John F. McCarthy moved that Senate Resolution No. 54 be withdrawn from Committee on Rules for purpose of consideration.

Senator John F. McCarthy withdrew his motion.

**Senator Desmond Presiding**

At 3.36 p.m., Senator Earl D. Desmond of the Nineteenth Senatorial District, presiding.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 11**—Relative to cooperation between the legislative and executive branches of State Government on pending legislation;

**Senate Concurrent Resolution No. 36**—Relative to the memory of Ida R. Koverman;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-first day of January, 1955, at 5 p.m.

WARD, Chairman

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 2943

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

HULSE, Chairman

**Request for Unanimous Consent**

Senator Berry asked for, and was granted, unanimous consent to take up Assembly Bill No. 2943, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 2943**

**Assembly Bill No. 2943**—An act to add Section 18155 to the Education Code, relating to school buildings, and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Berry:

*Resolved*, That Assembly Bill No. 2943 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

**NOES**—None.

Article IV, Section 15, of the Constitution was declared suspended.

## • CONSIDERATION OF ASSEMBLY BILL NO. 2943

**Assembly Bill No. 2943**—An act to add Section 18155 to the Education Code, relating to school buildings, and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill No. 2943**—An act to add Section 18155 to the Education Code, relating to school buildings, and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2943.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 21, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: Assembly Bill No. 2943, which is an act to appropriate \$2,600 to the Rescue Union School District in El Dorado County for the emergency repair of a temporary school building, the amount to be repaid out of the bond issue for a new school building, in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill 2943 as an emergency measure.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolutions were offered:

By Senator Brown:

**Senate Resolution No. 60**

Relative to preparation of Legislative Manual or Handbook

*Resolved*, That the Secretary of the Senate be and he is hereby ordered and directed to prepare and distribute, during the constitutional recess and subsequent thereto, for the use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook similar to such publications of previous sessions, as provided by Section 9740 of the Government Code, same to contain list of members and

officers of both houses of the Legislature, lists of committees and rules of both houses and Joint Rules, together with indexes to the same; also to prepare for the use of Members of the Legislature a Semi-Final Calendar containing a history of all bills introduced to date, together with a complete index and cross-index to the same, to be printed and distributed during the constitutional recess.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—36.

NOES—None.

By Senator Brown:

#### Senate Resolution No. 61

Relative to compensating officers and attaches during recess

WHEREAS, The Legislature of the State of California assembled in the 1955 General Session will be at recess from January 21, 1955, to February 28, 1955; and

WHEREAS, It will be necessary for the Secretary of the Senate during such period of recess to conduct the business of the Senate and perform the duties provided by law, the Standing Rules of the Senate and resolutions adopted by the Senate and to employ certain necessary assistants incident thereto; therefore, be it

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrants in favor of officers and employees who render services to the Senate as certified weekly by the Secretary and approved by the Chairman of the Committee on Rules or the authorized representative of the Committee on Rules, from the fund set aside for the pay of officers and employees of the Senate at the per diem provided by resolution of the Senate or as certified by the Secretary, and the Treasurer is hereby directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—35.

NOES—None.

Assistant Secretary Lachlan Richards at the Desk

#### POINT OF ORDER

Senator Ward arose to a point of order stating that there was nothing before the Senate and that Senate resolution by Senator John F. McCarthy and others relative to election contests is not before the Senate.

The President ruled the point of order well taken.

#### RESOLUTIONS

The following resolutions were offered:

By Senators McCarthy, Way, Dorsey, Cunningham, and Busch:

#### Senate Resolution No. 62

Relative to the Special Senate Committee on Election Contests

*Resolved by the Senate of the State of California,*

1. Notwithstanding the provisions of Senate Resolution No. 24 relative to contests as to the qualifications, elections, and returns of members of the Senate, and notwithstanding the provisions of Senate Resolution No. 34 creating the Special Senate Committee on Election Contests, and assigning to that committee the contest



filed by Vern W. Hoffman relative to the election of Alan Short, the powers of the Special Senate Committee on Election Contests are limited as hereinafter set forth.

2. The Special Senate Committee on Election Contests shall have no authority to conduct a recount in said election contest except as authorized by subsequent resolution of the Senate.

3. The Special Senate Committee on Election Contests shall complete the investigation commenced January 20, 1955, on the question whether a recount should be had in said election contest.

4. Upon the completion of said investigation, the Special Senate Committee on Election Contests shall report to the Senate its recommendations as to whether a recount should be had in said contest.

#### **Request for Unanimous Consent**

Senator John F. McCarthy asked for unanimous consent to take up Senate Resolution No. 62, at this time, for consideration.

Senator Dilworth withheld unanimous consent.

#### **Motion to Suspend Senate Rule No. 22**

Senator John F. McCarthy moved that the Senate suspend Senate Rule No. 22 in order that Senate Resolution No. 62 may be considered at this time.

#### **Point of Order**

Senator John F. McCarthy arose to a point of order stating that Senator J. Howard Williams was not speaking to the motion to suspend Senate Rule No. 22.

The President ruled the point well taken.

#### **Parliamentary Inquiry**

Senator Grunsky arose to a point of parliamentary inquiry and asked if Senate Resolution No. 62 is the same as the resolution which is now before the Rules Committee.

The President stated that the only resolution before the Senate was Senate Resolution No. 62 by Senator John F. McCarthy.

#### **Motion to Refer to Committee**

Senator Sutton moved that Senate Resolution No. 62 be referred to the Committee on Rules.

The President ruled the motion out of order.

#### **Roll Call Demanded**

Senators John F. McCarthy, Montgomery, Miller, and Regan demanded a roll call.

The roll was called.

#### **Call of the Senate**

Senator John F. McCarthy moved that the quorum call of the Senate be applied to his motions to suspend Senate Rule No. 22.

Motion carried.

#### **FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH**

At 3.42 p.m., on motion of Senator John F. McCarthy, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senator John F. McCarthy's motion to suspend Senate Rule No. 22 carried by the following vote:

**AYES**—Senators Brown, Burns, Cobey, Collier, Cunningham, Desmond, Donnelly, Dorsey, Gibson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Teale, Way, and Dale C. Williams—21.

**NOES**—Senators Abshire, Berry, Breed, Busch, Coombs, Dilworth, Grunsky, Hulse, Ed. C. Johnson, Kraft, Murdy, Parkman, Sutton, Thompson, and J. Howard Williams—15.

#### FURTHER CONSIDERATION OF SENATE RESOLUTION NO. 62

##### Roll Call Demanded

Senators John F. McCarthy, Miller, Montgomery, Regan, and Sutton demanded a roll call.

The roll was called and Senate Resolution No. 62 was adopted by the following vote:

**AYES**—Senators Brown, Burns, Cobey, Collier, Cunningham, Desmond, Donnelly, Dorsey, Gibson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Way, and Dale C. Williams—22.

**NOES**—Senators Abshire, Berry, Breed, Busch, Byrne, Coombs, Dilworth, Grunsky, Hulse, Ed. C. Johnson, Kraft, Murdy, Sutton, Thompson, Ward, and J. Howard Williams—16.

#### RESOLUTIONS

The following resolutions were offered:

By Senators John F. McCarthy and Cunningham:

##### Senate Resolution No. 63

Relative to congratulating Joseph F. Nolan

**WHEREAS**, Members of the Senate have learned that since the adjournment of the 1954 Session of the Legislature, on September 6, 1954, Joseph F. Nolan, Sergeant-at-Arms of the Senate, celebrated his seventy-fifth birthday; and

**WHEREAS**, Joseph F. Nolan is distinguished among legislative officers by his uninterrupted tenure of office, his dignified demeanor, and the capacity and dispatch with which he has performed the duties of his office; and

**WHEREAS**, During the 32 years Joseph F. Nolan has served the Senate in his official capacity, the dignity of this legislative body has been greatly enhanced and great respect engendered for this body on the part of the public in general; and

**WHEREAS**, Through his loyal service, his personal rectitude and friendly demeanor toward the members and officers of this body he has endeared himself to them in a high degree; and

**WHEREAS**, His "Quiet, please" has commanded respectful attention on the part of the members and has struck terror to the hearts of disorderly persons within the confines of the Senate Chamber for lo, these many years; now, therefore, be it

*Resolved*, That the Senate congratulates its highly esteemed Sergeant-at-Arms, Joseph F. Nolan, upon the attainment of three-quarters of a century of conscientious living and desires by this resolution to express its hope that he may have many more happy years and numerous returns of his birthday; and be it further

*Resolved*, That the Secretary of the Senate be, and he is hereby directed, to present a suitably prepared copy of this resolution to our distinguished Sergeant-at-Arms, Joseph F. Nolan.

Resolution read, and, on motion of Senator John F. McCarthy, unanimously adopted.

By Senator Brown:

##### Senate Resolution No. 64

Relative to expenses of the Secretary of the Senate

**WHEREAS**, In the performance of his official duties the Secretary of the Senate finds it necessary to be absent from his place of residence; now, therefore, be it

*Resolved*, That the Secretary of the Senate in addition to his monthly salary shall be allowed a per diem of \$14 for hotel expenses and cost of meals while absent from

his place of residence, as certified monthly by the Committee on Rules or its authorized representative; and that the authorization previously made for such allowance on and after January 3, 1955, is hereby confirmed.

Resolution read, and referred to Committee on Rules.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 64

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

#### Request for Unanimous Consent

Senator Brown asked for, and was granted, unanimous consent to take up Senate Resolution No. 64, at this time, for consideration.

### CONSIDERATION OF SENATE RESOLUTION NO. 64

Relative to the expenses of the Secretary of the Senate

WHEREAS, In the performance of his official duties the Secretary of the Senate finds it necessary to be absent from his place of residence; now, therefore, be it

*Resolved*, That the Secretary of the Senate in addition to his monthly salary shall be allowed a per diem of \$14 for hotel expenses and cost of meals while absent from his place of residence, as certified monthly by the Committee on Rules or its authorized representative; and that the authorization previously made for such allowance on and after January 3, 1955, is hereby confirmed.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Donnelly, Dorsey, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—29.

NOES—None.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 5

Senate Joint Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 29

Senate Concurrent Resolution No. 31

Senate Joint Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above resolutions ordered enrolled.

**MESSAGES FROM SPECIAL ASSEMBLY COMMITTEES**

At 3.50 p.m., a committee from the Assembly consisting of Messrs. Nielsen, Ernest R. Geddes, and Lanterman, appeared at the bar of the Senate, and announced that the Assembly had no further communications to transmit to the Senate, and was now prepared to adjourn for the constitutional recess.

**RESOLUTIONS**

The following resolutions were offered:

By Senator Thompson:

**Senate Resolution No. 65**

*Resolved*, That a Committee of Three be appointed by the President to notify the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communications to transmit to the Senate.

Resolution read, and, on motion of Senator Thompson, adopted.

**Appointment of Special Committee**

In accordance with the above resolution, the President appointed Senators Thompson, Kraft, and Richards, as a committee to wait on His Excellency, Governor Goodwin J. Knight, and inform him that the Senate is ready to adjourn for the constitutional recess.

By Senator Berry:

**Senate Resolution No. 66**

*Resolved*, That a Committee of Three be appointed by the President to notify the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and, on motion of Senator Berry, adopted.

**Appointment of Special Committee**

In accordance with the above resolution, the President appointed Senators Berry, McBride, and Miller, as a committee to inform the Assembly that the Senate is ready to adjourn for the constitutional recess.

**REPORTS OF SPECIAL COMMITTEES**

Senators Thompson, Kraft, and Richards, as a special committee appointed to wait upon the Governor and to inform him of the readiness of the Senate to adjourn for the constitutional recess, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

Senators Berry, McBride, and Miller, as a special committee appointed to inform the Assembly of the readiness of the Senate to adjourn for the constitutional recess, reported that the committee had delivered the message to the Assembly, and had been requested to inform the Senate that the Assembly had no further communications to transmit as they were ready to adjourn for the constitutional recess.

**President of the Senate Presiding**

At 4.50 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Senator Desmond Presiding**

At 4.56 p.m., Senator Earl D. Desmond of the Nineteenth Senatorial District, presiding.



INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following bills were introduced and read the first time:

**Senate Bill No. 1886:** By Senator Taylor and Hulse—An act to amend Section 39 of the Streets and Highways Code, relating to the acquisition, construction, control, maintenance and operation of highways, and the administration thereof.

Referred to Committee on Transportation

**Senate Bill No. 1886:** By Senator Desmond—An act to add Section 18643 to the Health and Safety Code relating to the State Building Standards Commission.

Referred to Committee on Public Health and Safety

**Senate Bill No. 1887:** By Senator Desmond—An act to amend Section 29001 of the Water Code relating to county water districts.

Referred to Committee on Water Resources

**Senate Bill No. 1888:** By Senator Desmond—An act to amend Section 14900 of the Education Code, relating to the Public School System.

Referred to Committee on Education

**Senate Bill No. 1889:** By Senator Desmond—An act to amend Sections 14117, 14145, and 14171 of, and to add Sections 14141, 14144, 14114, 14116, 14117, 14118, 14119, 14120, 14121, 14122, 14123, 14124, 14125, 14126, 14127, 14128, 14129, and 14130 to, the Government Code, relating to revenue bonds and the powers of a local agency.

Referred to Committee on Government Efficiency

**Senate Bill No. 1890:** By Senator Desmond—An act to amend Section 14117 of, and to add Section 14120 to, the Government Code, relating to revenue bonds and the powers of a local agency.

Referred to Committee on Local Government

**Senate Bill No. 1891:** By Senators Miller, Dale, F. Williams, Fernan, Montgomery, Evans, Patterson, M. C. Johnson, John F. McFarley, Wilson, and Uyeno—An act to amend Section 1701, 1702, and 1703 of the Elections Code, relating to political conventions.

Referred to Committee on Elections

**Senate Bill No. 1892:** By Senator Taylor—An act to add Section 1641 to the Vehicle Code, relating to freight-carrying vehicles.

Referred to Committee on Transportation

**Senate Bill No. 1893:** By Senator Taylor—An act to add Part 4 b to Division 2 of the Motorist and Transport Code, relating to single trip out-of-state leased trucks and trailers, and the payment of fees in respect thereof.

Referred to Committee on Revenue and Taxation

**Senate Bill No. 1894:** By Senator Taylor—An act to add Section 1641 to the Vehicle Code, relating to motor vehicles.

Referred to Committee on Transportation

**Senate Bill No. 1895:** By Senator Collier—An act to amend Section 3502 of the Public Utilities Code, relating to highway carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 1896:** By Senator Collier—An act to add Section 670.8 to the Vehicle Code, relating to trailer brakes.

Referred to Committee on Transportation.

**Senate Bill No. 1897:** By Senator Collier—An act to add Section 8996 to the Revenue and Taxation Code, relating to the use fuel tax, including liens and bonds therefor.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1898:** By Senator Collier—An act to add Section 10101 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, including liens and bonds therefor. •

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1899:** By Senator Collier—An act to add Section 616.5 to the Vehicle Code, relating to light and brake examinations.

Referred to Committee on Transportation.

**Senate Bill No. 1900:** By Senators Collier, Dale C. Williams, Teale, Montgomery, Burns, Brown, Byrne, Ed. C. Johnson, Thompson, Way, Donnelly, Regan, Harold T. Johnson, Berry, Gibson, Parkman, Coombs, Abshire, Desmond, and Miller—An act to add Part 12 to Division 3 of Title 2 of the Government Code, relating to a program of public works throughout the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1901:** By Senators Collier, Dale C. Williams, Montgomery, Burns, Brown, Byrne, Ed. C. Johnson, Thompson, Way, Regan, Harold T. Johnson, Berry, Gibson, Parkman, Donnelly, Abshire, Desmond, Miller, Coombs, and Teale—An act to add Part 12 to Division 3 of Title 2 of the Government Code, relating to a program of public works throughout the State, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1902:** By Senators Collier, Dale C. Williams, Teale, Montgomery, Burns, Brown, Byrne, Ed. C. Johnson, Thompson, Way, Harold T. Johnson, Berry, Regan, Donnelly, Parkman, Coombs, Abshire, Desmond, Miller, and Gibson—An act to add Section 15903.5 to the Government Code, relating to a state-wide program of public works, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1903:** By Senator Collier—An act to amend Sections 1061 and 3541 of the Public Utilities Code, relating to highway carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 1904:** By Senator Collier—An act to repeal Part 4 (the Motor Vehicle Transportation License Tax Law) of Division 2 of

the Revenue and Taxation Code, and to add a new Part 4 thereto, relating to transportation license taxes and the payment of fees for the operation of out-of-state trucks.

Referred to Committee on Transportation.

**Senate Bill No. 1905:** By Senator Collier—An act to add Section 453.5 to the Public Utilities Code, relating to carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 1906:** By Senator Collier—An act to add Section 762.5 to the Vehicle Code, relating to penalties.

Referred to Committee on Transportation.

**Senate Bill No. 1907:** By Senator Collier—An act to add Section 451.5 to the Public Utilities Code, relating to rates.

Referred to Committee on Public Utilities.

**Senate Bill No. 1908:** By Senator Collier—An Act to add Section 670.2 to the Vehicle Code, relating to the inspection of weight carrying vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1909:** By Senator Collier—An act to add Section 486.5 to the Public Utilities Code, relating to carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 1910:** By Senator Collier—An act to add Section 3662.5 to the Public Utilities Code, relating to common carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 1911:** By Senator Collier—An act to amend Sections 941.1 and 1800 of the Streets and Highways Code, relating to public highways.

Referred to Committee on Transportation.

**Senate Bill No. 1912:** By Senator Collier—An act to amend Section 701 of the Public Utilities Code, relating to the powers of the Public Utility Commission.

Referred to Committee on Public Utilities.

**Senate Bill No. 1913:** By Senator Sutton—An act to add Section 3.6 to Chapter 1422 of the Statutes of 1945, relating to the acquisition of additional lands for a Colusa-Sacramento River State Park.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1914:** By Senators Gibson and Miller—An act to add Article 4 to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the financing and construction of a toll bridge across Carquinez Straits approximately between Benicia and Martinez or between Army Point and Suisun Point and the construction of approaches to such bridge.

Referred to Committee on Transportation.

**Senate Bill No. 1915:** By Senator Gibson—An act to amend Section 674 of the Vehicle Code, relating to mirrors.

Referred to Committee on Transportation.

**Senate Bill No. 1916:** By Senator Gibson—An act to amend Section 590 of the Vehicle Code, relating to the display of warning devices when a motor vehicle is disabled.

Referred to Committee on Transportation.

**Senate Bill No. 1917:** By Senator John F. McCarthy—An act to provide for the sale at public auction of certain state-owned tidelands in Marin County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1918:** By Senators Dorsey, Way, Thompson, Sutton, and Teale—An act making an appropriation to the Department of Education for the acquisition of a site and the construction of facilities established by the California Academies Act.

Referred to Committee on Education.

**Senate Bill No. 1919:** By Senators Dorsey, Thompson, Sutton, Teale, and Way—An act to add Section 203.5 to the Civil Code, relating to parental neglect.

Referred to Committee on Judiciary.

**Senate Bill No. 1920:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to amend Section 700 of the Welfare and Institutions Code, relating to persons subject to jurisdiction of the juvenile court.

Referred to Committee on Social Welfare.

**Senate Bill No. 1921:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to add Section 111.5 to the Welfare and Institutions Code, relating to child welfare.

Referred to Committee on Social Welfare.

**Senate Bill No. 1922:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to amend Section 597 of, and to add Section 597.1 to, the Welfare and Institutions Code, relating to county probation committees.

Referred to Committee on Social Welfare.

**Senate Bill No. 1923:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to add Section 962 to the Welfare and Institutions Code, relating to juvenile camps.

Referred to Committee on Social Welfare.

**Senate Bill No. 1924:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to add Section 630.1 to the Welfare and Institutions Code, relating to county probation officers and providing for an adult probation division and a juvenile probation division in certain counties.

Referred to Committee on Social Welfare.



**Senate Bill No. 1925:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to add Section 630.1 to the Welfare and Institutions Code, relating to the appointment of juvenile probation officers.

Referred to Committee on Social Welfare.

**Senate Bill No. 1926:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to amend Section 16791 of, and to add Article 10.1 to Chapter 4 of Division 8 of the Education Code, relating to the establishment of a child guidance program.

Referred to Committee on Education.

**Senate Bill No. 1927:** By Senators Dorsey, Sutton, Teale, Way, and Thompson—An act to add Article 5b to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to probation officers.

Referred to Committee on Social Welfare.

**Senate Bill No. 1928:** By Senator Dorsey—An act to add Section 222 to the Revenue and Taxation Code, relating to personal property tax exemptions for recipients of old age security.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1929:** By Senator Dorsey—An act to add Sections 8161 and 8192.5 to, and to amend Sections 8101, 8191, and 8194 of, the Streets and Highways Code, relating to projects of separation of grade districts.

Referred to Committee on Transportation.

**Senate Bill No. 1930:** By Senators Dorsey and Kraft—An act to repeal Sections 142, 164, and 165 of the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game.

**Senate Bill No. 1931:** By Senator Dorsey—An act to repeal Section 5 of Chapter 13 of the 1947 First Extraordinary Session, and to amend Section 512 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1932:** By Senators Dorsey, Way, and Brown—An act to augment the General Fund, making an appropriation, and declaring the urgency thereof.

Referred to Committee on Finance.

**Senate Bill No. 1933:** By Senator Gibson—An act to amend Section 638 of the Vehicle Code, relating to back-up lamps.

Referred to Committee on Transportation.

**Senate Bill No. 1934:** By Senator Gibson—An act to add Section 695.1 to the Vehicle Code, relating to bumpers.

Referred to Committee on Transportation.

**Senate Bill No. 1935:** By Senator Thompson—An act to add Chapter 4 to Title 7 of the Government Code, relating to zoning.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1936:** By Senator Thompson—An act to add Section 23428.8 to the Business and Professions Code, relating to club licenses.

Referred to Committee on Business and Professions.

**Senate Bill No. 1937:** By Senator Thompson—An act to amend Section 407 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1938:** By Senator Thompson—An act to amend Sections 757, 1836, 1837, and 1907 of the Revenue and Taxation Code, relating to the procedure for assessing and equalizing assessments of property in the State of California.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1939:** By Senator Thompson—An act to amend Sections 754, 757, 1831, 1832, 1833, 1834, 1836, 2001, 2002, 2004, and 2005 of, to add Sections 1832.1, 1832.5, and 2001.5 to, and to repeal Section 1837 of the Revenue and Taxation Code, relating to the equalization and assessment of property for tax and fund allocation purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1940:** By Senator Thompson—An act to create the Santa Clara-Alameda-San Benito Water Authority, prescribing its boundaries, government, organization, operation, management, financing, powers and purposes, relating to the development and utilization of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1941:** By Senator Thompson—An act to repeal Chapter 1 of Part 6 of Division 2 of the Labor Code, relating to employment agencies.

Referred to Committee on Labor.

**Senate Bill No. 1942:** By Senator Thompson—An act to amend Section 7727.1 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1943:** By Senator Thompson—An act to amend Section 1 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the Santa Clara County Flood Control and Water Conservation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1944:** By Senator Thompson—An act to add Sections 2676 and 2677 to the Business and Professions Code, relating to physical therapy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1945:** By Senator Thompson—An act to add Section 5307.3 to the Labor Code, relating to the powers of the Industrial Accident Commission.

Referred to Committee on Labor.

**Senate Bill No. 1946:** By Senator Thompson—An act to amend Sections 757 and 1836, and to repeal Section 1837 of the Revenue and Taxation Code, relating to the procedure for assessing and equalizing assessments of property in the State of California.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1947:** By Senator Thompson—An act to amend Section 7303 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1948:** By Senator Thompson—An act to amend Section 148 of the Streets and Highways Code, relating to mass transportation facilities.

Referred to Committee on Transportation.

**Senate Bill No. 1949:** By Senator Thompson—An act to add Section 1603a to the Business and Professions Code, relating to the Board of Dental Examiners.

Referred to Committee on Business and Professions.

**Senate Bill No. 1950:** By Senators Thompson, Parkman, Burns, and Desmond—An act to repeal Article 5 of Chapter 18 of Division 3 of, and to add Article 5 to Chapter 18 of Division 3 of, the Business and Professions Code, relating to cleaning, dyeing, and pressing services.

Referred to Committee on Business and Professions.

**Senate Bill No. 1951:** By Senator Thompson—An act to amend Section 1625 of the Business and Professions Code, relating to dentistry.

Referred to Committee on Business and Professions.

**Senate Bill No. 1952:** By Senator Thompson—An act to amend Section 9511 of the Business and Professions Code, relating to cleaning, dyeing, and pressing.

Referred to Committee on Business and Professions.

**Senate Bill No. 1953:** By Senators Desmond and Harold T. Johnson—An act to make an appropriation for the purpose of improvement of the proposed new California State Fair site.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1954:** By Senators Desmond, Erhart, Sutton, Gibson, Berry, Teale, Harold T. Johnson, Ed. C. Johnson, and Busch—An act to add Section 12814 to the Public Utilities Code, relating to use of facilities for fishing by municipal utility districts.

Referred to Committee on Fish and Game.

**Senate Bill No. 1955:** By Senator Richards—An act to amend Section 9102 of the Government Code, relating to legislative offices, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1956:** By Senator Donnelly—An act to amend Section 616.1 of the Agricultural Code, relating to cheese products.

Referred to Committee on Agriculture.

**Senate Bill No. 1957:** By Senator Desmond—An act to make an appropriation for the purpose of improvement of the proposed new California State Fair site.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1958:** By Senator Desmond—An act to make an appropriation for the purpose of improvement of the proposed new California State Fair site.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1959:** By Senator Burns—An act to amend Section 20341 of the Education Code, relating to state colleges.

Referred to Committee on Education.

**Senate Bill No. 1960:** By Senator McBride—An act to amend Section 75002 of the Government Code, relating to judges' retirement.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1961:** By Senator Sutton—An act making an appropriation for the construction and reconstruction of a sewage facility in the City of Orland, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 1962:** By Senator Burns—An act to add Sections 962, 963, 964, and 965 to the Welfare and Institutions Code, relating to juvenile homes, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Senate Bill No. 1963:** By Senator Harold T. Johnson—An act creating a horse breeders committee and providing for the appropriation of funds thereto, for the encouragement of the breeding of thoroughbred horses in California.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1964:** By Senator Berry—An act to repeal Section 168 of the Fish and Game Code, relating to game refuges and abolishing Silver Lake Game Refuge in El Dorado County.

Referred to Committee on Fish and Game.

**Senate Bill No. 1965:** By Senator Harold T. Johnson—An act to add Article 2.1 to Chapter 14, Division 2 of the Education Code, relating to the leasing of property of unified school districts.

Referred to Committee on Education.

**Senate Bill No. 1966:** By Senator Harold T. Johnson—An act to add Article 2.1 to Chapter 5, Division 9 of the Education Code, relating to the leasing of school district property.

Referred to Committee on Education.



**Senate Bill No. 1967:** By Senators Dilworth, Byrne, and Donnelly—An act to amend Sections 13529 and 13530 of, and to add Sections 13528.5, 13529.1, 13529.2, 13529.3, and 13529.4 to, the Education Code, relating to the dismissal of certificated employees of school districts.

Referred to Committee on Education.

**Senate Bill No. 1968:** By Senator Dilworth—An act to add Article 5 to Chapter 1, Division 1 of the Education Code, relating to allocations of state funds to school districts, and creating an authority to make such allocations.

Referred to Committee on Education.

**Senate Bill No. 1969:** By Senator John F. McCarthy—An act to amend Section 1500 of the Welfare and Institutions Code, relating to the definition of a needy child.

Referred to Committee on Social Welfare.

**Senate Bill No. 1970:** By Senator Dilworth—An act to amend Section 31031 of the Water Code, relating to county water districts and to the Coachella Valley County Water District.

Referred to Committee on Water Resources.

**Senate Bill No. 1971:** By Senators Collier, Gibson, Kraft, Erhart, Berry, Dilworth, and Breed—An act to add Sections 197.5 and 2107.5 to, and to amend Section 2108 of, the Streets and Highways Code, relating to the allocation and expenditure of funds for city street purposes.

Referred to Committee on Transportation.

**Senate Bill No. 1972:** By Senators Gibson and Miller—An act authorizing the acquisition, purchase, lease, or rental of a ferry or ferries by the Department of Public Works for use on the ferry system across Carquinez Straits between Benicia and Martinez, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1973:** By Senator Breed—An act authorizing the State Lands Commission to exchange property of the State of California for property in Alameda County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1974:** By Senators Gibson and Miller—An act authorizing the acquisition, purchase, lease or rental of a ferry or ferries by the Department of Public Works for use on the ferry system across Carquinez Straits between Benicia and Martinez, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1975:** By Senator Gibson—An act to amend Section 2665 of the Business and Professions Code, relating to the practise of physical therapy.

Referred to Committee on Business and Professions.

#### MOTION TO APPROVE JOURNALS

Senator Ward moved that the Journals for Monday, January 17, 1955; Tuesday, January 18, 1955; Wednesday, January 19, 1955; and Thursday, January 20, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

#### MOTION TO APPROVE MINUTES

Senator Ward moved that the minutes for this legislative day, Friday, January 21, 1955, be approved as corrected by the Minute Clerk, and the Journal Clerk.

Motion carried.

#### MOTION TO DISCHARGE COMMITTEE ON ELECTION CONTESTS

Senator Donnelly moved that the Senate Special Committee on Election Contests be discharged and that Senator Short be seated.

#### Motion to Table

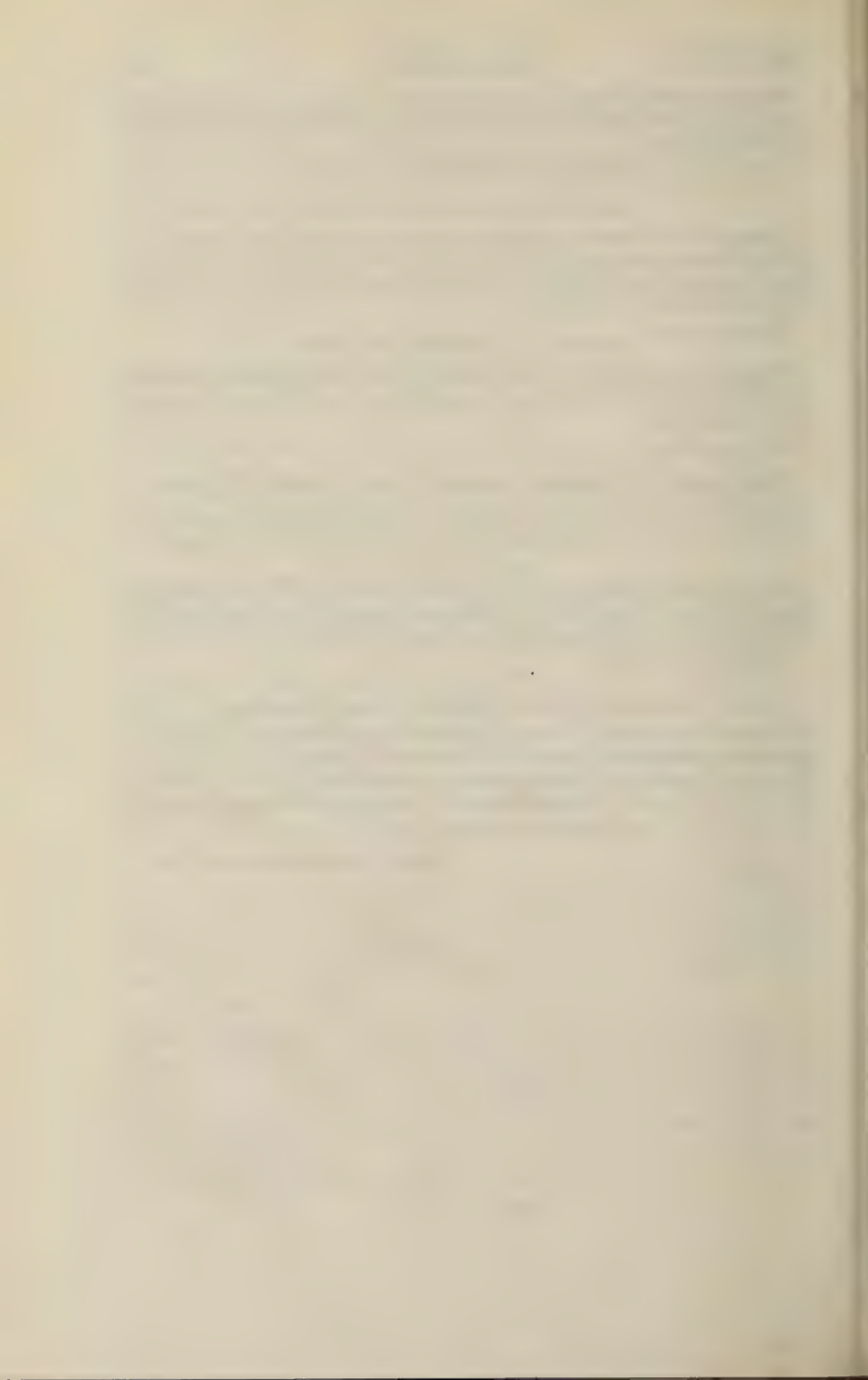
Senator Short moved that the motion by Senator Donnelly that the Senate Special Committee on Elections Contests be discharged and that Senator Short be seated, be laid on the table.

The motion carried.

#### ADJOURNMENT FOR CONSTITUTIONAL RECESS

Whereupon, at 5 p.m., on motion of Senator Ward, in accordance with the provisions of Assembly Concurrent Resolution No. 16, Hon. Earl D. Desmond of the Nineteenth Senatorial District presiding, declared the Senate adjourned for the constitutional recess, to reconvene at 12 m. on Monday, February 28, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FIFTEENTH LEGISLATIVE DAY

TWENTIETH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Monday, February 28, 1955

Pursuant to Assembly Concurrent Resolution No. 16, providing for the reconvening of the Legislature after the constitutional recess, the Senate met at 12 m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### PLEDGE OF ALLEGIANCE

Senator Dilworth led the Senate in pledging allegiance to the Flag.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Grunsky and Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frank Polak of Morgan Hill and Ted Holthouse of Hollister.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alphonse Mills of Los Angeles.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Julius B. Brooks, minister of St. Andrews A. M. E. Church in Sacramento.



## COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

OFFICE OF STATE BOARD OF EQUALIZATION  
SACRAMENTO 14, February 28, 1955

Hon. J. A. Beek  
Secretary of the Senate  
State Capitol, Sacramento, California

DEAR MR. BEEK:

*Senate Resolution No. 24  
1954 First Extraordinary Session*

In conformity with the above-described Senate Resolution, adopted March 31, 1954, relative to the motor vehicle transportation license tax, I have the honor to transmit herewith on behalf of the State Board of Equalization a report to the Senate covering the subject matter of the resolution. Copies of this report in sufficient number to provide for their distribution to the entire membership of the Senate are being delivered to you.

As indicated by the report, if any of the Senators desires more detailed data with respect to the factors relating to the motor vehicle transportation license tax, we shall be happy to supplement the information that it contains.

Respectfully yours,

DIXWELL L. PIERCE, Secretary

Report ordered filed with the Secretary of the Senate.

POST OFFICE DEPARTMENT, ASSISTANT POSTMASTER GENERAL  
WASHINGTON 25, D. C., February 9, 1955

Hon. J. A. Beek  
Secretary of the Senate  
Sacramento, California

DEAR MR. BEEK: Your letter of January 26 to the President transmitting Senate Joint Resolution No. 6 relating to a special stamp to commemorate the California redwoods has been referred to this office for reply.

We regret that no encouragement can be offered for the issuance of such a special stamp at this time. We are engaged in issuing a new series of regular stamps which it is hoped will be completed this year. Because of this and production limitations, it will be necessary to restrict the special issues that can be approved for 1955.

We are sorry that our reply cannot be more favorable and send you our best wishes.

Sincerely yours,

ALBERT J. ROBERTSON  
Assistant Postmaster General

STATE OF CALIFORNIA  
SACRAMENTO 14, February 15, 1955

To: Hon. J. A. Beek  
Secretary of the Senate  
Senate Chamber  
Sacramento, California

From: State Board of Equalization  
J. H. Quinn, Chairman

Subject: Senate Concurrent Resolution No. 11

This will acknowledge receipt of your letter of February 8, together with its enclosure of a copy of the above resolution adopted at the current legislative session, relative to cooperation between the legislative and executive branches of the State Government on pending legislation.

You are assured that this resolution has been called to the attention of our staff and that anyone who may represent our office in connection with legislation has been instructed that, before opposing a bill in committee, he shall discuss the reasons for such opposition with the author of the bill prior to the time of hearing. You are also assured that we shall arrange to furnish each of our representatives written authorization to act as such, specifying the scope of his authority, and that we shall instruct any such representative to file this authorization with the chairman of the committee before whom he may make an appearance.

As a constitutional state agency, directly accountable to the people, this board is keenly aware of its duty to cooperate with the Legislature so that the best possible thought may be brought to bear on legislation that relates to the duties that have been assigned to us. It will always be in that spirit of cooperation that we shall send anyone as our representative before a legislative committee and we are

confident that through scrupulous observance of the policy established by Senate Concurrent Resolution No. 11, we shall be able to maintain a most satisfactory relationship with the Legislature to the advantage of all concerned.

J. H. QUINN

cc Hon. Arthur A. Ohnimus  
Mr. Dixwell L. Pierce

CIVIL AERONAUTICS BOARD  
WASHINGTON 25, February 3, 1955

*Hon. J. A. Beek, Secretary of the Senate  
California Legislature, Senate Chamber  
Sacramento, California*

DEAR MR. BEEK: This will acknowledge your letter of January 11, 1955, in which you transmitted a copy of California Senate Joint Resolution No. 1, concerning a proposed restriction of civil aircraft flights in southeastern California.

The problem of facilitating flight of civil aircraft in the area with which you have concern was considered by the Los Angeles Regional Airspace Subcommittee of the Air Coordinating Committee on January 6, 1955. At that time agreement was reached among the interested parties which apparently meets the objectives of the joint resolution. I can also report to you that the Washington Airspace Subcommittee has now approved the solution agreed to in the Regional Airspace Subcommittee. Accordingly, there appears to be no further action required at this time of the Civil Aeronautics Board.

The interest of the California Senate in this matter is appreciated and I trust that matters such as this will continue to be settled in the Regional Airspace Subcommittee to the mutual satisfaction of all.

Sincerely yours,

CHAN GURNEY, Acting Chairman

UNITED STATES DEPARTMENT OF THE INTERIOR  
OFFICE OF THE SECRETARY  
WASHINGTON 25, D. C., FEBRUARY 18, 1955

*J. A. Beek, Secretary  
California Senate*

MY DEAR MR. BEEK: This will acknowledge with thanks your letter of January 26, 1955, transmitting copies of Senate Joint Resolutions Nos. 3 and 5 of the California Legislature, pertaining respectively to the Yosemite National Park and the Joshua Tree National Monument. The White House has referred to this department the copies of these resolutions which were sent to the President.

Resolution No. 3 memorializes the Secretary of the Interior to act in certain respects with regard to fishing regulations in the Yosemite National Park. Recent regulations published in the January 28, 1955, issue of the *Federal Register* provide that the open season for fishing in Yosemite National Park shall conform with the laws of the State of California.

Resolution No. 5 memorializes the President and Congress of the United States and the Secretary of the Interior to take appropriate action to permit prospecting and mining in the Joshua Tree National Monument. There is no authority to do this since when the monument was established the lands were withdrawn from all forms of appropriation. The Atomic Energy Commission, however, has requested and received permission to investigate the area for the possible occurrence of fissionable source material. It is reasonable to expect that upon completion of this investigation there will be reliable information available as to whether any important radioactive materials occur within the monument.

Sincerely yours,

ORME LEWIS  
Assistant Secretary of the Interior

WATER PROJECT AUTHORITY OF THE STATE OF CALIFORNIA  
SACRAMENTO, CALIFORNIA, February 18, 1955

*Hon. J. A. Beek  
Secretary of the Senate  
State Capitol*

DEAR MR. BEEK: There is transmitted herewith for consideration of the State Legislature a report entitled "Program for Financing and Constructing the Feather River Project as the Initial Unit of The California Water Plan," dated February 1955.

This is a report of the investigations, surveys, and studies conducted with funds appropriated by the Legislatures of 1952, 1953, and 1954, and which were authorized by Chapter 1441, Statutes of 1951.

This report was presented to the Water Project Authority at its meeting held on February 16, 1955, and the authority concurred in the transmittal of the report to the Legislature.

Very truly yours,

FRANK B. DURKEE  
Director of Public Works and  
Chairman, Water Project Authority

Report ordered filed with the Secretary of Senate.

### MESSAGES FROM THE ASSEMBLY

At 12.10 p.m., a committee from the Assembly consisting of Messrs. Collier, Hawkins, and Luckel appeared at the bar of the Senate and announced that the Assembly had reconvened and was ready to proceed with the business of State.

### REPORT OF SPECIAL COMMITTEE

#### Committee on Election Contests

SENATE, CALIFORNIA LEGISLATURE, February 28, 1955

*To the Honorable Harold J. Powers  
President of the Senate  
Sacramento 14, California*

DEAR MR. PRESIDENT:

#### *Final Report of the Special Committee on Election Contests*

The Special Committee on Election Contests, to which was referred the contest filed by Verne W. Hoffman relative to the election of Alan Short to the office of Senator from the Twentieth Senatorial District, has been advised by Verne W. Hoffman that he desires to dismiss and abandon said contest.

For this reason, the committee reports its recommendation to the Senate that the contest of Verne W. Hoffman of the election of Alan Short to the office of Senator from the Twentieth Senatorial District be dismissed.

Wherefore your committee respectfully submits its final report.

NELSON S. DILWORTH, Chairman  
JAMES A. COBEY  
DONALD L. GRUNSKY  
HAROLD T. JOHNSON  
SWIFT BERRY

#### Motion to Adopt Report

Senator Dilworth moved that the final report submitted by the special committee established to investigate the election contests in the Twentieth Senatorial District be adopted and the contest be dismissed.

Motion carried.

### REPORTS OF STANDING COMMITTEES

#### Committee on Legislative Representation

February 28, 1955

*Hon. Harold J. Powers  
President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

DEAR SIR: I am submitting herewith progress report of the Special Senate Committee on Legislative Representation for consideration of the Members of the Senate.

Your committee requests that this progress report be appropriately inserted in the Senate Daily Journal.

Respectfully submitted,

JAMES J. McBRIDE, Chairman  
Special Senate Committee on Legislative Representation

## PROGRESS REPORT OF THE SPECIAL SENATE COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Senate and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and where necessary, has made investigation and your committee has found with respect to all of the persons named in this report that each is of good moral character, has complied with the provisions of Chapter 8, Part 1, Subdivision 2, Title 2, of the Government Code, and unless good cause to the contrary is shown, is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

Anderson, Carl, Box 552, Arcata

Association of Northern California Loggers

Anderson, P. Arnold, 1625 Russ Bldg., San Francisco

Municipal License Tax Assn.

Barnard, Edna C., 725 Parkview, Redding

California State Division of the American Assn. of University Women

Beard, Kennan H., P. O. Box 561, Modesto

East Modesto Industrial Assn.

Betzenderfer, L. Barbara, 5921 W. Metropolitan Plaza, Los Angeles

California State Division of the American Assn. of University Women

Brown, Edward A., 4459 Avocado St., Los Angeles

California Trailer Park Assn.

Brown, Mona G., 5921 W. Metropolitan Plaza, Los Angeles

California State Division of the American Assn. of University Women

Carpenter, Kenneth, 257 S. Spring St., Los Angeles

City of Los Angeles Police Department

Los Angeles Fire and Police Protective League

Case, Mason, Berth 73, San Pedro

Fishermen's Cooperative Assn.

Davis, Neill, 433 S. Spring St., Los Angeles

California Savings and Loan League

Davis, Roger H., 523 W. Sixth St., Los Angeles 14

California Manufacturers Assn.

Merchants and Manufacturers Assn.

Association of Motion Picture Producers

Aircraft Industries Assn.

Western Oil and Gas Assn.

California Retailers Assn.

Despol, John A., 117 W. Ninth St., Los Angeles

CIO California Industrial Union Council



- Dick, J. Edgar, 681 Market St., San Francisco  
California Cattlemen's Assn.
- Difani, George D., 6816 Stanley Ave., Carmichael  
The California Wildlife Federation, a federation of sportsmen's  
councils.  
San Diego County Federated Sportsmen  
Inland Council Conservation Clubs, San Bernardino and Riverside  
Counties  
Southern Council of Conservation Clubs  
Ocean Fish Protective Assn.  
California Council of Diving Clubs  
California Game Improvement Assn.  
Sportsmen's Council, Central California  
Associated Sportsmen of California  
Sportsmen's Council of Redwood Empire  
Northeastern California Conservation League  
North Coast Conservation Council
- Dinkelspiel, John Walton, 405 Montgomery St., San Francisco 4  
California State Sheriffs' Assn.
- Dinkelspiel, Martin J., 405 Montgomery St., San Francisco 4  
California State Sheriffs' Assn.
- Dinkelspiel, Richard C., 405 Montgomery St., San Francisco 4  
California State Sheriffs' Assn.
- Early, Robert E., 4680 Wilshire Blvd., Los Angeles  
Farmers' Underwriters Assn.
- Elder, True M., Box 8851, Crenshaw Station, Los Angeles  
Ocean Fish Protective Assn.
- Elson, Eugene M., 541 S. Spring St., Los Angeles  
California Pharmaceutical Assn.  
California and Nevada Manufacturers of Carbonated Beverages
- Fassett, Weston, 3949 E. Pacific Ave., Sacramento  
State Employees' Assn.
- Fort, Robert O., 506 Nicolaus Bldg., Sacramento  
Peace Officers' Assn. of the State of California  
California State Sheriffs' Assn.
- Garibaldi, James D., 510 W. Sixth St., Los Angeles  
Hollywood Turf Club  
Del Mar Turf Club  
Pacific Turf Club
- Gilchrist, John P., 1980 Washington St., San Francisco  
California Collateral Loan Brokers' Assn.  
Northern California Seafood Institute
- Glade, J. Richard, Bank of America Bldg., Eighth and J Sts., Sacra-  
mento  
Inter Association Unemployment Insurance Committee
- Gregory, Philip J., 275 Bush St., San Francisco  
Investment Bankers' Assn. of America  
California Bankers' Assn.

- Gripp, Robert E., 257 S. Spring St., Los Angeles  
City of Los Angeles Fire Department  
Los Angeles Fire and Police Protective League
- Halstead, Jack L., 257 S. Spring St., Los Angeles  
City of Los Angeles Police Department  
Los Angeles Fire and Police Protective League
- Held, Owen H., 257 S. Spring St., Los Angeles  
City of Los Angeles Fire Department  
Los Angeles Fire and Police Protective League
- Herrington, Lou I., 533 Forum Bldg., Sacramento  
California State Restaurant Assn.
- Hines, John V., 3400 J St., Sacramento  
California State Assn. of Life Underwriters, Inc.
- Hislop, John K., 350 Bush St., San Francisco  
California State Chamber of Commerce
- Hofstetter, Patricia J., 5921 W. Metropolitan Plaza, Los Angeles  
Calif. State Division of American Assn. of University Women
- Kaitz, Walter, 1079 B St., Hayward  
California Real Estate Assn.
- Kerr, Henry W., 257 S. Spring St., Los Angeles  
City of Los Angeles Police Department  
Los Angeles Fire and Police Protective League
- Kosieris, Andrew J., Box 596, Jackson  
Amador County Chamber of Commerce
- Leavey, H. Harold, 2020 L St., Sacramento  
California Western States Life Insurance Company
- Lewright, Harold F., Russ Bldg., San Francisco  
Stone and Youngberg
- Long, E. A., 6367 Sunset Blvd., Los Angeles  
Western Harness Racing Assn.
- Lord, Melvin, 1133 S. Crenshaw Ave., Los Angeles  
National Retail Pet Supply Assn.
- Miller, James A., 1015 Geary St., San Francisco  
California State Hotel Assn.
- Morris, J. H., 1217 Taft Bldg., Hollywood  
Santa Monica Sea Food Company  
State Fish Company, Inc.
- Morton, Frew, 1675 Eddy St., San Francisco  
Foster & Kleiser Company  
Motor Car Dealers  
California Builders Exchange
- Moyse, Ralph E., 414 Front St., San Francisco  
Wholesale Fruit and Produce Dealers

- McFarland, John P., 155 Montgomery St., San Francisco  
American Reciprocal Insurance Assn.  
Industrial Indemnity Company  
State Farm Insurance Companies  
Firemen's Fund Insurance Company  
California Casualty Indemnity Exchange
- O'Gara, Gerald J., Box 99, Presidio Station, San Francisco  
Golden Gate Bridge and Highway District
- Ogle, Joel E., 308 Hall of Records, Santa Ana  
County of Orange
- Phillips, Lloyd A., Senator Hotel, Sacramento  
Southern Pacific Company  
Atchison, Topeka, and Santa Fe Railway  
Union Pacific Railway  
Northwestern Pacific Railway  
California Railroad Assn.  
Western Pacific Railway
- Pitts, Thomas L., 846 S. Union Ave., Los Angeles  
California State Federation of Labor
- Rooney, J. Kerwin, Grove St. Pier, Oakland  
Board of Port Commissioners, Port of Oakland
- Rowland, Gilford G., 537 Forum Bldg., Sacramento  
Pacific American Steamship Assn.  
Federated Employers of San Francisco
- Rumage, R. L., 309 Ochsner Bldg., Sacramento  
California State Employees Union, A.F.L.
- Scully, Charles P., 995 Market St., San Francisco  
California State Federation of Labor, A.F.L.
- Sherrard, Wade, 3301 S. Grand Ave., Los Angeles 7  
California Motor Transport Assn., Inc.
- Sprague, Frank L., 2101 K St., Sacramento  
Sacramento Municipal Utility District
- Stone, Ray, 5501 Hazel Ave., Fair Oaks  
California State Horsemen's Assn.
- Turner, Gourney H., 257 S. Spring St., Los Angeles  
City of Los Angeles Police Department  
Los Angeles Fire and Police Protective League
- Vessels, Frank, 2650 Cherry Ave., Long Beach  
Los Alamitos Race Course
- von Kaesborg, Lek, 309 Andresen Bldg., San Bernardino  
Solocopter, Inc.  
Don Haislet, Public Relations  
von Kaesborg Enterprises, Inc.  
Desert Outdoor Advertising Company, Inc.
- Ward, Bernard J., 206 City Hall, San Francisco  
City Attorney, City and County of San Francisco
- Wooley, Magnus R., 621 S. Hope St., Los Angeles  
Pacific Finance Corporation

Yates, Claude E., 1441 Van Ness Ave., San Francisco  
California Council of Business Schools

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 2**—Relative to repair of Morro Bay Breakwater;

**Senate Joint Resolution No. 3**—Relative to memorializing the Secretary of the Interior of the United States and other officials and agencies authorized to act in the matter in relation to the regulation of fishing in Yosemite National Park;

**Senate Joint Resolution No. 5**—Relative to memorializing the President and Congress of the United States and the Secretary of the Interior to take appropriate action to permit prospecting and mining in the Joshua Tree National Monument;

**Senate Joint Resolution No. 6**—Relative to memorializing the Congress of the United States to take appropriate action to cause the issuance of a postage stamp honoring the California redwoods as "the world's oldest living things";

**Senate Concurrent Resolution No. 29**—Relative to the passing of Colonel Nelson M. Holderman;

**Senate Concurrent Resolution No. 31**—Relative to the rehabilitation of the natural arrowhead landmark situated in San Bernardino County;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-second day of January, 1955, at 11 a.m.

WARD, Chairman

## RESOLUTIONS

The following resolutions were offered:

By Senator Abshire:

### Senate Resolution No. 67

*Resolved*, That the President of the Senate appoint a special Committee of Three to notify the Governor that the Senate has reconvened the 1955 Regular Session, after the constitutional recess, pursuant to Assembly Concurrent Resolution No. 16, and is now ready to receive any communication he may have to make.

Resolution read, and, on motion of Senator Abshire, adopted.

### Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Abshire, Burns, and John F. McCarthy.

By Senator Grunsky:

### Senate Resolution No. 68

*Resolved*, That the President of the Senate appoint a Special Committee of Three to notify the Assembly that the Senate has reconvened the 1955 Regular Session, after the constitutional recess, pursuant to Assembly Concurrent Resolution No. 16, and is now ready to proceed with the business of the State.

Resolution read, and, on motion of Senator Grunsky, adopted.

### Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Grunsky, Robert I. McCarthy, and Thompson.



## By Committee on Rules:

## Senate Resolution No. 69

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1955 Regular Session of the Legislature:

Senators	County	Mileage	Total at 5 cents per mile
Abshire, F. Presley	Sonoma	228	\$11 40
Berry, Swift	El Dorado	100	5 00
Breed, Arthur H., Jr.	Alameda	180	9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Fresno	338	16 90
Busch, James E.	Mendocino	300	15 00
Byrne, Paul L.	Butte	202	10 10
Cobey, James A.	Merced	228	11 40
Collier, Randolph	Siskiyou	590	29 50
Coombs, Nathan F.	Napa	122	6 10
Cunningham, James E.	San Bernardino	1,016	50 80
Desmond, Earl D.	Sacramento	22	1 10
Dilworth, Nelson S.	Riverside	1,092	54 60
Donnelly, Hugh P.	Stanislaus	182	9 10
Dorsey, Jess R.	Kern	550	27 50
Erhart, A. A.	San Luis Obispo	666	33 30
Gibson, Luther E.	Solano	112	5 60
Grunsky, Donald L.	Santa Cruz	436	21 80
Hulse, Ben	Imperial	1,206	60 30
Johnson, Ed. C.	Yuba	106	5 30
Johnson, Harold T.	Placer	38	1 90
Kraft, Fred H.	San Diego	1,146	57 30
McBride, James J.	Ventura	980	49 00
McCarthy, John F.	Marin	210	10 50
McCarthy, Robert I.	San Francisco	180	9 00
Miller, George, Jr.	Contra Costa	168	8 40
Montgomery, Robert I.	Kings	428	21 40
Murdy, John A., Jr.	Orange	978	48 90
Parkman, Harry L.	San Mateo	222	11 10
Regan, Edwin J.	Trinity	434	21 70
Richards, Richard	Los Angeles	894	44 70
Short, Alan	San Joaquin	96	4 80
Sutton, Louis G.	Colusa	150	7 50
Teale, Stephen P.	Calaveras	194	9 70
Thompson, John F.	Santa Clara	256	12 80
Ward, Clarence C.	Santa Barbara	920	46 00
Way, A. W.	Humboldt	624	31 20
Williams, Dale C.	Modoc	648	32 40
Williams, J. Howard	Tulare	468	23 40
			Total at 10 cents per mile
Officers	County	Mileage	
Powers, Harold J., President	Modoc	832	\$83 20
Beek, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Lea, John F., Minute Clerk	Sacramento	2	20

## Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 37:** By Senators Hulse, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F.

McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—Relative to the passing of the late Hon. Fred Weybret.

**Request for Unanimous Consent**

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 37, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 37**

**Senate Concurrent Resolution No. 37**—Relative to the passing of the late Hon. Fred Weybret.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read the first time:

**Senate Concurrent Resolution No. 38:** By Senators Desmond, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—Relative to the passing of the late Hon. Joseph L. Knowles.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 38**

**Senate Concurrent Resolution No. 38**—Relative to the passing of the late Hon. Joseph L. Knowles.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Resolution ordered transmitted to the Assembly.

**REPORTS OF SPECIAL COMMITTEES**

The following reports of special committees were received:

Senators Abshire, Burns, and John F. McCarthy, the Special Committee appointed to wait upon the Governor and inform him of the reconvening of the Senate, reported they had performed their duty.

Senators Grunsky, Robert I. McCarthy, and Thompson, the Special Committee appointed to notify the Assembly of the reconvening of the Senate, reported that they had performed their duty.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 36**

Senator Cunningham moved that Senate Bill No. 36 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 36**—An act to amend Section 74261 of the Government Code, relating to judges of the municipal court established in a district embracing the City of San Bernardino.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 strike out lines 4 and 5 of the printed bill and insert "receive ten thousand five hundred dollars (\$10,500) annually."

Amendment read, and adopted. Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 264**

Senator Cunningham moved that Senate Bill No. 264 be withdrawn from Committee on Military and Veterans Affairs for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 264**—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans and their dependents.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 12, of the printed bill, after "ganization of" insert "veterans chartered by the Congress of the United States".

**Amendment No. 2**

On page 1, line 14, strike out "and which has regularly," and insert "or which has regularly".

**Amendment No. 3**

On page 1, lines 15 and 16, strike out "next preceding the date of such contract" and insert "prior to January 1, 1955".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1722**

Senator Cunningham moved that Senate Bill No. 1722 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1722**—An act to amend Section 70141.5 of the Government Code, relating to court commissioner of superior courts.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 12, of the printed bill, strike out "eight thousand four hundred dollars (\$8,400)" and insert "ten thousand five hundred dollars (\$10,500)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 19**

Senator Cunningham moved that Senate Bill No. 19 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 19**—An act to repeal an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, relating to the registration and recordation of land titles, deeds, and instruments affecting land titles and subjecting lands registered under said act to the general recording laws, to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "initiative".

**Amendment No. 2**

In lines 1 and 2 of the title strike out "to amend an act entitled 'An act'".



**Amendment No. 3**

In line 3 of the title, strike out the single quotation mark and insert a double quotation mark.

**Amendment No. 4**

In line 4 of the title, strike out the comma and quotation marks following "1897" and strike out "approved by the electors November 3, 1914" and insert "as amended, thereby repealing all provisions".

**Amendment No. 5**

On page 1, line 1, strike out "to amend an act entitled 'An act'".

**Amendment No. 6**

On page 1, line 3, strike out the single quotation mark following "estate" and insert a comma and a double quotation mark.

**Amendment No. 7**

On page 1, lines 3 and 4, strike out the quotation marks following "1897" and strike out "approved by electors November 3, 1914" and insert "as amended".

**Amendment No. 8**

On page 1, lines 4 and 5, strike out "5 p.m. December 30" and insert "midnight December 31".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1746**

Senator Byrne moved that Senate Bill No. 1746 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Local Government.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF  
SENATE BILLS NOS. 32 AND 34**

Senator Harold T. Johnson moved that Senate Bills Nos. 32 and 34 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Natural Resources.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 37

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above resolution ordered enrolled.

**ADJOURNMENT**

At 12.50 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Tuesday, March 1, 1955, out of respect to the memory of the late Senator Fred Weybret and the late Hon. Joseph L. Knowles.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SIXTEENTH LEGISLATIVE DAY

TWENTY-FIRST CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, March 1, 1955

The Senate met at 2 p.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day: Senator Cobey, on motion of Senator Robert I. McCarthy, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On the request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ted Ludlam and Walt Tischer of Sebastopol.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from Foothill Union School, Browns Valley; Fruitland Union Elementary School, Marysville; and Cordua School, Hollywood District, Marysville:

*Foothill Union*—Kenneth Fitzgerald, Dick Hill, Mike Jones, Wayne McDaniel, Forrest Miser, Morry Smith, Anita Coward, Donna Dean,

Margie McDaniel, Roberta Sperbeck, and Harold Moore, principal; *Fruitland Union Elementary*—Raymond E. Anderson, teacher, Pat Browning, Mark Dickinson, Bruce Brunell, Harry Mitchell, Bob Hill, Barry Davis, Jerry Ryberg, John Proffett, Sherrill Peroni, Mary Littlefield, Loretta Rose, Margaret Truett, and Carol Walton; *Cordua School*—Judy Gregory, Judy Bryan, Jean Lolmaugh, Joan Lolmaugh, Jackie Brink, Bettie Aday, Sandra Baker, Margaret Blankenship, Joline Palmer, Donnie Roberts, Richard Dier, Elton Cassell, Arlen Ivy, Larry Hudgins, and Wellard W. Roulsten, principal.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from San Ramon Elementary School. San Ramon: Judith Ashworth, Lynne Davidson, Anne Frazier, Philip Henry, Diane Nelson, Antoinette Mondote, Alice Roth, Rosemary Smith, Cynthia White, Judith Sereda, Michael Smith, John Peixoto, Charles Saunders, Walter Pimentel, Mr. J. A. Williams (teacher), Mrs. Betty Saunders, Mrs. Thelma Smith, and Mrs. Winifred Davidson.

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 1, 1955

*To the Honorable Members of the Senate  
State of California  
State Capitol, Sacramento, California*

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made.

Respectfully,

GOODWIN J. KNIGHT, Governor

STANFORD C. SHAW, a resident of Ontario; attorney at law; received his A.B. degree from Stanford University and LL.B. degree from Loyola University; Member of the California Assembly from 1951 to 1953; served as a Member of the Law Revision Commission by appointment of the Legislature, which service terminated January 3, 1955; was appointed, effective January 24, 1955, as Member of the California Law Revision Commission, (original appointment).

GLENN BAKER, a resident of Gilroy; business executive; former member of the San Bruno City Council and for a short time served as mayor of that city; Past President and former Secretary of the Peninsula Division, League of California Cities; prior to private business Mr. Baker was engaged in banking business for 20 years; was appointed, effective February 1, 1955, as Member of the State Personnel Board, vice Dr. Benjamin E. Mallary, resigned.

STANLEY E. McCaffrey, a resident of Berkeley; Executive Manager, California Alumni Association, University of California, Berkeley; a Member of the California Veterans' Board since December 23, 1952; was reappointed, effective January 25, 1955, as Member of the California Veterans' Board, vice self, term expired.

F. BRITTON McCONNELL, a resident of Los Angeles; business executive; admitted to the Bar in 1924; has practiced approximately 30 years, exclusively in the insurance field; was appointed, effective February 15, 1955, as Insurance Commissioner, vice John R. Maloney, term expired.

RUSSELL S. MUNRO, a resident of Sacramento; Deputy Director of the Department of Public Works and formerly Principal Attorney for the Department; graduate of Stanford University, 1935, and received his LL.B. degree from the University of Southern California in 1938; practiced law in Los Angeles from 1938 to 1942; was appointed, effective February 14, 1955, as Director of Alcoholic Beverage Control, (original appointment).

ARNOLD FREW, a resident of King City; business executive; graduated from Utah State College, 1916, and has engaged in agricultural pursuits continuously since 1920; served three years on the Central Coastal Area Water Pollution Control

Board; Chairman of the Monterey County Flood and Water Conservation Committee; has been engaged actively in local water improvement projects for many years; President of the California Beet Growers Association; was appointed, effective February 10, 1955, as Member, State Water Resources Board, vice Howard F. Cozzens, resigned.

RAYMOND RIANDA, a resident of Gonzales; farmer; Director, Mission Soledad Soil Conservation District in Monterey County; former member of the Insurance Committee and also Equipment Committee of the State Association of Soil Conservation Districts; was appointed, effective February 10, 1955, as Member, State Soil Conservation Commission, vice H. H. Hale, term expired.

DR. MABEL E. KINNEY, a resident of Los Angeles; received her higher education at the Thomas Normal Training School; she holds a degree of Doctor of Religious Science; has been a student of government for many years and has lectured in every state; served as Chief of the Division of Industrial Welfare and a Member of the Industrial Welfare Commission during the administrations of Governors Rolph and Merriam; is a member and former parliamentarian of the California Congress of Parents and Teachers; was appointed, effective February 21, 1955, as Member of the State Board of Education, vice Mildred L. Hale, term expired.

Message read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 1, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

STANFORD C. SHAW, a resident of Ontario; attorney at law; received his A.B. degree from Stanford University and LL.B. degree from Loyola University; Member of the California Assembly from 1951 to 1953; served as a Member of the Law Revision Commission by appointment of the Legislature, which service terminated January 3, 1955; was appointed, effective January 24, 1955, as Member of the California Law Revision Commission (original appointment), as interim appointee pursuant to Section 1774 of the Government Code;

to the California Law Revision Commission, vice self, interim appointee, for the term prescribed by law, ending October 1, 1955.

GLENN BAKER, a resident of Gilroy; business executive; former member of the San Bruno City Council and for a short time was mayor of that city; Past President and former Secretary of the Peninsula Division, League of California Cities; prior to private business Mr. Baker was engaged in banking business for 20 years; was appointed, effective February 1, 1955, as Member of the State Personnel Board, vice Dr. Benjamin E. Mallary, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Personnel Board, vice self, interim appointee, for the term prescribed by law, ending January 15, 1965.

STANLEY E. MCCAFFREY, a resident of Berkeley; Executive Manager, California Alumni Association, University of California, Berkeley; a Member of the California Veterans' Board since December 23, 1952; was reappointed, effective January 25, 1955, as Member of the California Veterans' Board, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the California Veterans' Board, vice self, interim appointee, for the term prescribed by law, ending January 15, 1959.

F. BRITTON MCCONNELL, a resident of Los Angeles; business executive; admitted to the Bar in 1924; has practiced approximately 30 years, exclusively in the insurance field, was appointed, effective February 15, 1955, as Insurance Commissioner, vice John R. Maloney, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

as Insurance Commissioner, vice self, interim appointee, for the term prescribed by law, ending February 15, 1959.

RUSSELL S. MUNRO, a resident of Sacramento; Deputy Director of the Department of Public Works and formerly Principal Attorney for the Department; graduate of Stanford University, 1935, and received his LL.B. degree from the University of Southern California in 1938; practiced law in Los Angeles from 1938 to 1942; was appointed, effective February 14, 1955, as Director of Alcoholic Beverage Control (original appointment), as interim appointee pursuant to Section 1774 of the Government Code;

as Director of Alcoholic Beverage Control, vice self, interim appointee, for the term at the pleasure of the Governor.



ARNOLD FREW, a resident of King City; business executive; graduated from Utah State College, 1916, and has engaged in agricultural pursuits continuously since 1920; served three years on the Central Coastal Area Water Pollution Control Board; Chairman of the Monterey County Flood and Water Conservation Committee; has been engaged actively in local water improvement projects for many years; President of the California Beet Growers Association; was appointed, effective February 10, 1955, as Member, State Water Resources Board, vice Howard F. Cozzens, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

as Member, State Water Resources Board, vice self, interim appointee, for the term prescribed by law, ending January 15, 1956.

RAYMOND RIANDA, a resident of Gonzales; farmer; Director, Mission Soledad Soil Conservation District in Monterey County; former member of the Insurance Committee and also of the Equipment Committee of the State Association of Soil Conservation Districts; was appointed, effective February 10, 1955, as Member, State Soil Conservation Commission, vice H. H. Hale, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

as Member, State Soil Conservation Commission, vice self, interim appointee, for the term prescribed by law, ending four years from the date of the commission.

DR. MABEL E. KINNEY, a resident of Los Angeles; received her higher education at the Thomas Normal Training School; she holds a degree of Doctor of Religious Science; has been a student of Government for many years and has lectured in every state; served as Chief of the Division of Industrial Welfare and a Member of the Industrial Welfare Commission during the administrations of Governors Ralph and Merriam; is a member and former parliamentarian of the California Congress of Parents and Teachers; was appointed, effective February 21, 1955, as Member of the State Board of Education, vice Mildred L. Hale, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Board of Education, vice self, interim appointee, for the term prescribed by law, ending January 15, 1958.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 1, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

WILLIAM N. BUCKNAM, a resident of Ceres; orchardist; received his college training at the University of Miami and the University of Pittsburgh; served many years as Trustee on the Ceres Union High School District; active in Peach Association and Stanislaus County Farm Bureau;

to the State Board of Education, vice Joseph P. Loeb, term expired, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 1, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

MISS ZDENKA RUBEN, a resident of Los Angeles; Director of Los Angeles County Social Services; a Member of the Board of Social Work Examiners since September 26, 1945;

to the Board of Social Work Examiners, vice self, term expired, for the term prescribed by law, ending January 15, 1959.

EDWARD J. WREN, a resident of San Francisco; is a lay person and not a professional social worker; has been active in Catholic circles; is President of St. Vincent de Paul Society (a Catholic welfare organization), and is a Past Grand President of the Native Sons of the Golden West;

to the Board of Social Work Examiners, vice Rt. Rev. Raymond O'Flaherty, resigned, for the term prescribed by law, ending January 15, 1957.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 1, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

WENDELL T. ROBIE, a resident of Auburn; business executive; Member of the State Board of Forestry since January 10, 1944;

to the State Board of Forestry (representing member at large), vice self, term expired, for the term prescribed by law, ending January 15, 1959.

ROBERT W. MATTHEWS, a resident of Eureka; business executive; immediate Past President of the Redwood Region Conservation Council; for many years active in Redwood industry; a Member of the Board of Harbor Commissioners for Humboldt Bay;

to the State Board of Forestry (representing Redwood interests), vice Frank W. Reynolds, term expired, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 9

Assembly Concurrent Resolution No. 45

Assembly Concurrent Resolution No. 47

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

**Assembly Joint Resolution No. 9**—Relative to memorializing the Congress of the United States to take appropriate action to establish a separate federal judicial district for the Counties of San Diego and Imperial, with two resident federal judges.

Referred to Committee on Judiciary.

**Assembly Concurrent Resolution No. 45**—Relative to the reports of veterans organizations.

Referred to Committee on Military and Veterans Affairs.

**Assembly Concurrent Resolution No. 47**—Relative to amending Rule 37 of the Joint Rules of the Senate and Assembly, regarding the Legislative Budget Committee.

Referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 54

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 54**—Relative to commemorating the three hundredth anniversary of Jewish settlement in the United States of America.

Referred to Committee on Rules.

## MOTION TO PRINT REPORT

Senator J. Howard Williams moved that the following partial report by the Joint Committee on Water Problems be printed in the Journal.

Motion carried.

## LETTER OF TRANSMITTAL

JOINT COMMITTEE ON WATER PROBLEMS  
SACRAMENTO, CALIFORNIA, March 1, 1955

*To the President of the Senate,  
To Speaker of the Assembly,  
and to Members of the Senate and Assembly*

The Joint Committee on Water Problems, created pursuant to Senate Concurrent Resolution No. 13, Resolutions Chapter 239, Statutes of 1953, submits herewith this Partial Report in compliance with Assembly Concurrent Resolution No. 22, Resolutions Chapter 31, of the 1954 Special Session, relative to an independent study of water resource development, adopted in Senate and in Assembly April 1, 1954.

Respectfully submitted,

HAROLD K. LEVERING  
FRANCIS C. LINDSAY  
CARLEY V. PORTER  
J. HOWARD WILLIAMS

BEN HULSE  
J. A. MURDY, JR.  
EDWIN J. REGAN  
HUGH P. DONNELLY

RESOLUTIONS CHAPTER 31  
1954 SPECIAL SESSION

*Assembly Concurrent Resolution No. 22—Relative to an independent study of water resource development.*

WHEREAS, The Legislature must consider and act on legislation to provide for the full development of the water resources; and

WHEREAS, Many plans have been submitted to the Legislature calling for the expenditure of billions of dollars to construct projects which would dwarf any similar project heretofore constructed by man; and

WHEREAS, The Members of the Legislature are without means of evaluating reports on the proposed projects as to their relative economic or engineering feasibility or the effect of this on the over-all coordination of water resource development; and

WHEREAS, It is possible that an independent study and investigation of the water resources development and state-wide plan for the coordination and integration of water resources would furnish a basis of comparison by means of which the Legislature could evaluate other plans submitted to it; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the Joint Committee on Water Problems is requested to study the feasibility of securing, by a private agency supervised and directed by an advisory body composed of leading engineers and economists, an independent survey and investigation of the water resources of the State and a state-wide plan for the coordination and integration of all water development projects to the extent feasible, and to report thereon to the Legislature not later than the tenth calendar day of the 1955 Regular Session; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Joint Committee on Water Problems.

## PARTIAL REPORT

### JOINT COMMITTEE ON WATER PROBLEMS

In compliance with the requests set forth in the above resolution, your committee, at its meeting held on August 27, 1954, regularly passed and adopted a motion to the effect that private engineering organizations of nationally recognized standing, staffed for such purposes, be broached upon the proposal of making an independent study and investigation of all of the water resources of the State of California, together with the formulation of a comprehensive plan for the integration and ultimate development of all economically feasible projects therein. Five such firms were approached in this matter.

In general, it may be stated that representatives of each of these organizations expressed great interest in the proposition, but also were extremely cautious in making any definite statements which might reflect a commitment on estimated probable costs of such a survey and time required for completion. This apparent reluctance is understandable, since it was based upon the grounds that no funds as yet have been appropriated for this purpose by the Legislature, nor has the full amount of money necessary been assured to carry out what was considered to be the largest undertaking of this nature ever contemplated in the United States. All agreed that such a large-scale investigation, to be done properly, would entail the assembly of a very large staff of high-class and specially trained personnel at great expense. For these reasons, it appears that the representatives of the engineering firms were of the opinion that they would require more specific information on the exact scope of the undertaking and a better understanding of the data available before they would be in a position to present any factual and positive estimates.

Under the circumstances, the rough and strictly tentative estimates for the type of study and investigation obviously contemplated in the resolution ran from two to five years in time, and in estimated probable cost ran into several million dollars, the full cost, of course, depending upon the amount of detail demanded.



It, furthermore, was the consensus of the representatives of these firms that, in view of the fact that the State Water Resources Board, through the State Engineer, contemplates the early completion of its report on the new California Water Plan, a considerable over-all saving of funds necessary for an independent survey could be realized by waiting until this report is made available.

In light of these circumstances, it appears that there are far too many elements of uncertainty to provide a background for any reliable cost estimates at this time other than that the investigation will involve an outlay running into many millions of dollars to obtain a report of the scope and dependability necessary to be of any value for the purposes intended.

It is equally clear also that in the event it is considered desirable to postpone the proposed independent survey of the State's water resources and project developments, until such time, at least, as the preliminary and tentative preview of the new California Water Plan is presented to the Legislature, the ultimate costs of an independent study would be reduced very substantially.

#### RESOLUTIONS

The following resolutions were offered :

By Senator Byrne :

##### Senate Resolution No. 70

Relative to commending the Golden Empire Broadcasting Company

WHEREAS, There is no problem causing deeper concern to the American people today than that of the cure and the prevention of infantile paralysis; and

WHEREAS, The American people have for years been consecrating themselves, their time and their fortunes in an attempt to alleviate this scourge; and

WHEREAS, A notable and praiseworthy contribution to this worthy cause has been made by the Golden Empire Broadcasting Company which has rendered conspicuous and valuable service through its inauguration of the March of Dimes auctions over its radio and television facilities for the purpose of raising funds for this great humanitarian cause; and

WHEREAS, This organization's fund-raising successes were so notable that their technique has been copied throughout the length and breadth of the land; and

WHEREAS, Through the activities of this group over a quarter of a million dollars has been raised to sponsor the work of the National Foundation of Infantile Paralysis; now, therefore, be it

*Resolved by the Senate of the State of California*, That is commends the Golden Empire Broadcasting Company for the fine humanitarian service this organization has rendered, and be it further

*Resolved*, That the Secretary of the Senate be, and he is hereby directed to forward to the Golden Empire Broadcasting Company a suitably prepared copy of this resolution.

Resolution read, and, on motion of Senator Byrne, unanimously adopted.

By Senators Burns and Thompson :

##### Senate Resolution No. 71

Relative to opposing enactment of H. R. No. 1 by U. S. Congress

WHEREAS, There has been introduced and is now pending in the Congress of the United States a bill for a public law, H. R. No. 1, which, if enacted, would dangerously weaken the only safeguards in existing legislation under which industries injured by low-price foreign competition may seek recourse, namely, the "escape clause" and "peril point" provisions; and

WHEREAS, This proposed bill, H. R. No. 1, if enacted, would give the executive branch of the Federal Government extended and broad new authority to reduce United States import duties and regulations without further congressional action

and even contrary to express findings and recommendations of the United States Tariff Commission; and

WHEREAS, The Senate of the State of California is seriously concerned by the adverse effects which substantial tariff reductions already made are having upon important industries of the State, such as the almond, dairy, fig, citrus, livestock, olive, vineyard, walnut, fish and wool industries and by the failure of the trade agreements program to obtain effective reciprocal concessions for United States products, including the products of essential agricultural crops; now, therefore, be it

*Resolved by the Senate*, That the State of California does hereby memorialize the Congress of the United States not to pass H. R. No. 1, or comparable legislation, unless it is amended to greatly strengthen the "peril point" and "escape clause" provisions and thus provide legal means by which American workers and industries suffering injury as a result of excessive tariff reductions may seek relief; and, be it further

*Resolved*, That copies of this resolution be forwarded to the President of the United States, the Vice President of the United States, to United States Senators William F. Knowland and Thomas H. Kuchel, and California Members of the House of Representatives.

Resolution read, and referred to Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 39:** By Senators Grunsky, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—Relative to the passing of the Honorable Bert B. Snyder.

### Request for Unanimous Consent

Senator Grunsky asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 39, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 39

**Senate Concurrent Resolution No. 39**—Relative to the passing of the Honorable Bert B. Snyder.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Resolution ordered transmitted to the Assembly.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 1045 AND 1889

Senator Desmond moved that Senate Bills Nos. 1045 and 1889 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Local Government.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE  
BILLS NOS. 1608 AND 1721**

Senator Berry moved that Senate Bills Nos. 1608 and 1721 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Natural Resources.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 388**

Senator Collier moved that Senate Bill No. 388 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 388**—An act to add Sections 100.4, 30009, and 30204.6 to the Streets and Highways Code, relating to toll bridges and other toll highway crossings.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "3, 30009, and 30204.6 to" and insert "and 30009 to, and to amend Sections 30204, 30204.1, 30204.2, 30204.3, 30204.4, 30204.5, and 30357 of,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 2 strike out lines 3 to 12, inclusive, and insert

"SEC. 3. Section 30204 of said code is amended to read:

30204. The issuance of bonds for the acquisition or construction of more than one toll bridge or other highway crossing, or for the acquisition or construction of an additional toll bridge or other highway crossing and the retiring of any outstanding bonds secured by a pledge of the tolls and revenues from an existing toll bridge or bridges may be included in a single authorization.

SEC. 4. Section 30204.1 of said code is amended to read:

30204.1. Whenever the State has acquired or constructed a toll bridge or bridges over any of the waters specified in Section 30100 (a), regardless of whether any of such bridges have become toll-free, and whenever the department determines that an additional toll bridge or other highway crossing over such waters is required and that it is for the best interests of the public highways in the State that such additional toll bridge or other highway crossing be constructed and operated by the State, the director of the department shall submit its recommendations to that effect to the authority, together with preliminary estimates of the cost of construction of such additional toll bridge or other highway crossing and an estimate of the amount required to be raised for the purpose and for the purpose of retiring any outstanding bonds secured by a pledge of the tolls and revenues from such existing toll bridge or bridges by the issuance of revenue bonds, and a statement of the probable amount of money, property, materials or labor to be contributed from other sources in aid of such construction. If a majority of the members of the authority concur in the recommendation of the department, the authority shall adopt a resolution declaring that public interest and necessity require the construction of the additional toll bridge or other highway crossing and authorizing the issuance of revenue bonds for the purpose of obtaining funds in the amount estimated to be required for such construction and for the retiring of any and all outstanding bonds secured by a pledge of the tolls and revenues of the existing bridge or bridges, including, without limiting the generality of the foregoing, all expenses incident to the calling, retirement, or payment of any outstanding bonds, together with, among other things, the difference in amount between the par value of the outstanding



bonds and any amount less than par for which the additional revenue bonds may be sold, and also any amount necessary to be made available for the payment of interest upon the additional revenue bonds from the date of sale to the date of maturity or payment of the outstanding bonds, to be redeemed out of the proceeds of the sale or the date upon which the outstanding bonds to be redeemed will be paid pursuant to call or by agreement with the holders, and also the premium, if any, necessary to be paid in order to call or retire any such outstanding bonds including all amounts necessary to be deposited with the fiscal agent for the outstanding bonds to enable the fiscal agent to hold in trust an amount fully sufficient for the payment and retirement of all the outstanding bonds, including the interest thereon to the earliest date upon which the fiscal agent may legally call and redeem all such outstanding bonds pursuant to the provisions of any resolution under which the outstanding bonds are issued. Out of the proceeds of the sale of such additional revenue bonds, the authority may deposit with the fiscal agent for any issue of outstanding bonds in advance of the earliest practicable call date of the outstanding bonds, amounts fully sufficient for the payment, retirement and redemption of the outstanding bonds to be held by the fiscal agent in trust for such redemption at the earliest practicable call date upon which the outstanding bonds may be redeemed.

SEC. 5. Section 30204.2 of said code is amended to read:

30204.2. The resolution may provide for a single authorization of bonds and for the surrender and cancellation of all outstanding bonds theretofore issued for the acquisition or construction of the existing bridge or bridges either by call or the consent of the holders thereof.

SEC. 6. Section 30204.3 of said code is amended to read:

30204.3. The tolls and other revenues to be received from the use and operation of both the existing bridge or bridges and the additional toll bridge or other crossing shall be directly, concurrently and exclusively pledged for the redemption of the single authorization of bonds and the payment of the interest thereon, subject only to the rights of the holders of any outstanding revenue bonds payable from the revenues of any existing toll bridge or bridges prior to their redemption or surrender for cancellation, and shall remain so pledged until all of the bonds are fully redeemed and paid or sufficient funds have been accumulated and are legally available for such purpose and [neither] none of the bridges shall become free public bridges until the bonds are redeemed and paid or provision made therefor. *In the event any existing bridge or bridges have become toll-free, the authority may reimpose tolls and other charges for the use of such bridge or bridges for the purpose of this section.*

SEC. 7. Section 30204.4 of said code is amended to read:

30204.4. All such bonds so authorized shall be issued in the name of the authority and shall constitute obligations only of the authority and shall be identified as toll bridge bonds and shall contain a recital on the face thereof that the payment or redemption of the bonds and the payment of the interest thereon is secured by a direct, concurrent, and exclusive charge and lien upon the tolls and other revenues of any nature whatever received from the operation of the existing bridge or bridges and from the operation of the particular additional toll bridge or other highway crossing for the acquisition or construction of which the bonds are issued and that neither the payment of the principal or any part thereof or any interest thereon constitutes a debt, liability, or obligation of the State.

SEC. 8. Section 30204.5 of said code is amended to read:

30204.5. If the existing bridge [is a] or bridges are state highways, the additional bridge shall likewise be a state highway of the same class.

SEC. 9. Section 30357 of said code is amended to read:

30357. The limitations and provisions of this article do not apply to the acquisition or construction and maintenance and operation of any additional toll bridge or other highway crossing when such additional toll bridge is constructed and operated by the State, and when the refunding of any and all outstanding bonds on any existing bridge or bridges and funds for the construction of the additional toll bridge or other crossing are provided for in a single authorization of bonds and the tolls and other revenues received from the use and operation of both any existing bridge or bridges and the additional toll bridge or other highway crossing are directly, concurrently, and exclusively pledged for the redemption of the single authorization of bonds and the payment of the interest thereon."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1560

Senator Brown moved that Senate Bill No. 1560 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1560**—An act to amend Section 1347 of the Fish and Game Code, relating to elk.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 21, of the printed bill, after the word "held" insert "in the county seat of the county in which the area to be affected by the order lies or, if such area lies in more than one county, the county seat of the county in which the greater portion of such area lies,".

**Amendment No. 2**

On page 2 after line 7, insert  
"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: Because of an over-population of elk in the Owens Valley area in Inyo and Mono Counties, serious agricultural crop depredation is occurring. Past history of this elk herd indicates that periodically it builds up to numbers beyond the carrying capacity of its range and it competes with livestock, deer, and agricultural crops. The commission has held two special hunts in the past years to bring the herd down to the carrying capacity of its range, and this type of management is desirable if this herd is to be maintained in the Owens Valley in the future. At present, indications are that this elk herd is seriously in need of reduction during the fall of 1955. It is desirable for the commission to act at an early date and it would be preferable to act under the new law to avoid loss of income to the department."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 172

Senator Dorsey moved that Senate Bill No. 172 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 172**—An act to amend Section 1403 of the Fish and Game Code, relating to burros.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "burros" insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, after line 17, add "This section shall remain in effect until the ninety-first day after the final adjournment of the Regular Session of the Legislature in 1957.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

That there are very few of the wild or undomesticated burros left in this State and they are being captured and removed by the truckload for slaughtering in places other than that of their capture. This amendment will prevent the capture of burros

for subsequent killing and since it is imperative to stop this slaughter at the earliest possible time it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1915

Senator Gibson moved that Senate Bill No. 1915 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1915**—An act to amend Section 674 of the Vehicle Code, relating to mirrors.

Bill read second time.

#### Motion to Amend .

Senator Gibson moved the adoption of the following amendment :

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 1

On page 1 strike out lines 1 to 6, inclusive, of the printed bill, and insert

"SECTION 1. Section 674 of the Vehicle Code is amended to read:

674. Mirrors. [(a) Any motor vehicle which is so constructed or loaded, or when towing any vehicle which is so constructed or loaded, as to obstruct the driver's view to the rear thereof from the driver's position, shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.]

[(b)] Any motor vehicle registered in this State [after January 1, 1954.] shall be equipped with a mirror *located outside of the vehicle to the left of the driver's compartment containing a minimum of nine square inches of surface* so located as to reflect to the driver a view of the highway for a distance of at least [200] 500 feet to the rear of such vehicle."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1916

Senator Gibson moved that Senate Bill No. 1916 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1916**—An act to amend Section 590 of the Vehicle Code, relating to the display of warning devices when a motor vehicle is disabled.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 1**

On page 1 strike out lines 1 to 24, inclusive, of the printed bill, and insert

"SECTION 1. Section 590 of the Vehicle Code is amended to read:

590. Display of Warning Devices When [Commercial] Vehicle Disabled. Every motor vehicle having three or more wheels [truck having an unladen weight of 4,000 pounds or more, and every truck tractor irrespective of weight] when operated upon any highway during the time specified in Section 618 shall be equipped with and carry at least two flares or two red lanterns, or two warning lights or reflectors, which reflectors shall be of a type approved by the department. When any vehicle above mentioned [or any trailer or semitrailer] is disabled on the roadway or within 10 feet thereof at any time mentioned in Section 618, a warning signal of the character indicated above shall be immediately placed at a distance of approximately 100 feet in advance of, and 100 feet to the rear of such disabled vehicle. The continuous flashing of at least four approved type class A-Type I turn signal lamps, at least two toward the front and at least two toward the rear of the vehicle, shall be considered to meet the requirements of this section until the devices mentioned above can be placed in the required locations.

The warning signals herein mentioned shall be displayed continuously during the times mentioned in Section 618 while such vehicle remains disabled upon the roadway or within 10 feet thereof. This section shall not apply to any vehicle while being operated within the corporate limits of any city, city and county or town, except that any city or city and county may impose like requirements with respect to any [said motor truck or truck tractor] vehicle when operated during the times mentioned in Section 618 upon highways outside of any business or residence district within such city or city and county and upon which highways there is insufficient street lighting to reveal a vehicle at a distance of 200 feet."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1933**

Senator Gibson moved that Senate Bill No. 1933 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1933**—An act to amend Section 638 of the Vehicle Code, relating to back-up lamps.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 strike out lines 1 to 10, inclusive, of the printed bill and insert

"SECTION 1. Section 638 of the Vehicle Code is amended to read:

638. Back-up Lamps. (a) Any motor vehicle may be equipped with a back-up lamp either separately or in combination with another lamp. Said back-up lamp shall be so directed as to project a white or amber light illuminating the highway to the rear of the vehicle for a distance not to exceed 75 feet.

(b) No back-up lamp shall exceed a diameter of six inches measured across the lens or face thereof nor shall any such lamp be lighted on any vehicle moving forward or otherwise except when such vehicle is about to be or is backing on a highway.

(c) Every new motor vehicle of four or more wheels first registered in this State after December 31, 1955, shall be equipped with a back-up lamp either separately or in combination with another lamp. The back-up lamp shall be so directed as to provide a white light illuminating the highway to the rear of the vehicle for a distance not to exceed 75 feet and shall be located on the rear of the vehicle below the level of the red lamps provided for in Section 621. The back-up lamp shall be automatically controlled so that it shall be illuminated only when the vehicle has been placed in reverse gear, except that a manual control switch may be provided so long as a pilot light is installed on the dashboard of the vehicle which will be lighted at all times that the back-up lamp is illuminated by use of the manual switch."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1176

Senator Byrne moved that Senate Bill No. 1176 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1176**—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to the feeding of garbage to swine.

Bill read second time.

#### Motion to Amend

Senator Byrne moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, lines 41 and 42, of the printed bill, strike out "to at least 212 degrees Fahrenheit for at least" and insert "throughout to boiling or equivalent temperature (usually 212 degrees Fahrenheit at sea level) for".

#### Amendment No. 2

On page 2, between lines 49 and 50, insert 216.11. Nothing in this article shall be construed to prohibit any city, county, or city and county, from licensing persons feeding garbage to swine."

#### Amendment No. 3

On page 2, line 50, strike out "216.11" and insert "216.12".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### LETTER OF TRANSMITTAL

JOINT LEGISLATIVE COMMITTEE ON  
AGRICULTURE AND LIVESTOCK PROBLEMS  
CALIFORNIA LEGISLATURE, SENATE, February 28, 1955

*The President of the Senate*

*The Speaker of the Assembly*

*And Other Members of the Senate and Assembly*

The Joint Legislative Committee on Agriculture and Livestock Problems, created by Senate Concurrent Resolution No. 51 (Res. Ch. 141) Regular Session of 1945; continued by Senate Concurrent Resolution No. 4 (Res. Ch. 14) Regular Session of 1947; continued by Senate Concurrent Resolution No. 54 (Res. Ch. 193) Regular Session of 1949; and continued by Senate Concurrent Resolution No. 69 (Res. Ch. 221) Regular Session of 1951; and continued by the following partial report:

Pursuant to Senate Concurrent Resolution No. 9 (Res. Ch. 38) Regular Session of 1954, which provides,

"That no money be spent which was appropriated by the Budget Act of 1954, or previously appropriated for capital outlay providing for plans, specifications, construction or purchase of new facilities which is used for agricultural purposes until such facilities, equipment or item to be provided



thereby is reviewed and inspected by the Joint Legislative Committee on Agriculture and Livestock Problems and a report thereon has been filed with the Director of Finance of the State of California :"

the Northern Subcommittee, composed of Assemblymen George A. Clarke, Chairman, Lloyd W. Lowrey, Senators Paul L. Byrne and Fred Weybret, investigated the agricultural construction projects and activities included in the 1954-55 Budget Act of the State of California for :

1. Fresno State College.
2. The several state institutions in Northern California, namely :  
     Soledad State Prison,  
     Agnews State Hospital,  
     Napa State Hospital,  
     Stockton State Hospital,  
     Sonoma State Home.

A Southern Subcommittee, composed of Assemblymen Thomas M. Erwin, Chairman, Stewart Hinkley, J. Ward Casey, and Senator Nelson S. Dilworth investigated the agricultural construction projects and activities included in the 1954-55 Budget Act of the State of California for :

1. California Polytechnic College  
     San Luis Obispo Campus,  
     Kellogg Campus.
2. The several state institutions in Southern California, namely :  
     Camarillo State Hospital,  
     Metropolitan State Hospital,  
     Patton State Hospital.

At a meeting of the full committee held in Sacramento, California, on July 13, 1954, the reports of the subcommittees were approved as presented, with one exception.\*

Respectfully submitted,

PAUL L. BYRNE, Chairman †

\* This one exception was item 21 (h), Horse Barn at the Fresno State College. See page 14 of this report for statements of the action of the full committee on this item.

† Chairman, Vice Hoffman, resigned.

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were introduced, and read :

**Senate Constitutional Amendment No. 24:** By Senator Regan—Proposed amendment to Article VI of the Constitution, relative to the Judicial Department, by amending Section 2 and repealing Sections 17 and 25 thereof.

Referred to Committee on Judiciary.

**Senate Constitutional Amendment No. 25:** By Senator Regan—Proposed amendment to Article VI of the Constitution, relative to the Judicial Department, by adding Section 27 to, and amending Section 9 thereof.

Referred to Committee on Judiciary.

**Senate Constitutional Amendment No. 26:** By Senator Regan—Proposed amendment to Article VI of the Constitution, relative to the Judicial Department, by amending Section 4c and adding Section 4d thereto.

Referred to Committee on Judiciary.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Donnelly:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 1, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Part 2 of Division 11 of, and to add Part 2 to Division 11 of, the Health and Safety Code, relating to fireworks, and making an appropriation.

Respectfully submitted,

SENATOR DONNELLY

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 1, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Public Health and Safety.

WARD, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

**Senate Bill No. 1976:** By Senator Donnelly—An act to repeal Part 2 of Division 11 of, and to add Part 2 to Division 11 of, the Health and Safety Code, relating to fireworks, and making an appropriation.

Referred to Committee on Public Health and Safety.

**ADJOURNMENT**

At 2.40 p.m., on motion of Senator Collier, the President declared the Senate adjourned until 2 p.m., Wednesday, March 2, 1955, out of respect to the memory of the late Hon. Bert B. Snyder.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SEVENTEENTH LEGISLATIVE DAY

TWENTY-SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, March 2, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day: Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Berry, on motion of Senator Grunsky, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Richard Rumiano of Willows and Mrs. Louis G. Sutton, wife of Senator Sutton.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Anthos, Ralph Brynes, Don Hanson and DeWitt A. Higgs, all of San Diego; Forrest Macomber of Stockton; and Wayne Millington of Redwood City.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Councilman Howard E. Rilea and Mrs. Rilea and his sister-in-law, Mrs. Ira Rilea, all of Oakland.



On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. T. Barnard of Redding.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Pitney, Mr. Major and Mr. Kallenbach and the following students from the Covington School of Los Altos: Genie Albin, Christiane Becker, Gary Benn, Kirsten Bergquist, Sharley Biggers, Bob Bledsoe, Carolyn Canright, Huck Chase, Sally Clark, Deann Collingwood, Kathryn Cramer, Lynn DeFrees, Larry Flynn, Tim Giberson, Bob Goodenough, Bruce Graham, Dixie Gregory, Robin Harrison, Doris Hawks, Kris Head, John Henry, Karen Hooper, John Jones, Rosilind Keith, Carol Kraus, Mary Landels, Keith Lewis, Peter Locke, Dian McKinney, Roger Menard, Pat Mersman, Denny Murakami, Carol Nourse, Wendy Oldfield, Joyce Pitzer, Gary Proctor, Denny Sargent, Susan Schoch, Brenda Smith, Dennis Smith, Sandy Soares, Charlotte Stengele, Gail Stevenson, Martha Stites, Diane Stoltenkamp, Penny Strout, Eileen Sullivan, Nancy Sutherland, Chuck Taylor, Charles Thompson, Sue Trovillion, Harlow Walker, Mary Waugh, Byron Wells, Larry Wells, Karen Williams, Myles Winbigler, Margaret White, Glenda Wurster, and Polly Wright.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Esmond Schapiro of San Francisco; and Senator and Mrs. Sylvan Friedman of the Twenty-fourth Senatorial District of Louisiana.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Samuels, superintendent of schools, East Whittier School, and Donald E. Sheeler, assistant superintendent.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students and adults of the Clear Lake Union High School: Bruce Watson, instructor; Mrs. Helen Richabaugh, Mrs. Rose Robinson, Mrs. Edna Walker, parents; Frances Bishop, Lee Bucknell, Fritz Budde, Gene Chantler, Wes Hill, Larry Hinman, Jon Kempe, Don Lange, James Larsen, Nevel Lyons, Barbara Marshall, Venn Marshall, Bob McNeill, Jim Morgan, Bill van Gunda, Ronald Ware, Gail Busch, Stanley Conrad, Gary Cossey, Jeanne Crabill, Darrell Creamer, Don Farnsworth, Kathy Finely, Camille Garner, Rita Henault, Kareen Iverson, Delores Kimball, Genevieve Lee, Dan Mills, Evelyn Mulhauser, Irl Rickabaugh, Betty Robinson, Barbara Ross, Rebecca Ross, Shirley Smith, Loretta Smythe, and Devonna Walker.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Magee of San Anselmo.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elaine Arago, George Del Secco and his daughter, Suzan, of San Francisco.

On request of Senators Murdy and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David Calderwood of Los Angeles; and Dr. Frank Dyer of Santa Monica.

**RECESS**

At 2.12 p.m., on motion of Senator Desmond the Senate recessed to permit Senator Desmond to present the Camellia Queen and the President of the Sacramento Camellia Society to the Senate.

The President appointed Senator Desmond as a committee to escort Miss Mary Ann Smithson, Queen, and Mr. E. A. Combatalade, President of the Camellia Society of Sacramento and the Sacramento Camellia Festival Association to the rostrum.

The Senator from Sacramento addressed the Senate outlining the program for the 11 days of color and pageantry provided by the Camellia Festival in Sacramento, which is known as the "Camellia Capitol of the World."

Senator Desmond introduced Miss Smithson, first Queen of the Camellia Festival, who invited all those present to come to the 31st Annual Camellia Show, Saturday and Sunday, March 5th and 6th, in the Sacramento Memorial Auditorium.

Senator Desmond escorted Miss Smithson and Mr. Combatalade from the rostrum.

**Introduction of Senator Friedman From Louisiana**

Lieutenant Governor Powers introduced Senator Sylvan Friedman of the Twenty-fourth Senatorial District of Louisiana who addressed the Senate briefly marveling at California's ability to finance all of her projects. He extended an invitation for anyone interested to visit the Louisiana Legislature which opens the second Tuesday in May.

**REASSEMBLED**

At 2.25 p.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

**MESSAGES FROM THE ASSEMBLY****ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1955**

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 38

Senate Concurrent Resolution No. 39

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolutions ordered enrolled.

**ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1955**

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 55

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 55**—Relative to the illness of Assemblyman Don Hobbie.

**Request for Unanimous Consent**

Senator Byrne asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 55, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 55**

**Assembly Concurrent Resolution No. 55**—Relative to the illness of Assemblyman Don Hobbie.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 443 AND 502**

Senator Dorsey moved that Senate Bills Nos. 443 and 502 be withdrawn from Committee on Judiciary and re-referred to Committee on Education.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 260, 856, 1043, 1235, 1810, 1837, 1838, AND 1936**

Senator Desmond moved that Senate Bills Nos. 260, 856, 1043, 1235, 1810, 1837, 1838, and 1936 be withdrawn from Committee on Business and Professions and re-referred to Committee on Governmental Efficiency.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 660 AND 661**

Senator Cobey moved that Senate Bill No. 660 be withdrawn from Committee on Transportation and Senate Bill No. 661 be withdrawn from Committee on Public Utilities and that they both be re-referred to Committee on Judiciary.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 1705, 1714, 1715, AND 1716**

Senator Desmond moved that Senate Bills Nos. 1705, 1714, 1715, and 1716 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Local Government.

Motion carried.

# REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 1, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 37—Relative to the passing of the Honorable Fred Weybret;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the first day of March, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 1, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 33

Senate Concurrent Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 1, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 71

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 1, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolution ordered to third reading.

## Request for Unanimous Consent

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 54

**Assembly Concurrent Resolution No. 54**—Relative to commemorating the three hundredth anniversary of Jewish settlement in the United States of America.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.



**REQUEST FOR UNANIMOUS CONSENT**

Senator Burns asked for, and was granted, unanimous consent to take up Senate Resolution No. 71, at this time, for consideration of committee amendments.

**Senate Resolution No. 71** Relative to opposing enactment of H. R. No. 1 by the United States Congress.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

The first line of the first "Resolved" paragraph, appearing on page 751 of the Senate Journal for March 1, 1955, is amended to read as follows:

*"Resolved by the Senate, That the Senate of the State of California does hereby memorialize the"*

Amendment read, and adopted.

Resolution ordered amended.

**Request for Unanimous Consent**

Senator Burns asked for, and was granted, unanimous consent to take up Senate Resolution No. 71, at this time, for consideration, as amended.

**CONSIDERATION OF SENATE RESOLUTION NO. 71, AS AMENDED****Senate Resolution No. 71**

Relative to opposing enactment of H. R. No. 1 by the United States Congress

WHEREAS, There has been introduced and is now pending in the Congress of the United States a bill for a public law, H. R. No. 1, which, if enacted, would dangerously weaken the only safeguards in existing legislation under which industries injured by low-price foreign competition may seek recourse, namely, the "escape clause" and "peril point" provisions; and

WHEREAS, This proposed bill, H. R. No. 1, if enacted, would give the executive branch of the Federal Government extended and broad new authority to reduce United States import duties and regulations without further congressional action and even contrary to express findings and recommendations of the United States Tariff Commission; and

WHEREAS, The Senate of the State of California is seriously concerned by the adverse effects which substantial tariff reductions already made are having upon important industries of the State, such as the almond, dairy, fig, citrus, livestock, olive, vineyard, walnut, fish and wool industries and by the failure of the trade agreements program to obtain effective reciprocal concessions for United States products, including the products of essential agricultural crops; now, therefore, be it

*Resolved by the Senate, That the Senate of the State of California does hereby memorialize the Congress of the United States not to pass H. R. No. 1, or comparable legislation, unless it is amended to greatly strengthen the "peril point" and "escape clause" provisions and thus provide legal means by which American workers and industries suffering injury as a result of excessive tariff reductions may seek relief; and, be it further*

*Resolved, That copies of this resolution be forwarded to the President of the United States, the Vice President of the United States, to United States Senators William F. Knowland and Thomas H. Kuchel, and California Members of the House of Representatives.*

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and Dale C. Williams—36.

NOES—None.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 792

Senator Gibson moved that Senate Bill No. 792 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 792**—An act to amend Section 2000 of the Business and Professions Code, relating to the practice of medicine.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "Section 2000" and insert "Sections 2102, 2113, and 2458".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 2102 of the Business and Professions Code is amended to read:

2102. Members of the board shall be appointed for a term of four years and [they shall hold office until the appointment and qualification of their successors] *no member shall hold office beyond the term for which he was appointed.*

The terms of the members of the board in office when this chapter takes effect shall expire as follows: three on January 15, 1938; two on January 15, 1939; three on January 15, 1940; and two on January 15, 1941. The terms shall expire in the same relative order as to each member as the term for which he hold office before this chapter takes effect.

Vacancies occurring shall be filled by appointment for the unexpired term.

*No person shall serve as a member of the board for more than three terms, but this provision shall not prevent any member in office at the time this provision takes effect from completing his present term of office.*

SEC. 2. Section 2113 of said code is amended to read:

2113. The board may require the persons designated in Section 2111 to furnish such information as it may deem necessary to enable it to compile the directory. Every person so designated shall report immediately each and every change of residence, giving both his old and new address.

*If the holder of a certificate fails to report to the board a change of residence, as required by this section, within 10 days after such change of residence, the board shall not renew such person's certificate until the penalty fixed by this chapter for failure to make such report is paid.*

SEC. 3. Section 2458 of said code is amended to read:

2458. The amount of fees and refunds prescribed by this chapter in connection with the certificates issued under its provisions is that fixed by the following schedule:

(a) The fee for each applicant for a certificate by written examination, unless otherwise provided in this chapter, [is twenty-five dollars (\$25)] *shall be fixed annually by the board at an amount not to exceed fifty dollars (\$50)*. If the applicant's credentials are insufficient or if he does not desire to take the examination, the sum of ten dollars (\$10) shall be retained and the remainder of the fee is returnable on application.

(b) [An] *Each* applicant for a certificate based upon a national board diplomate certificate, *each applicant for a certificate under Article 6, and each applicant for a reciprocity certificate*, shall pay an application fee in the sum of ten dollars (\$10) at the time his application is filed. If [an] *the* applicant qualifies for a certificate, he shall be notified and shall pay [the sum of ninety dollars (\$90)] *a fee which shall be fixed annually by the board at a sum not in excess of forty dollars (\$40)* for the issuance of a certificate.

[(c) An applicant for a certificate under Article 6 shall pay an application fee in the sum of ten dollars (\$10) at the time his application is filed. If an applicant qualifies for a certificate, he shall be notified and shall pay the sum of forty dollars (\$40) for the issuance of a certificate.]

[(d) An applicant for a reciprocity certificate shall pay an application fee in the sum of ten dollars (\$10) at the time his application is filed. If an applicant qualifies for a certificate, he shall be notified and shall pay the sum of ninety dollars (\$90) for the issuance of the certificate.]

[(e)] (c) The annual tax and registration fee [is two dollars (\$2)] *shall be fixed annually by the board at a sum not in excess of three dollars (\$3).*

[(f)] (d) The delinquent fee for failure to pay the annual tax and registration fee is ten dollars (\$10).

[(g)] (e) The duplicate certificate fee is two dollars (\$2).

[(h)] (f) The endorsement fee is five dollars (\$5).

[(i)] (g) The fee for issuance of a duplicate certificate upon a change of name authorized by law of a person holding a certificate under this chapter shall be two dollars (\$2).

[(h) *The penalty for failure to report a change of residence as required by Section 2113 is ten dollars (\$10).*"]

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 530

Senator Regan moved that Senate Bill No. 530 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 530**—An act to amend Sections 3013, 3014, and 3014.5 of the Civil Code, relating to trust receipts.

Bill read second time.

##### Motion to Amend

Senator Regan moved the adoption of the following amendment:

##### Amendment No. 1

On page 4, line 27, of the printed bill, after "unit", insert "retail".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 531

Senator Regan moved that Senate Bill No. 531 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 531**—An act to amend Section 360 of the Code of Civil Procedure, relating to the statute of limitations.

Bill read second time.

##### Motion to Amend

Senator Regan moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 10, of the printed bill, after "to", strike out: "take the case out of the operation of this" and insert "stop from time to time as any such payment is

made, the running of the time within which an action may be commenced upon the principal sum or upon any installment of principal or interest due on such note, and to start the running of a new period of time, but no such payment of itself shall revive a cause of action once barred."

**Amendment No. 2**

On page 1 of the printed bill strike out lines 11 to 17, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 220**

Senator Brown moved that Senate Bill No. 220 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 220**—An act to amend Sections 470, 471, and 472 of the Fish and Game Code, relating to the licensing of guides.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "primarily".

**Amendment No. 2**

On page 2, lines 15 and 16, strike out "the application shall be accompanied by such permit." and insert "the license shall not be valid unless the holder thereof has a valid grazing permit for the area."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**RESOLUTIONS**

The following resolutions were offered:

By Senator Miller:

**Senate Resolution No. 72**

Relative to augmenting funds of the Special Senate Investigating Committee on Governmental Administration

*Resolved by the Senate of the State of California*, That, in addition to any money heretofore made available, the sum of seven thousand five hundred dollars (\$7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Special Senate Investigating Committee on Governmental Administration (created by Senate Resolution No. 157, as amended, 1953 Regular Session and continued by Senate Resolution No. 40, 1955 Regular Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Thompson:

**Senate Resolution No. 73**

Relating to congratulation of Senator A. A. Erhart on his fifty-ninth birthday

WHEREAS, The Honorable A. A. Erhart, our distinguished friend and fellow colleague, one of California's most respected adopted sons, was born on the second day of March, 1896, on a farm near Chilton, Wisconsin; and



WHEREAS, He now resides in Pismo Beach, San Luis Obispo County, a part of the Twenty-ninth District which he so ably represents; and

WHEREAS, He served his Nation in the Signal Corps, 32d Division, in World War I, his county as a member of the San Luis Obispo County Board of Supervisors from 1934 to 1951, and his State as Senator from the Twenty-ninth District since 1951; and

WHEREAS, He has rendered invaluable service to youth, civic, and service groups as an active participant in community affairs, as a high school trustee for 17 years, and as a member of the Masonic fraternity, the American Legion, the Veterans of Foreign Wars, the Farm Bureau, the Grange, and the Rotary International; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the Senate do hereby extend to their honorable colleague, A. A. Erhart, heartiest congratulations and best wishes on the occasion of his birthday; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to prepare and deliver a suitably prepared copy of this resolution to the Honorable A.A. Erhart.

Resolution read, and on motion of Senator Thompson, unanimously adopted.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 197

Senator Abshire moved that Senate Bill No. 197 be withdrawn from Committee on Public Health and Safety and re-referred to Committee on Business and Professions.

Motion carried.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 854

Senator Teale moved that Senate Bill No. 854 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Finance.

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read.

**Senate Concurrent Resolution No. 40:** By Senators Coombs, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—Relative to the passing of the Honorable Frank L. Gordon.

#### Request for Unanimous Consent

Senator Coombs asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 40, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 40

**Senate Concurrent Resolution No. 40**—Relative to the passing of the Honorable Frank L. Gordon.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy,

Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 1741 AND 769**

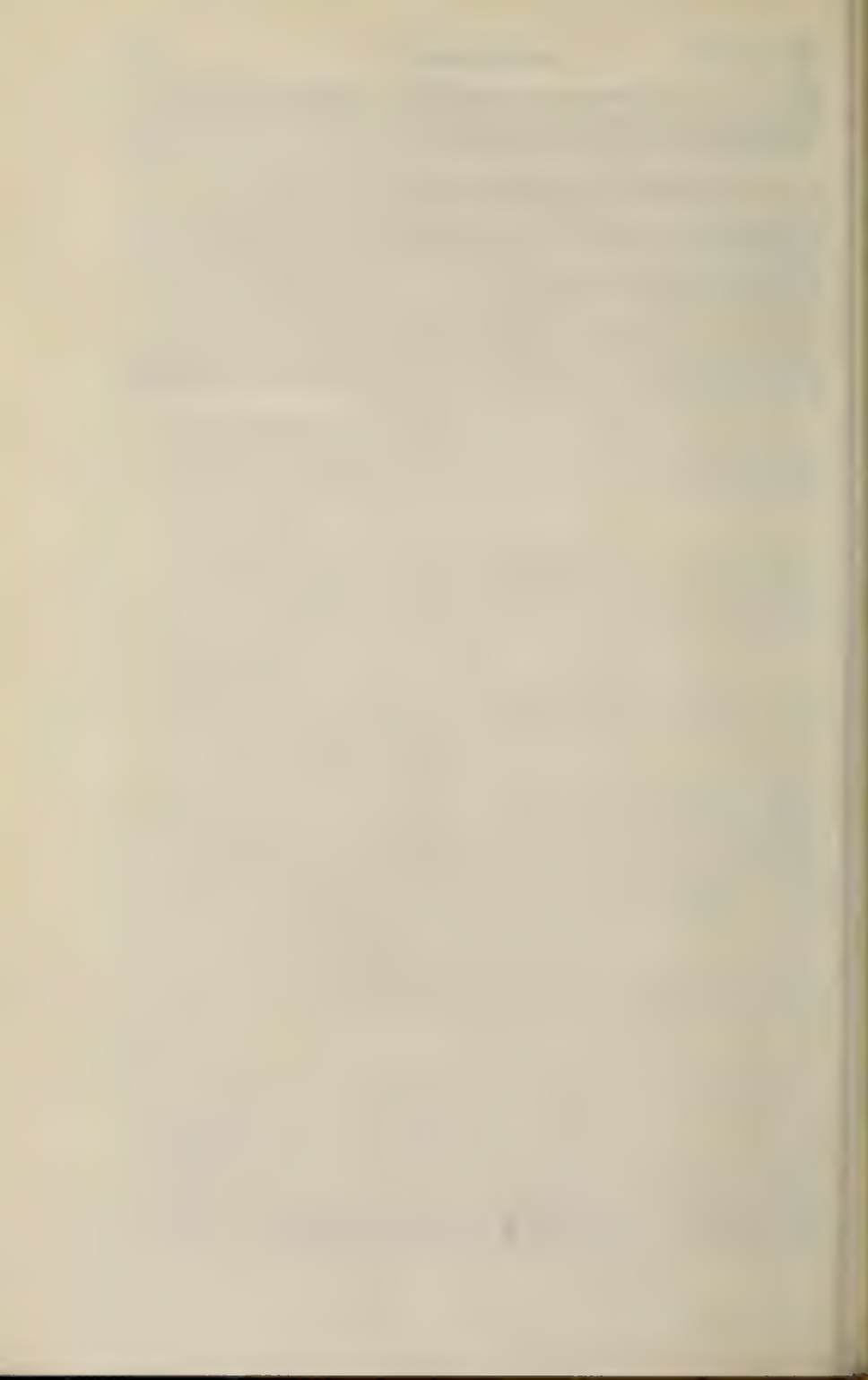
Senator Parkman moved that Senate Bills Nos. 1741 and 769 be withdrawn from Committee on Business and Professions and re-referred to Committee on Governmental Efficiency.

Motion carried.

**ADJOURNMENT**

At 3 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Thursday, March 3, 1955, out of respect to the memory of the late Hon. Frank L. Gordon.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE •

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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EIGHTEENTH LEGISLATIVE DAY

TWENTY-THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, March 3, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Dr. Torrance Phelps.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Gibson, on motion of Senator Sutton, due to legislative business.

Senator Burns, on motion of Senator Desmond, due to legislative business.

Senator Miller, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Collier, on motion of Senator McBride, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Montgomery, Desmond, and Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Burch Arthur of Philadelphia; and O. Fred Arthur of Sacramento.



On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Helen Gunn of Independence.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to adults Jens L. Lund and Mrs. Lillian Leverenz, and the following students from Shandon Joint Union High School: Kenneth Sawdey, Richard Hirschler, Ronald Iversen, Bill Pullins, Jerry Harlan, Ronald Nelson, Nick Harlan, and Bonnie White.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Jack T. Brown, Leonard A. Glover, Mrs. Gertrude Hinton, and parents Mrs. Harry Scoble, Mrs. E. M. Marvin, Mrs. Martin Ness, Mrs. Hirsch, and the following students from the Hillsborough School District, San Mateo and Burlingame: Russell Andersen, Thomas Arthur, Edwin Boldrey, John Compeau, Robert Deetz, Robert Friedman, Joel Harband, Arthur Haskins, Ralph Hernandez, Michael Howe, Gordon Jacopi, Brian Kirkpatrick, Peter Mayo, Joel McKown, Robert Ness, William New, Frank Peacock, Erni Perelli-Minetti, Robert Pinkham, Dow Smith, Geoffrey Smith, Ronald Stefani, Michael Zitelli, Carvel Zwingle, Robert Strohmeier, David Falk, Randolph McMurtry, Janet Anderson, Judy Bloch, Virginia Brett, Jacquelyn Carroll, Marcia Coates, Kathleen Cullinan, Judith Delaney, Susan Edwards, Catherine Enslow, Sunny Faust, Maureen Fitschen, Lynda Gerdes, Anne Giacobbi, Lois Giannini, Loralyn Hale, Beth Harvey, Claire Hirsch, Donna Jackson, Ronna Jurow, Susan Knight, Linda Kowalski, Lynne Lemoge, Lucy Little, Mimi Manning, Beth Marvin, Mary Mayo, Linda Mincher, Sondra Paoli, Jeanne Poett, Andra Rieden, Janice Rossi, Kathy Schnell, Vicki Scoble, Dawn Smith, Susanne Smith, Nancy Squires, Lynne Wildman, and Patty Donnelly.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Ralph Salmon, teacher Leland F. Lopes, and the following students from Luther Burbank School from Santa Clara County: Larry Quimby, Willie Hotchkiss, Lanny Potter, Nick Canciamilla, Richard Balandra, Carol Ruggles, Diane Watkins, Alfred Lopez, John Crawford, Dave Blattner, Sharon M. Logan, Jackie Hall, Joyce English, Carol Bridges, Joan Pura, Susan Costagula, Evelyn Stuart, JoAnn Prandi, Arlene Stockwell, Lavern Foster, Paul Lopez, Danny Rivera, James Steele, Phyllis Moore, Mary Contreras, James H. Burnett, Anthony W. Reiss, Leonard Clewett, Dennis Wiech, Pattie Bowman, Sylvia Martine, Douglas Lloyd, Jo Ann Robinson, Ailene Phillips, Maureen Brummal, Isabel Alvarado, Toni Charlene Lazetera, and Norma Randeau.

On request of Senators Harold T. Johnson and Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ambrosi, Mr. Harris, Mr. Keefe and the following students from Danville Union School District: Cyril Abbott, Joyce Blake, Carol Buntjer, George Chase, William Connolly, Dean Donaldson, Dixie Fleming, Sue Fox, James Furlong, Judy Garlock, Kenneth Gertsen, Lynn Glenn, Bren Griffin, Sallye Ann Hatch, Betty Hicks, Linda Johnson, Dianne Kelly, Erick Kellner, Virginia Lander, Arthur Malies,

Carol Marks, Kenneth Miller, Gail Minton, Roger Mitchell, Pat Nordstrom, Tom Peterson, Sharon Perkins, Darlene Phinney, Linda Plumb, Leigh Ann Pok, Harold Scott, Bill Stock, Vere Timmons, Jill Votion, Deanne Walker, Barbara Barton, Penny Calderon, Pete Demos, Virginia Ferguson, John Imrie, Gary Johnson, Jane Manske, Audry Marsh, Charles Mrack, Michael Murphy, Marjorie Nelson, Jean Peterson, Loran Walker, Dan Abbot, Becky Ambrose, Carol Berry, Karl Bickell, Carol Blachly, Judy Blincow, Joyce Derwingsen, Lee Ditzler, Paul Estensen, John Flanagan, Pat Foard, Carol Force, Ed French, Dianne Fugate, Sue Gibson, Gary Giddings, Bill Horsley, Jerome Hutton, Karol Johnson, Martha Ketcham, Charlene Leary, Sherry Lindbergh, Kathy Morrison, Richard Newquist, James Nunes, Margie O'Leary, Peter Parsons, Ann Richardson, Bill Riser, Roth Rose, Elaine Santiago, Wayne Scherer, Lynn Turner, Carol Jean Cunningham, Barbara Lynn, and Allen Buck.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

WATER PROJECT AUTHORITY OF THE STATE OF CALIFORNIA  
1120 N STREET, SACRAMENTO, March 1, 1955

*Hon. J. A. Beek, Secretary  
California State Senate  
State Capitol, Sacramento, California*

DEAR MR. BEEK: Item 428.5 of Chapter 3, Statutes of 1952 (Budget Act of 1952) appropriated to the Water Project Authority the sum of \$10,000,000

"For use in connection with acquisition by the State of the Central Valley Project, to be expended at such times and in such amounts as is necessary to conduct surveys and studies preliminary to the acquisition by the State of the Central Valley Project upon a self-liquidating basis, and to pay the initial installments upon any agreement between the United States and the State for such purchase . . ."

to be available until July 15, 1955.

The Water Project Authority, on September 16, 1952, pursuant to the budget item referred to, approved a program of surveys and studies to be undertaken with funds thereby provided, and authorized such surveys and studies to be carried on by an interim organization to be directed by, and to report to the authority, through the State Engineer, as the executive officer of the authority. The authority's action in this regard is more particularly set out in its report entitled, "Preliminary Report to the California Legislature by the Water Project Authority of the State of California Relative to the Acquisition of the Central Valley Project by the State of California," dated May 19, 1953.

As directed by the authority at its meeting on March 1, 1955, there is transmitted herewith, for the information of the Legislature, a further report entitled, "Report of the Executive Officer on Status of State Acquisition of The Central Valley Project," dated February, 1955, constituting a report for transmittal to the California Legislature.

Respectfully,

FRANK B. DURKEE  
Director of Public Works, Chairman

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 40

Senate Joint Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above resolutions ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 53

Assembly Joint Resolution No. 24

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

**Assembly Concurrent Resolution No. 53**—Relative to congratulating Walter Kane, manager and publisher of the Bakersfield "Californian."

Referred to Committee on Rules.

**Assembly Joint Resolution No. 24**—Relative to the Panama Canal.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 3, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 38—Relative to Joseph L. Knowles;

Senate Concurrent Resolution No. 39—Relative to the passing of the Honorable Bert B. Snyder;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the third day of March, 1955, at 10 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 2, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 33

Senate Concurrent Resolution No. 34

And reports the same correctly engrossed.

WARD, Chairman

## Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, March 3, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 1560

Senate Bill No. 1964

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 3, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 223

Senate Bill No. 686

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 3, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 1495

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

### RESOLUTIONS

The following resolutions were offered:

By Senator Byrne:

#### Senate Resolution No. 74

Relative to printing Water Project Authority report

WHEREAS, On February 28th, there was submitted to the Legislature a report of the Water Project Authority of the State of California entitled "Program for Financing and Constructing the Feather River Project as the Initial Unit of the California Water Plan"; and

WHEREAS, This report is a most informative and enlightening study of this subject and one for which there is a great public demand; and

WHEREAS, The Director of Public Works has offered to have printed for the information of the public 5,000 copies of this report; now, therefore, be it

*Resolved*, That the Secretary of the Senate is directed to request the State Printer to print these reports as expeditiously as possible in order that this important document may be made available to the public.

Resolution read, and, on motion of Senator Byrne, unanimously adopted.

By Senators Grunsky and Thompson:

#### Senate Resolution No. 75

Relative to water resources legislation and the calling of a special session thereon

WHEREAS, Almost 6,000 bills have been presented to this Legislature for consideration at the current 1955 Regular Session; and

WHEREAS, Numerous bills and measures involve problems of extraordinary complexity and importance whose legislative solution will affect materially the economic and general welfare of the State of California for generations to come; and

WHEREAS, Among them are many bills relating to projects for the use of our water resources, including some pertaining to the Feather River Project and the San Luis Reservoir; and

WHEREAS, The period permitted for the consideration of all bills and measures introduced is so limited by the State Constitution as to make it virtually impossible for the Legislature at this session to give fair and adequate consideration to the bills before it relative to the use of our water resources, if it also is to give like consideration to bills on other matters before it; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Governor of the State of California is hereby requested to issue his proclamation convening the California Legislature in extraordinary session following the final adjournment of the current regular session and not later than the 1956 Budget Session for the purpose of considering bills relating to projects for the use of our water resources similar to those now before the Legislature; and be it further.

*Resolved*, That it is in the best interests of the people of the State of California that pending the issuance of such proclamation no action be taken by this Legislature on any bill now before it relating to the use of the State's water resources; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to deliver a suitable copy of this resolution to the Honorable Goodwin J. Knight, Governor of the State of California.

Resolution read, and referred to Committee on Rules.





**MOTION TO ACCEPT RESIGNATION OF DR. TORRANCE PHELPS**

Senator Desmond moved that the resignation of Dr. Torrance Phelps as Chaplain of the Senate be accepted.

Motion carried.

**NOMINATIONS FOR AND ELECTION OF CHAPLAIN**

The President declared nominations for the Office of Chaplain of the Senate in order.

Senator Desmond placed the name of Rev. Father Luke Powleson of the St. Francis Church in nomination for Chaplain of the Senate, to assume his duties on Monday, March 7, 1955.

The President declared the nominations closed.

The President directed the Secretary to call the roll.

The roll was called, with the following results:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—29.

NOES—None.

Whereupon the President declared Rev. Father Luke Powleson of the St. Francis Church, duly and unanimously elected Chaplain of the Senate.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 663**

Senator Grunsky moved that Senate Bill No. 663 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 663**—An act to add Sections 7031.4 and 7031.5 to the Education Code, relating to unified school districts.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "act" insert "to amend Sections 7031.2 and 7031.3 of, and".

**Amendment No. 2**

In line 1 of the title, after the second "to" insert a comma.

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1 strike out lines 1 and 2, and insert

"SECTION 1. Section 7031.2 of the Education Code is amended to read:  
7031.2. With respect to any unified district formed under Chapter 16 of Division 2 of this code, which became effective for all purposes [on or after] *between* July 1, 1953, and *July 1, 1955, inclusive, and* which during the year preceding the effective

date for all purposes had, in all the districts which were formed into the unified district, an average daily attendance of less than ten thousand (10,000), the foundation program actually computed for such district under this article and the alternate foundation program for such district under Sections 7091 or 7092.1, as the case may be, shall be increased by 5 percent for the first fiscal year, 4 percent for the second fiscal year, 3 percent for the third fiscal year, 2 percent for the fourth fiscal year, and 1 percent for the fifth fiscal year of its existence.

SEC. 2. Section 7031.3 of said code is amended to read:

7031.3. With respect to any unified district formed under Chapter 16 of Division 2 of this code, which became effective for all purposes [on or after] *between* July 1, 1953, and *July 1, 1955, inclusive, and* which during the year preceding the effective date for all purposes had, in all the districts which were formed into the unified district, an average daily attendance of more than ten thousand (10,000) and in which there was not on July 1, 1952, or thereafter a single chief administrative officer and staff that administered the program of education for all the secondary schools and those elementary schools of the district to which were credited 50 percent or more of the average daily attendance during the year preceding the effective date for all purposes in all the districts formed into the unified district, the foundation program actually computed for such district under this article and the alternate foundation program for such district under Sections 7091 or 7092.1, as the case may be, shall be increased by 5 percent for the first fiscal year, 4 percent for the second fiscal year, 3 percent for the third fiscal year, 2 percent for the fourth fiscal year, and 1 percent for the fifth fiscal year of its existence.

SEC. 3. Section 7031.4 is added to said code, to read:

7031.4. With respect to any unified district formed under Chapter 16 of Division 2 of this code, which became effective for all purposes on or after July 1, 1955, and which during the year preceding the effective date for all purposes had, in all the districts which were formed into the unified district, an average daily attendance of less than ten thousand (10,000), the foundation program for such district computed under this article shall be increased by 20 percent for the first fiscal year, 15 percent for the second fiscal year, 10 percent for the third fiscal year, 5 percent for the fourth fiscal year, and 5 percent for the fifth fiscal year of its existence.

SEC. 2. Section 7031.5 is added to said code, to read:

7031.5. With respect to any unified district formed under Chapter 16 of Division 2 of this code, which became effective for all purposes on or after July 1, 1955, and which during the year preceding the effective date for all purposes had, in all the districts which were formed into the unified district, an average daily attendance of more than ten thousand (10,000) and in which there was not on July 1, 1953, or thereafter a single chief administrative officer and staff that administered the program of education for all the secondary schools and those elementary schools of the district to which were credited 50 percent or more of the average daily attendance during the year preceding the effective date for all purposes in all the districts formed into the unified district, the foundation program for such district computed under this article shall be increased by 20 percent for the first fiscal year, 15 percent for the second fiscal year, 10 percent for the third fiscal year, 5 percent for the fourth fiscal year, and 5 percent for the fifth fiscal year of its existence."

#### Amendment No. 4

On page 1, line 14, strike out "2" and insert "4".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1307

Senator Richards moved that Senate Bill No. 1307 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1307**—An act to amend Section 834 of the Corporations Code, relating to actions in the right of corporations.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

On page 2 following line 48, of the printed bill, as introduced January 20, 1955, add a new paragraph reading as follows:

"(d) The provisions of paragraphs (b) and (c) above shall not be applicable if the action is maintained by the holder or holders of shares, or voting trust certificates representing shares, of such corporation having a total par value or stated capital value of more than five percentum of the aggregate par value or stated capital of all the outstanding shares of corporation stock of every class or if the said shares or voting trust certificates held by such holder or holders have a market value in excess of \$50,000."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1175**

Senator Byrne moved that Senate Bill No. 1175 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1175**—An act to provide for meeting the building needs of the State by the adoption of a general construction program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill in line 10 strike out "of State", and strike out lines 11 to 16, inclusive, and insert "on State Building Construction Program," which report was transmitted to the Senate by letter of transmittal printed in the Senate Journal for January 20, 1955 at page 608 and ordered printed in the Appendix to the Journal. Nothing in this act is in-".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 248**

Senator Thompson moved that Senate Bill No. 248 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 248**—An act to amend Sections 2665 and 2668 of the Business and Professions Code, relating to physical therapy.

Bill read second time.



**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "therapy" insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2, line 21, strike out "December 31, 1955", and insert "December 1, 1953".

**Amendment No. 3**

On page 2, line 23, strike out "1, 1953", and insert "31, 1955".

**Amendment No. 4**

On page 2, after line 37, insert

"SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

A number of qualified physical therapists through lack of knowledge or lack of notice failed to apply for registration or licensure as a physical therapist within the term prescribed in Sections 2626 and 2668 of the Business and Professions Code. Although the provisions of this act will permit such individuals to register or be licensed, they may, until the provisions of this act become operative, be forced to abandon the practice of their profession or subject themselves to the penalty of practicing such profession in violation of the law. To avoid such loss to these individuals and the disruption occasioned thereby to the many persons of this State who are receiving treatments from such individuals, it is necessary that that act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 176**

Senator Teale moved that Senate Bill No. 176 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 176** — An act to amend Section 454 of the Education Code, relating to the superintendent of schools of a county of the fifty-fourth class.

Bill read second time.

**Motion to Amend**

Senator Teale moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 4, 5, and 6, of the printed bill, strike out "----- dollars (\$-----), and if acting as superintendent of a coterminous county unified school district the salary shall be".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 177**

Senator Teale moved that Senate Bill No. 177 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 177**—An act to amend Section 446 of the Education Code, relating to the school superintendent of a county of the forty-sixth class.

Bill read second time.

**Motion to Amend**

Senator Teale moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 4, 5, and 6, of the printed bill, strike out " . . . dollars (\$ . . . ), and if acting as superintendent of a coterminous county unified school district the salary shall be".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 178**

Senator Teale moved that Senate Bill No. 178 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 178**—An act to amend Section 450 of the Education Code, relating to the superintendent of schools of a county of the fiftieth class.

Bill read second time.

**Motion to Amend**

Senator Teale moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 4, 5, and 6, of the printed bill, strike out " . . . dollars (\$ . . . ), and if acting as superintendent of a coterminous county unified school district the salary shall be".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 264**

Senator Cunningham moved that Senate Bill No. 264 be withdrawn from Committee on Military and Veterans Affairs for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 264**—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans and their dependents.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill as amended in Senate February 28, 1955, strike out "this" and insert "the".

**Amendment No. 2**

On page 1, line 13, strike out "and", and insert "or".

**Amendment No. 3**

On page 1, line 14, strike out "or", and insert "and".

**Amendment No. 4**

On page 1, line 15, after "regularly", insert a comma.

**Amendment No. 5**

On page 1, line 16, strike out "prior to January 1, 1955", and insert "next preceding the date of such contract".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 41**

Senator Montgomery moved that Senate Bill No. 41 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 41**—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties of the twenty-ninth class.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 21, of the printed bill, strike out "six", and insert "seven".

**Amendment No. 2**

On page 1, line 22, strike out "\$0.06", and insert "\$0.07".

**Amendment No. 3**

On page 2, after line 20, insert "The compensation provided by this section shall be payable to incumbent officers."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1219**

Senator Montgomery moved that Senate Bill No. 1219 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1219**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 8, of the printed bill, strike out "or between a farm and a gin,".

**Amendment No. 2**

On page 2, line 11, strike out "A wagon or van"; and strike out lines 12 to 14, inclusive.

**Amendment No. 3**

On page 2, between lines 29 and 30, insert

"(11) A wagon or van operated or moved on a highway exclusively for the transportation of cotton between a farm and a gin at any time from a half hour before sunrise to a half hour after sunset."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read:

**Senate Joint Resolution No. 16:** By Senators Brown, Cunningham, Regan, Harold T. Johnson, and Teale—Relative to memorializing Congress, the Department of Defense, the Department of the Interior, and the Department of the Navy, not to withdraw land in Saline Valley in Inyo County from the public domain for use as a aerial gunnery range.

Referred to Committee on Rules.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution No. 33**—Relative to approving a certain amendment to the charter of the County of Alameda, State of California, submitted to, voted for, and ratified by, the electors of said county at a special county election held therein on the eighth day of June, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 34**—Relative to approving amendments to the charter of the County of Alameda, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the second day of November, 1954.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, E. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—30.  
NOES—None.

Resolution ordered transmitted to the Assembly.

#### ADJOURNMENT

At 2.33 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 10 a.m., Friday, March 4, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY  
TWENTY-FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Friday, March 4, 1955

The Senate met at 10 a.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Breed, Brown, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

Quorum present.

### PRAYER

By invitation of the President, prayer was offered by Rev. Louis Riley, Minister of Christian Education of the Pioneer Congregational Church of Sacramento.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Abshire, on motion of Senator John F. McCarthy, due to legislative business.

Senator Regan, on motion of Senator John F. McCarthy, due to legislative business.

Senator Burns, on motion of Senator John F. McCarthy, due to legislative business.

Senator Collier, on motion of Senator John F. McCarthy, due to legislative business.

Senator Parkman, on motion of Senator John F. McCarthy, due to legislative business.

Senator Cunningham, on motion of Senator John F. McCarthy, due to legislative business.

Senator Busch, on motion of Senator Richards, due to legislative business.

Senator Teale, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Dale C. Williams, on motion of Senator Harold T. Johnson, due to illness.

Senator Murdy, on motion of Senator Grunsky, due to legislative business.

Senator Montgomery, on motion of Senator Sutton, due to illness.

Senator Gibson, on motion of Senator Sutton, due to legislative business.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert Alexander and their children, Tim, Ed, and Margaret, all of Los Angeles.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Wesley Faust of Chowchilla.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Boyd Garrison of Modesto, former Minute Clerk of the Senate.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Louis Riley, wife of the guest chaplain for the day, from Sacramento.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 58

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 58**—Relative to C. Lyn Fox.

#### Request for Unanimous Consent

Senator Robert I. McCarthy, asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 58, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 58

**Assembly Concurrent Resolution No. 58**—Relative to C. Lyn Fox.  
Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 223**—An act to repeal Section 1096 of the Fish and Game Code, relating to commercial fishing reports.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 686**—An act to amend Section 669 of the Fish and Game Code, relating to the taking of salmon near salmon spawning stations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1560**—An act to amend Section 1347 of the Fish and Game Code, relating to elk.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1964**—An act to repeal Section 168 of the Fish and Game Code, relating to game refuges and abolishing Silver Lake Game Refuge in El Dorado County.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1495**—An act to amend Section 1293 of the Fish and Game Code, relating to depredations by game mammals.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1 at the beginning and end of line 6, of the printed bill, strike out "commission", and insert "department".

**Amendment No. 2**

On page 1, line 12, strike out "commission", and insert "department".

Amendments read, and adopted.

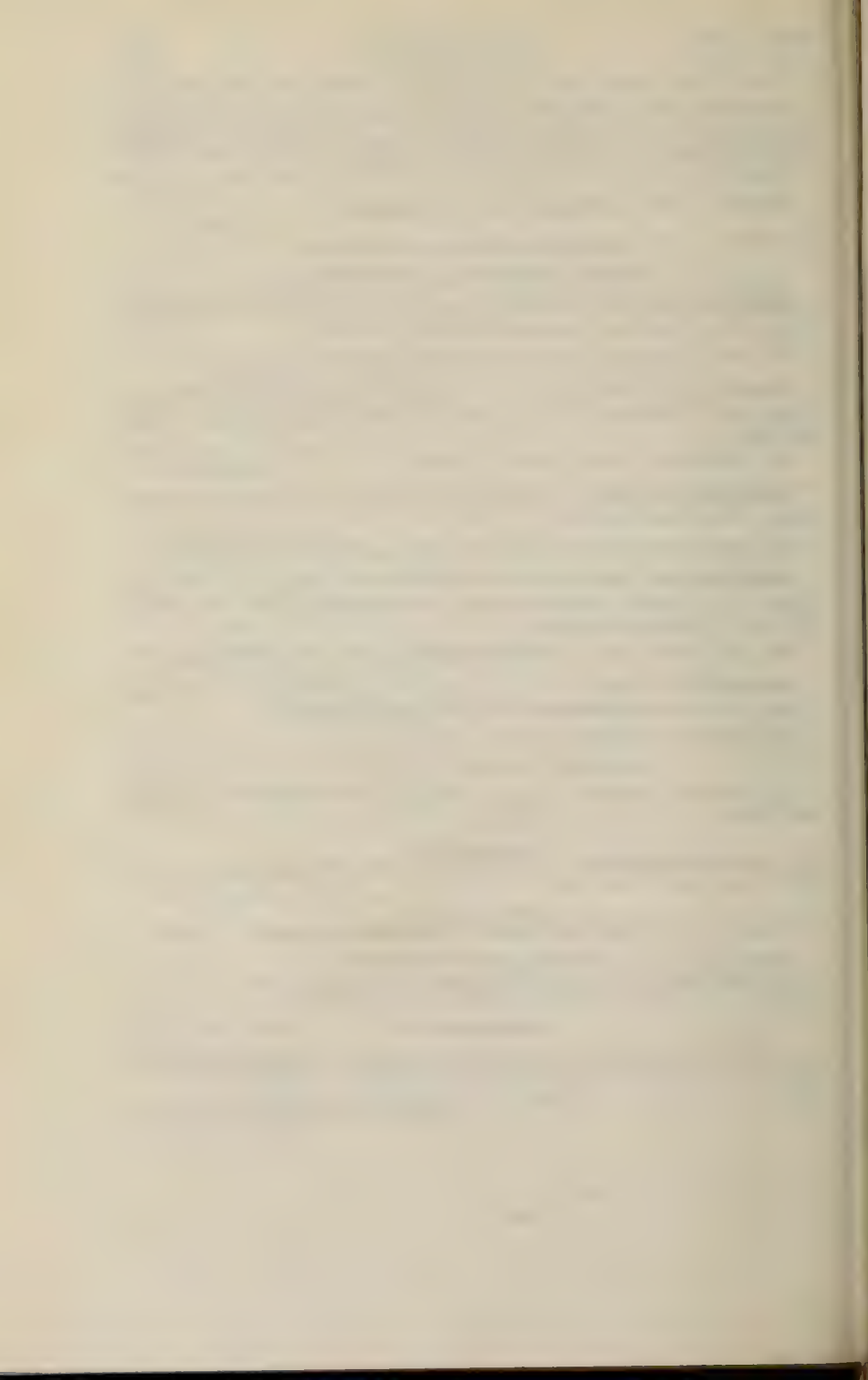
Bill ordered printed, engrossed, and to third reading.

**ADJOURNMENT**

At 10.20 a.m., on motion of Senator McBride, the President declared the Senate adjourned until 2 p.m., Monday, March 7, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTIETH LEGISLATIVE DAY  
TWENTY-SEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, March 7, 1955

The Senate met at 2 p.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

Quorum present.

### PLEDGE OF ALLEGIANCE

Senator McBride led the Senate in pledging allegiance to the Flag.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Hulse, on motion of Senator J. Howard Williams due to personal business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Cunningham, on motion of Senator John F. McCarthy, due to illness.

Senator Abshire, on motion of Senator Coombs, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge F. C. Drumm and Mrs. Drumm from Santa Ana, and Heinz Kaiser of Newport Beach.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Grace M. Freudenthal of Los Gatos.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Carl Cavin of Coarsegold.

On request of Senators Dilworth and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. H. Stout of Pasadena.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Oswald Hunt of Oxnard.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Baily Snider, leader; Mrs. William E. Cannon, assistant leader; and the following Newcastle Camp Fire Girls: Ann Snider, Jeanne Cannon, Jane Hamilton, Judy Reed, Sharon Martin, Eileen Powers, Elizabeth Wheeler, Geraldine Vierra, and Dorothy Cummings.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Chapin Day of San Rafael, and Mrs. Floydie MacPherson of Toronto, Canada.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Engelund, Mr. Dresbach, Mr. Ennis and Mr. Gordon, and the following students from the Bohannon School, San Lorenzo School District: Leila Chalifoux, Barbara Chody, William Curry, Tommy Dalton, Diane Dunlap, Peggy Fimreite, Jean Frazier, Martha Harley, Susan Hoag, Bartholomew Hurley, Costee Kidolis, Dale King, Judith Krell, Mark Leach, Richard Leffler, James McGee, Lynnette McBride, Peter Miller, David Moyer, Carol Mulherin, Elden Ness, Rodney Ness, James Newquist, Fred Olivan, Robert Pease, James Peterson, Margaret Theobald, Lana Thomas, Carol Tucker, Marcia Val, James Wicheal, Carol Wilson, Phillip Barstow, Roger Bastion, Lynn Bodiford, Kenneth Carpenter, Ronald Dolan, Toney Ehrmann, Sandra Fargo, Darlene Feiock, Phillip Gerace, Judy Hartman, George Hayes, Barbara Heath, Susie Hodgkins, Gary La Crosse, Carol McCabe, Mike La Crone, Sandra MacLean, Allan Mars, Marjorie Meyers, Sharon Nelson, David Nishiyama, Leeann Piller, Kenneth Ripko, Marcia Salo, Barbara Shoffeitt, Robert Sutton, Ronald Sykes, Janet Thorpe, Sharlene Turner, George Way, Hirschell Wells, David Wilson, Lehua Young; adults—Mrs. Robert Sutton, Sr., and Mrs. William Shoffitt.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Sacramento Women's Council: Mrs. Grace Pembroke, president; Mrs. Marion Mansfield, tourist guide; Mrs. Haydon R. O'Neal, chairman legislative committee; Mrs. C. E. Desenfants, Mrs. W. R. Coffeen, Mrs. Bertha Dennis, Mrs. Myra S. Warnoth, Mrs. Ethel Remington, Mrs. Ruth L. Biddall, Mrs. Eve Harris, Mrs. C. C. Cochran,

Mrs. James H. Bailey, Mrs. Estella M. Krieger, Mrs. Ollie M. Woodstock, Mrs. Henrietta Horton, Marie Kneeland, Nina E. Turner, Mrs. Phillip E. Keller, Daisy Kelley, Mrs. Rae Tidball, Mrs. Frank M. Wright, Mrs. J. R. Pembroke, Mrs. Edna C. Cullivan, Mrs. C. R. Erbacher, Elizabeth James Millard, Mrs. Robert H. Osborne, Adelle Dyke, Mrs. B. F. Driver, Mrs. Chas E. Anderson, Mrs. Clara E. Pratt, Mrs. Dorothy Christensen, Mrs. Maude Boggs, Mrs. Jack Hobrecht, Mrs. Walter E. Sellman, Mrs. Irene Mills, Elizabeth R. Thompson, Mrs. Edward Allan, Ethelyn H. Davis, Mrs. Q. B. Liethead, Lulu Perkins, Ethel Holmes, Mary K. Rodebaugh, Mrs. Max Bollman, Miss Elizabeth Jeanette Ferguson, Belle D. Danforth, Vena Wolfe, Mrs. Ellsworth Frank, Mrs. Annabel McGeorge, Mrs. R. W. McCluskey, Mrs. Frances Sweet, Mrs. Archie Legg, Mrs. Leo Psihopardas, Mrs. John Benninger, Mrs. J. M. Nitsos, Mrs. Laura Robinson, Mrs. J. Moon, Mrs. G. H. Wedell, Mrs. W. L. Wymore, Mrs. Flora Crandal, Mrs. Neil Covington, Margurite Fleming, Miriam Ellsworth, Jessie L. Manor, Mrs. Oliver B. Hayes, Mrs. Geneva W. Smith, Mrs. Fred L. Geis, Sue E. Cox, Isabelle Carlson, Mary Driggs, Eva Wilson, Ruth Hebert, M. Moreland, Shirley Godfrey, Lucetta Oakley, Eileen E. Fleming, Leonor E. Swetz, Mrs. Carl A. Grueb, Mrs. F. J. Brorsen, Mrs. R. E. Griffith, Mrs. L. A. Matushak, Mrs. Kent Klutz, Mrs. Walter E. Messer, Thelma Williams, Mrs. Walter Imhof, Mrs. Philip Thorburn, Mrs. Allan Thomas, Mrs. Charles M. Neil, Mrs. Walter Moe, Mrs. Clarice Dodson, Mrs. Lowell R. Smith, Mrs. John A. Church, Mrs. Bouldie Merlino, Mrs. Herbert Reinl, Mrs. Vinnie Smith, Mrs. Jack Larson, Mr. and Mrs. Ira W. Ney, Mrs. Edward Hudacek, Mrs. A. MacKinnon, Mrs. Wm. Da Prate, Mrs. Chris Davis, Mrs. B. M. Brady, Mrs. Belani W. Viau, Mrs. Bertha E. Powell, Mrs. B. E. Eastburn, Mrs. Laurence Smith, Ethelyn H. Davis, and Mrs. Edward Allan.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Selma Nickas of Del Paso Heights.

#### COMMUNICATIONS

The following communication was received and read and ordered printed in the Journal:

CITY OF LOS ANGELES  
March 2, 1955

*William H. Neal*  
*Lewis E. Arnold*  
*Hotel Senator, Sacramento*  
*Arthur A. Ohnimus, Chief Clerk of Assembly*  
*J. A. Beek, Secretary of Senate*  
*State Capitol*  
*Sacramento, California*

GREETINGS: At the meeting of the council held March 2, 1955, the following resolution was adopted:

WHEREAS, Assembly Bill No. 71 of the California State Legislature, effective April 21, 1954, declared a moratorium on the use of existing hot plates in sleeping rooms,

WHEREAS, This moratorium expires on October 1, 1955,  
WHEREAS, Undue hardship would be brought to bear upon thousands of elderly citizens of this city, pensioners and many others in moderate circumstances and with limited income who are dependent upon this type of lodging for living quarters,



*Now, therefore, be it resolved,* That the city council request the State Legislature to give favorable consideration to the enactment of appropriate legislation permitting the use of hot plates in light housekeeping quarters and sleeping rooms.

Respectfully yours,

WALTER C. PETERSON, City Clerk

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Los Angeles at its meeting of March 2, 1955.

(SEAL)

WALTER C. PETERSON, City Clerk  
A. M. MORRIS, Assistant City Clerk

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 3, 1955

*To the Senate of the State of California  
State Capitol  
Sacramento, California*

GENTLEMEN: On January 3, 1955, a list of interim appointments was presented to you with the request for confirmation. On the list was the name of

MALCOLM E. HARRIS, as Director, Department of Alcoholic Beverage Control, to serve at the pleasure of the Governor.

I respectfully request that the name of Malcolm E. Harris be withdrawn from the list, as he has since resigned.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read and referred to Committee on Rules.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 33

Senate Concurrent Resolution No. 34

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above resolutions ordered enrolled.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 4, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 12**—Relative to enacting a statute authorizing an additional United States District Judge for the Southern District of California;

**Senate Concurrent Resolution No. 40**—Relative to the passing of the Honorable Frank L. Gordon;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of March, 1955, at 11 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 4, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 223

Senate Bill No. 1560

Senate Bill No. 686

Senate Bill No. 1964

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 7, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1495

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 7, 1955

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 885

Senate Bill No. 1337

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

J. HOWARD WILLIAMS, Chairman

Above reported bills ordered to second reading.

**MOTION TO APPROVE JOURNALS**

Senator Burns moved that the Journals for Monday, February 28, 1955; Tuesday, March 1, 1955; Wednesday, March 2, 1955; Thursday, March 3, 1955; and Friday, March 4, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**RESOLUTIONS**

The following resolutions were offered:

By Senator Robert I. McCarthy:

**Senate Resolution No. 77**

Relative to congratulating the University of San Francisco basketball team on their outstanding season

WHEREAS, By its sparkling play the University of San Francisco basketball team has brought glory to its members and to the university which it represents; and

WHEREAS, Ranked by all of the major polls as the No. 1 team in the Nation, the Dons have swept through their last 21 games without defeat, completing regular season play with 23 victories and only one loss; and

WHEREAS, In winning the championship of their own conference, the California Basketball Association, the Dons became the first team to do so without defeat; and

WHEREAS, Earlier this season they demonstrated their superiority in the East, as well as the West, by winning handily the All-College Tournament held in Oklahoma City; and

WHEREAS, Outstanding teamwork and aggressiveness enabled the Dons to lead all other teams in the Nation on defense, their opponents averaging only 50 points per game; and

WHEREAS, Unbelievable as it may seem, this fine team accomplished all of these things without a gymnasium of their own, a tribute not only to their ability but also to their courage in overcoming almost insurmountable obstacles; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the Senate take this means to extend to the University of San Francisco basketball team and its fine coach, Phil Woolpert, heartiest congratulations on an outstanding season and to wish them the utmost success in the N. C. A. A. Tournament in which they are soon to participate; and, be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to each member of the University of San Francisco basketball team and to its coach, Phil Woolpert.

Resolution read, and, on motion of Senator Robert I. McCarthy, unanimously adopted.

By Senators Abshire and Coombs:

**Senate Resolution No. 78**

Relative to the home and gardens of Luther Burbank

WHEREAS, Today, March 7th, is Arbor Day, so named in honor of the birth of Luther Burbank on March 7, 1849; and

WHEREAS, The California Legislature has on many occasions called attention to the achievements of this famous plant wizard and made note of his generous gifts to society; and

WHEREAS, The lives of all humankind have been enriched and made happier by the devoted efforts which this great citizen of California consecrated to his chosen profession; and

WHEREAS, The specific accomplishments of Luther Burbank, including the perfection of the seedless grapefruit, seedless raisin, the Shasta daisy and thousands of other benefits to our daily living, have been so often mentioned as to make it unnecessary to attempt to record them here; and

WHEREAS, So universal was the admiration and respect of this distinguished scientist that he attracted to himself the friendship and affection of such noted producers and inventors as Henry Ford, Harvey Firestone, and Thomas Edison, and secured for himself the lifelong affection of such local patriots as the beloved Herbert Slater who held the all-time record for tenure in the California Legislature; and

WHEREAS, The home and the gardens of Luther Burbank, which are now in custody of the Santa Rosa Junior College, present an opportunity for the preservation of a shrine for the use and inspiration of the historian, the farmer, the fruit grower, and the florist; and

WHEREAS, Neither the institution now in custody of this property, nor Mrs. Elizabeth Burbank, widow of Luther Burbank, are in position to maintain it in perpetuity, and would be glad to convey it to the State; now, therefore, be it

*Resolved by the Senate of the State of California*, That it is the seasoned opinion of this body that some appropriate state agency should take over the ownership, care and preservation of this rare heritage so that its historical, sentimental and scientific value shall not be lost to society; and be it further

*Resolved*, That the Secretary of the Senate be requested to transmit copies of this resolution to Mrs. Elizabeth Burbank, the Santa Rosa City Council, the Santa Rosa Chamber of Commerce, the State Division of Beaches and Parks, and the Burbank Gardens Committee.

Resolution read, and, on motion of Senator Coombs unanimously adopted.

#### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Ed. C. Johnson:

#### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 7, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 748.5 to the Code of Civil Procedure, relating to quiet title actions.

Respectfully submitted,

SENATOR ED. C. JOHNSON

#### Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 7, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Judiciary.

WARD, Chairman.

The roll was called, and permission granted by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richard, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

**Senate Bill No. 1977:** By Senator Ed. C. Johnson—An act to add Section 748.5 to the Code of Civil Procedure, relating to quiet title actions.

Referred to Committee on Judiciary.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Montgomery:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 2, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 429 of the Education Code, relating to the county superintendent of schools in counties of the twenty-ninth class.

Respectfully submitted,

SENATOR MONTGOMERY

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 7, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Education.

WARD, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—31.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

**Senate Bill No. 1978:** By Senator Montgomery—An act to amend Section 429 of the Education Code, relating to the county superintendent of schools in counties of the twenty-ninth class.

Referred to Committee on Education.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 228, 1129, AND 1734**

Senator Harold T. Johnson moved that Senate Bill No. 228 be withdrawn from Committee on Transportation, Senate Bills Nos. 1129 and 1734 be withdrawn from Committee on Public Utilities, and be re-referred to Committee on Labor.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE  
RESOLUTION NO. 56**

Senator Burns moved that Senate Resolution No. 56 be withdrawn from Committee on Rules, and re-referred to Committee on Fish and Game.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 230**

Senator John F. McCarthy moved that Senate Bill No. 230 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 230**—An act to add Article 10.5 to Chapter 5, Title 8 of the Government Code, relating to superior courts.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 18, strike out "not exceed at any one time" and insert "equal".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 243

Senator John F. McCarthy moved that Senate Bill No. 243 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 243**—An act to add Chapter 10 to Part 3, Division 3, Title 2 of the Government Code, relating to the organization and cost control of state government functions.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "10", and insert "11".

**Amendment No. 2**

On page 1, line 1, strike out "10", and insert "11".

**Amendment No. 2.5**

On page 1, line 4, strike out "10", and insert "11".

**Amendment No. 3**

On page 1, line 6, strike out "13825", and insert "13875".

**Amendment No. 4**

On page 1, line 8, strike out "13826", and insert "13876".

**Amendment No. 5**

On page 1, line 13, strike out "13827", and insert "13877".

**Amendment No. 6**

On page 1, line 21, strike out "13828", and insert "13878".

**Amendment No. 7**

On page 2, line 8, strike out "13829", and insert "13879".

**Amendment No. 8**

On page 2, line 23, strike out "records of", and insert "current records of actual employment of".

**Amendment No. 9**

On page 2 between lines 28 and 29, insert

"(f) As directed or requested, conducts studies of the manpower of departments and agencies of the State Government, or of any of their components, as a basis

for recommending improved manpower utilization, methods, procedures, and performance standards, the elimination of unnecessary or duplicative work and wasteful practices, and the adjustment of the work force to the established workload."

**Amendment No. 10**

On page 2, line 29, strike out "13830", and insert "13880".

**Amendment No. 11**

On page 2, line 41, strike out "13831", and insert "13881".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 437**

Senator John F. McCarthy moved that Senate Bill No. 437 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 437**—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the State Archives and the State Record Depository.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill, strike out "State", and insert "Central".

**Amendment No. 2**

On page 1, line 12, strike out the second "State", and insert "Central".

**Amendment No. 3**

On page 3, line 50, strike out the second "State" and insert "Central".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 399**

Senator Murdy moved that Senate Bill No. 399 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 399**—An act to amend Section 1552.6 of the Welfare and Institutions Code, relating to the location and prosecution of parents of needy children.

Bill read second time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1552.4 and".

**Amendment No. 2**

On page 1, strike out line 1 and insert  
"SECTION 1. Section 1552.4 of the Welfare and Institutions Code is amended to read:

1552.4. The board of supervisors shall immediately notify the district attorney of the county whenever aid is granted to a child who is not being supported by a parent unless it is definitely established that the parent is financially incapable of providing such support.

The county welfare department shall cooperate with the district attorney *or the city prosecutor of any city to whom the duty of prosecuting such parent has been delegated* and shall report to him all information contained in the case record which concerns the question of nonsupport and the suitability of prosecution as a method of obtaining support for the child in each case.

The district attorney shall immediately investigate the question of nonsupport and shall take all steps necessary to obtain support for the needy child. The district attorney shall report regularly to the board of supervisors on the progress of his efforts.

SEC. 2. Section 1552.6 of the Welfare and Institutions".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 87**

Senator Gibson moved that Senate Bill No. 87 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 87**—An act to amend Sections 3, 4 and 6 and to repeal Section 5 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of the 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 16, of the printed bill, strike out "five", and insert "30".

**Amendment No. 2**

On page 4, line 19, strike out "five", and insert "30".

**Amendment No. 3**

On page 4, line 29, strike out "twenty-five dollars (\$25)", and insert "twenty dollars (\$20)".

**Amendment No. 4**

On page 4, line 32, strike out "four", and insert "three".

**Amendment No. 5**

On page 4, lines 32 and 33, strike out "one hundred dollars (\$100)", and insert "sixty dollars (\$60)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1209**

Senator Gibson moved that Senate Bill No. 1209 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1209**—An act to amend Section 18851 of the Education Code, relating to the purchase of school supplies.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "bidder", insert "who shall give such security as the county superintendent of schools requires, or else reject all bids".

**Amendment No. 2**

On page 1, line 15, strike out "daily", and insert "at least once a week for two weeks".

**Amendment No. 3**

On page 1, line 15, after "circulation", insert "published".

**Amendment No. 4**

On page 1, line 17, after "supplies", insert "and equipment".

**Amendment No. 5**

On page 1, line 17, strike out "purchased", and insert "furnished".

**Amendment No. 6**

On page 1, line 18, strike out "from date", and insert "after the date of completion".

**Amendment No. 7**

On page 1, after line 25, insert

"The cost of advertising for bids and the cost of preparation of a table of specifications shall be paid from the county school service fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 172**

Senator Dorsey moved that Senate Bill No. 172 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 172**—An act to amend Section 1403 of the Fish and Game Code, relating to burros, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 line 11, of the printed bill as amended in Senate March 1, 1955, after "commission", insert "or any other department or agency".



**Amendment No. 2**

On page 1, line 14, after "code", insert ", or any other law of this State".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1509**

Senator Byrne moved that Senate Bill No. 1509 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1509**--An act to amend Section 100 of the Water Code, relating to the development of water resources.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "100", and insert "37506".

**Amendment No. 2**

Strike out line 2 of the title, and insert "California water district, and declaring the urgency thereof, to take effect immediately."

**Amendment No. 3**

On page 1 strike out line 1, and insert

"SECTION 1. Section 37506 of the Water Code is amended to read:".

37506. No land shall be included within a district unless the board after an inclusion hearing determines that it can be irrigated by means of some of the works of the district or by means of practicable works connecting therewith and will be benefited by the irrigation.

Sec. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The demands of an ever increasing population require the rapid development of the water and power resources of this State. It is necessary that existing districts expand their boundaries and include additional lands, thereby bringing the benefit of irrigation through districts to a greater area. In a number of instances the lands to be included cannot be irrigated by existing works of the district but can be irrigated by proposed works of the district. It is necessary for the welfare of the State that this process of enlarging boundaries of such districts proceed at the earliest possible date."

**Amendment No. 4**

On page 1 strike out lines 2 to 17, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1895**

Senator Collier moved that Senate Bill No. 1895 be withdrawn from Committee on Public Utilities for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1895**—An act to amend Section 3502 of the Public Utilities Code, relating to highway carriers.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "Section 3502 of", and insert "Sections 211, 213, 215, 726, 727, 816.5, 1061, 1062, 1063, 1065, 1066, 1068, 1073, 3501, 3511, 3512, 3513, 3514, 3515, 3517, 3541, 3571, 3572, and the headings of Chapter 1 of Division 2, and of Article 3 of Chapter 1 of Division 2 of, to add Sections 1064.5 and 3575 to, and to repeal Sections 214, 1072, 3516, 3518, 3546, and Article 4 of Chapter 1 of Division 2 of."

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 strike out lines 1 and 2, and insert

"SECTION 1. Section 211 of the Public Utilities Code is amended to read:

211. "Common carrier" includes:

(a) Every railroad corporation; street railroad corporation; express corporation; freight forwarder; dispatch, sleeping car, dining car, drawing-room car, freight, freightline, refrigerator, oil, stock, fruit, car loaning, car renting, car loading, and every other car corporation or person operating for compensation within this State.

(b) Every corporation or person owning, controlling, operating, or managing any vessel engaged in the transportation of persons or property for compensation between points upon the inland waters of this State or upon the high seas between points within this State, except as provided in Section 212. "Inland waters" as used in this section includes all navigable waters within this State other than the high seas.

(c) Every "passenger stage corporation" operating within this State.

(d) Every highway common carrier [and every petroleum irregular route carrier] operating within this State.

SEC. 2. Section 213 of said code is amended to read:

213. (a) "Highway common carrier" means every corporation or person owning, controlling, operating, or managing any auto truck, or other self-propelled vehicle not operated upon rails, used in the business of transportation of property as a common carrier for compensation over any public highway in this State [between fixed termini or over a regular route,] and not operating exclusively within the limits of an incorporated city, or city and county, except passenger stage corporations transporting baggage and express upon passenger vehicles incidental to the transportation of passengers.

(b) "Highway common carrier" does not include any such corporation or person while operating within lawfully established pickup and delivery limits of a common carrier in the performance for such carrier of transfer, pickup, or delivery services provided for in the lawfully published tariffs of such carrier insofar as such pickup and delivery limits do not include territory in excess of three miles from the corporate limits of any city or three miles from the post office of any unincorporated point.

(c) "Highway Common Carrier" does not include any corporation or person owning, controlling, operating or managing any auto truck or other self-propelled vehicle not operated upon rails, used in the business of transportation of property for compensation over any public highway in this State as a Highway Contract Carrier.

(c) (d) "Highway common carrier" does not include:

(1) Any farmer resident of this State who engages in occasional transportation from the place of production to a warehouse, regular market, place of storage, or place of shipment, of farm products of neighboring farmers in exchange for like services or farm products or compensation not exceeding one thousand eight hundred dollars (\$1,800) annually and provided that such transportation shall constitute the sole transportation of property for hire or compensation. Any such farmer shall keep available an account of each time he has transported such farm products and the compensation received therefor. The account of transportation performed and compensation received therefor, as herein provided, may be any simple method of record keeping and in cases where record keeping practices are such that reports upon truck operations are reported at the end of the operating season, such end-of-the-season reports shall be deemed adequate for the purposes of this section.

(2) *Persons or corporations hauling their own property.*

(3) *Any farmer operating a motor vehicle or vehicles used exclusively in the transportation of his livestock or agricultural commodities or in the transportation of supplies to his farm.*

(4) *Any nonprofit agricultural cooperative association organized and acting within the scope of its powers under Chapter 4, Division 6 of the Agricultural Code to the extent only that it may be engaged in transporting its own property or the property of its members.*

SEC. 3. Section 214 of said code is repealed.

SEC. 4. Section 215 of said code is amended to read:

215. "Between fixed termini or over a regular route" means the termini or route between or over which [any highway common carrier usually or ordinarily operates any auto truck or other self-propelled vehicle, or] any passenger stage corporation usually or ordinarily operates any passenger stage, even though there may be departures from such termini or route, whether such departures be periodic or irregular.

SEC. 5. Section 726 of said code is amended to read:

726. It is the policy of the State in rate making to be pursued by the commission to establish such rates as will promote the freedom of movement by carriers of agricultural commodities, including livestock, at the lowest lawful rates compatible with the maintenance of adequate transportation service.

In any rate proceeding where more than one type or class of carrier, as defined in this part or in the Highway *Contract Carriers' Act* or in the *Household Goods Carriers' Act* is involved, the commission shall consider all such types or classes of carriers, and, pursuant to the provisions of this part or the Highway *Contract Carriers' Act* or the *Household Goods Carriers' Act*, fix as minimum rates applicable to all such types or classes of carriers the lowest of the lawful rates so determined for any such type or class of carrier. This provision does not prevent the commission from granting to carriers by water such differentials in rates as are permitted under other provisions of law.

SEC. 6. Section 727 of said code is amended to read:

727. It is the policy of the State that the use of all waterways, ports, and harbors of this State shall be encouraged, and to that end the commission is directed in the establishment of rates for water carriers applying to business moving between points within this State to fix those rates at such a differential under the rates of competing land carriers that the water carriers shall be able fairly to compete for such business. In fixing the rates there shall be taken into consideration quality and regularity of service and class and speed of vessels. "Competing land carriers" includes all land carriers as defined in this part, [and] includes a highway contract carrier [and a radial highway common carrier] as defined in the Highway *Contract Carriers' Act*, and a household goods carrier as defined in the *Household Goods Carriers' Act*.

SEC. 7. Section 816.5 of said code is amended to read:

816.5. Nothing contained in this article shall be construed to require a highway common carrier [, a petroleum irregular route carrier] or passenger stage corporation to secure from the commission authority to execute any conditional sales contract for the purchase of motor vehicle equipment or any note and chattel mortgage on motor vehicle equipment securing the payment of all or any part of the purchase price of such motor vehicle equipment.

SEC. 8. Section 1061 of said code is amended to read:

1061. No highway common carrier [, or petroleum irregular route carrier,] shall operate or cause to be operated any auto truck, or other self-propelled vehicle not operated on rails, for the transportation of property as a common carrier for compensation on any public highway in this State except in accordance with the provisions of this part.

SEC. 9. Section 1062 of said code is amended to read:

1062. The commission may:

(a) Supervise and regulate every highway common carrier [and petroleum irregular route carrier] in this State.

(b) Fix the rates, fares, charges, classifications, and rules of each such carrier.

(c) Regulate the accounts, service, and safety of operations of each such carrier, and require the filing of annual and other reports and other data by such carriers.

(d) Supervise and regulate such carriers in all other matters affecting the relationship between them and the shipping public.

The commission, by general order or otherwise, may prescribe rules applicable to any and all highway common carriers [and petroleum irregular route carriers]. The commission, in the exercise of the jurisdiction conferred upon it by the Constitution of this State and by this part, may make orders and prescribe rules affecting highway common carriers [and petroleum irregular route carriers.] notwithstanding the provisions of any ordinance or permit of any city, city and county, or county, and in case of conflict between any such order or rule and any such ordinance or permit, the order or rule of the commission shall prevail.

SEC. 10. Section 1063 of said code is amended to read:

1063. (a) No highway common carrier [, or petroleum irregular route carrier,] shall begin to operate any auto truck, or other self-propelled vehicle, for the transportation of property for compensation on any public highway in this State without



first having obtained from the commission a certificate declaring that public convenience and necessity require such [operation] operations. No such certificate shall be required of any highway common carrier as to the fixed termini between which or the route over which it was actually operating as a highway common carrier on July 26, 1917, and in good faith continuously thereafter, or for operations exclusively within the limits of a city or county, or for the performance of pickup, delivery, or transfer services by such carrier within such carrier's lawfully published pickup and delivery zones insofar as such pickup and delivery limits do not include territory in excess of three miles from the corporate limits of any city or three miles from the post office of any unincorporated point. Any right, privilege, franchise, or permit held, owned, or obtained by any highway common carrier [, or petroleum irregular route carrier,] may be sold, leased, transferred, or inherited as other property, only upon authorization [by] of the commission.

(b) Any person or corporation possessing a radial highway common carrier or highway contract carrier permit on January 1, 1955, and continuously thereafter to the date of filing an application as herein provided may, on or before December 31, 1955, file an application for a highway common carrier certificate, setting forth any or all of the territories in which, and the points between which, operations have been conducted, any or all of the commodities which have been transported and other pertinent data describing the operations which have been conducted at any time prior to January 1, 1955. The commission shall upon satisfactory showing, with or without a hearing, and without further showing of public convenience and necessity, issue to such applicant a certificate of public convenience and necessity authorizing operation as a highway common carrier in accordance with the showing made. Pending action by the commission upon such application, operations as described therein may be continued after December 31, 1955, subject to the provisions of the Highway Contract Carriers' Act as amended.

Any person or corporation not included within the provisions of the foregoing paragraph who, or which, when this section takes effect, possesses a radial highway common carrier or highway contract carrier permit, may continue operations pursuant to such permit until December 31, 1955; and if application for a certificate to operate as a highway common carrier is made to the commission on or prior to such date, said carrier may continue operations as described therein, subsequent to December 31, 1955, subject to the provisions of the Highway Contract Carriers' Act, as amended, unless and until otherwise ordered by the commission.

SEC. 11. Section 1064.5 is added to said code, to read:

1064.5. Any certificate issued under Section 1064 shall specify the service to be rendered and the routes over which, the fixed termini, if any, between which, and the intermediate and off-route points, if any, at which, and in case of operations not over specified routes or between fixed termini, the territory within which, the highway common carrier is authorized to operate.

SEC. 12. Section 1065 of said code is amended to read:

1065. Without the express approval of the commission, no certificate of public convenience and necessity issued to one highway common carrier [, or petroleum irregular route carrier,] under the provisions of this article, or heretofore issued by the commission to one highway common carrier, or petroleum irregular route carrier, for the transportation of property by auto truck or self-propelled vehicle, nor any operative right of one highway common carrier [, or petroleum irregular route carrier,] founded upon operations actually conducted in good faith on July 26, 1917, shall be combined, united, or consolidated with another such certificate or operative right issued to or possessed by another such carrier, so as to permit through service between any point or points served by one highway common carrier [, or petroleum irregular route carrier,] on the one hand, and any point or points served by another such carrier, on the other hand.

SEC. 13. Section 1066 of said code is amended to read:

1066. Without the express approval of the commission no through route or joint, through, combination, or proportional rate shall be established by one highway common carrier [, or petroleum irregular route carrier,] between any point or points which it serves, on the one hand, and any point or points served by another such carrier, on the other hand. Unless prohibited by the terms and conditions of any certificate that may be involved, any one highway common carrier [, or petroleum irregular route carrier,] may establish through routes and joint rates, charges, and classifications between any and all points served by it under any and all certificates or operative rights issued to or possessed by it.

SEC. 14. Section 1068 of said code is amended to read:

1068. [The transportation of petroleum or of petroleum products in any tank-truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation. The provisions of this article relating thereto have been enacted for the limited purpose of providing necessary regulation for that specialized type of truck transportation only, and are not to be construed for any purpose as a precedent for the extension of such regulations to any other type of truck transportation not presently so restricted.] No additional certificate of public convenience and necessity shall be required of any person or corporation for



operations conducted pursuant to a certificate of public convenience and necessity authorizing operations as a petroleum irregular route carrier, and any such certificate shall be deemed to be a certificate authorizing operations as a highway common carrier.

SEC. 15. Section 1072 of said code is repealed.

SEC. 16. Section 1073 of said code is amended to read:

1073. The commission may, upon its own motion, or upon application of any interested party, and after hearing, require any highway common carrier [or petroleum irregular route carrier] to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

SEC. 17. The heading of Chapter 1 of Division 2 of this code is amended to read:

#### CHAPTER 1. HIGHWAY CONTRACT CARRIERS

SEC. 18. Section 3501 of said code is amended to read:

3501. This chapter may be cited as the "Highway Contract Carriers' Act."

SEC. 19. Section 3511 of said code is amended to read:

3511. "Highway Carrier" means every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in transportation of property for compensation or hire as a business over any public highway in this State by means of a motor vehicle, except that "highway carrier" does not include:

(a) Carriers operating exclusively within the limits of a single city or city and county.

(b) Any highway common carrier.

(c) Any household goods carrier.

[(b)] (d) Any farmer resident of this State who occasionally transports from the place of production to a warehouse, regular market, place of storage, or place of shipment the farm products of neighboring farmers in exchange for like services or for a cash consideration or farm products for compensation.

[(c)] (e) Persons or corporations hauling their own property.

[(d)] (f) Any farmer operating a motor vehicle used exclusively in the transportation of his livestock and agricultural commodities or in the transportation of supplies to his farm.

[(e)] (g) Any nonprofit agricultural cooperative association organized and acting within the scope of its powers under Chapter 4, Division 6 of the Agricultural Code to the extent only that it is engaged in transporting its own property or the property of its members.

SEC. 20. Section 3512 of said code is amended to read:

3512. "Occasionally" as used in Section 3511 means occasionally or for a total annual compensation from all sources for providing transportation for hire of not more than [six hundred dollars (\$600)] *one thousand eight hundred dollars (\$1,800)*, and which transportation constitutes the sole transportation of [persons or] property for hire or compensation.

SEC. 21. Section 3513 of said code is amended to read:

3513. "Highway common carrier" means every highway carrier operating as a common carrier [, other than a petroleum irregular route carrier,] subject to regulation as such by the commission under Part 1 of Division 1.

SEC. 22. Section 3514 of said code is amended to read:

3514. ["Petroleum irregular route carrier" includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating within this State, engaged as a common carrier, other than as a highway common carrier, for compensation in the ownership, control, operation, or management of any motor vehicle transporting petroleum or petroleum products in tank truck or tank trailer over any public highway in this State] *"Household goods carrier" means every highway carrier operating as a household goods carrier subject to regulation as such by the commission under Chapter 7 of Division 2.*

SEC. 23. Section 3515 of said code is amended to read:

3515. "Highway permit carrier" means every highway carrier other than a highway common carrier. [, or a petroleum irregular route carrier.]

SEC. 24. Section 3516 of said code is repealed.

SEC. 25. Section 3517 of said code is amended to read:

3517. "Highway contract carrier" means every highway carrier [other than (a) a highway common carrier, (b) a radial highway common carrier, (c) a petroleum contract carrier, or (d) a petroleum irregular route carrier] *which does not hold itself out to serve the public or any portion thereof generally and does not include a highway common carrier. Any highway carrier is a Contract Carrier who proposes, (a) to transport property under a bona fide written bilateral contract with a shipper, or with more than one shipper, or (b) who delegates one or more than one piece of automotive equipment to one shipper at one time for the shipper's whole and exclusive use from the time the equipment is placed for loading at point of origin until the equipment cargo has been discharged.*

SEC. 26. Section 3518 of said code is repealed.

SEC. 27. Section 3541 of said code is amended to read:

3541. No highway carrier other than a highway common carrier [or petroleum irregular route carrier] shall engage in the business of the transportation of property for compensation by motor vehicle over any public highway in this State, except in accordance with the provisions of this chapter which is enacted under the power of the State to regulate the use of public highways.

SEC. 28. Section 3546 of said code is repealed.

SEC. 29. The heading of Article 3 of Chapter 1 of Division 2 of this code is amended to read:

**Article 3. Highway Contract Carrier [and Radial  
Highway Common Carrier] Permits**

SEC. 30. Section 3571 of said code is amended to read:

3571. No highway contract carrier [or radial highway common carrier] shall engage in the business of transportation of property for compensation by motor vehicle on any public highway in this State without first having obtained from the commission a permit authorizing such operation.

SEC. 31. Section 3572 of said code is amended to read:

3572. Any highway contract carrier desiring a permit [to operate as a highway contract carrier or a radial highway common carrier] shall file a petition therefor with the commission. The petition shall set forth:

- (a) The name and address of the applicant.
- (b) The names and addresses of its officers, if any.
- (c) Full information concerning the financial condition and physical properties of the applicant.
- (d) Such other information necessary to the enforcement of this chapter as the commission may require.

Except as otherwise provided in this chapter, upon compliance by an applicant with this chapter, the commission shall issue a permit.

SEC. 32. Section 3575 is added to said code, to read:

3575. Subsequent to December 31, 1955, any highway contract carrier who shall conduct operations under the provisions of clause (a) of Section 3517 shall file with the commission evidence in such form as the commission may prescribe that there is in existence, as to each shipper for whom such carrier transports or proposes to transport property, a bona fide written bilateral contract setting forth among other things the points or areas served, the nature and amount of commodities transported, the effective period of the contract and the charges made thereunder. Every such contract or satisfactory evidence thereof shall be filed with the commission not later than ten (10) days subsequent to the beginning of the service performed pursuant thereto. Should it appear that a contract on file as herein provided does not comply with the conditions set forth in this section, the commission may, in its discretion, with or without hearing, order any carrier filing such a contract to cease and desist from conducting operations pursuant to said contract. No such contract or evidence thereof shall be open to public inspection or made public except by the commission or a commissioner in the course of a hearing or proceeding.

Subsequent to December 31, 1955, any highway contract carrier who shall conduct operations under the provisions of clause (b) of Section 3517 shall file and keep open for inspection to the commission shipping documents which shall set forth among other things the equipment used and to whom delegated, the weight and the commodity or commodities transported, the charges made which may not be less than those prescribed by the commission as minimum rates and rules and regulations, and such other information as the commission may require.

SEC. 33. Article 4, Chapter 1, Division 2 of said code, comprising Sections 3601, 3602, 3603, 3604, 3605, and 3606, is repealed."

**Amendment No. 3**

On page 1 strike out lines 3 to 16, inclusive.

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Public Utilities.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 694**

Senator Grunsky moved that Senate Bill No. 694 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

**Motion carried.**

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 694**—An act to amend Sections 7150 and 7154 of the Financial Code, relating to loans by savings and loan associations.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 21, of the printed bill, after "thereof", insert ", which maximum term shall not exceed 25 years in the case of a loan guaranteed by the Administrator of Veterans' Affairs unless at least 30 percent of such loan is so guaranteed."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 646**

Senator Coombs moved that Senate Bill No. 646 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 646**—An act to amend Section 27173.5 of, to amend and renumber Section 27174, as added by Chapter 1350 of the Statutes of 1949, to be Section 27174.1 of, and to amend and renumber Section 27174, as added by Chapter 895 of the Statutes of 1949, to be Section 27174.2 of, the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 12, of the printed bill, after the comma, insert "or district property,".

**Amendment No. 2**

On page 2, line 13, after "bridge", insert "or district property".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1955

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 317  
Assembly Bill No. 1019  
Assembly Bill No. 1020  
Assembly Bill No. 1021

Assembly Bill No. 1578  
Assembly Bill No. 316  
Assembly Bill No. 318

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk



**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 317**—An act to amend Sections 796.6 and 796.8 of the Agricultural Code, relating to citrus fruit.

Referred to Committee on Agriculture.

**Assembly Bill No. 1019**—An act to amend Section 963.5 of the Agricultural Code, relating to seed potato certification funds.

Referred to Committee on Agriculture.

**Assembly Bill No. 1020**—An act to amend Section 785 of the Agricultural Code, relating to fruits, nuts and vegetables not in compliance with law.

Referred to Committee on Agriculture.

**Assembly Bill No. 1021**—An act to amend Sections 911.22 and 911.23 of the Agricultural Code, relating to noxious weed seeds.

Referred to Committee on Agriculture.

**Assembly Bill No. 1578**—An act to add Section 281.5 to the Agricultural Code, relating to bees and bee diseases.

Referred to Committee on Agriculture.

**Assembly Bill No. 316**—An act to amend Sections 796.1, 796.2, and 796.9 of the Agricultural Code, relating to citrus fruit.

Referred to Committee on Agriculture.

**Assembly Bill No. 318**—An act to amend Section 828.83 of the Agricultural Code, relating to citrus fruit, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 42

Assembly Bill No. 44

Assembly Bill No. 615

Assembly Bill No. 616

Assembly Bill No. 617

Assembly Bill No. 618

Assembly Bill No. 629

Assembly Bill No. 1075

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 42**—An act to amend Sections 3, 6.1, 11, and 13 of and to add Sections 3.5 and 3.6 to, the Marin County Flood Control and Water Conservation District Act (Chapter 666 of the Statutes of 1953), relating to flood control in Marin County.

Referred to Committee on Local Government.



**Assembly Bill No. 44**—An act to amend Section 31595 of the Government Code, relating to investment of county retirement system funds.

Referred to Committee on Local Government.

**Assembly Bill No. 615**—An act to amend Section 13231 of the Education Code, relating to school registers and central attendance accounting.

Referred to Committee on Education.

**Assembly Bill No. 616**—An act to amend Section 16831 of the Education Code, relating to truants.

Referred to Committee on Education.

**Assembly Bill No. 617**—An act to amend Sections 2891, 2892, 2893, and 2895 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 618**—An act to amend Section 2593 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 629**—An act to amend Section 1593 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 1075**—An act to amend Section 1011 of the Agricultural Code, relating to spray residue.

Referred to Committee on Agriculture.

#### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**Senate Bill No. 223**—An act to repeal Section 1096 of the Fish and Game Code, relating to commercial fishing reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 686**—An act to amend Section 669 of the Fish and Game Code, relating to the taking of salmon near salmon spawning stations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1560**—An act to amend Section 1347 of the Fish and Game Code, relating to elk.

**Announcement Regarding Appropriation Bills**

Senator Brown announced that he was advised by the Legislative Counsel that Senate Bill No. 1560 carries an appropriation.

The President ordered Senate Bill No. 1560 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**Senate Bill No. 1964**—An act to repeal Section 168 of the Fish and Game Code, relating to game refuges and abolishing Silver Lake Game Refuge in El Dorado County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, and Way—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1495**—An act to amend Section 1293 of the Fish and Game Code, relating to depredations by game mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, and Way—28.

**NOES**—Senator Desmond—1.

Bill ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered:

By Senator Desmond:

**Senate Resolution No. 79**

Relating to an investigation of the purchase of the Asilomar Conference Grounds for state park purposes

**WHEREAS**, The Director of Finance has withheld approval of the purchase of the Asilomar Conference Grounds on the Monterey peninsula for state park purposes; and

**WHEREAS**, It appears that it would be desirable that an investigation be made of the facts and circumstances relating to the proposed purchase and the withholding of approval thereof by the Director of Finance; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Committee on Public Lands of the Senate investigate the facts and circumstances relating to the proposed purchase of the Asilomar Conference Grounds on the Monterey peninsula for state park purposes and the withholding of approval thereof by the Director of Finance, and report thereon to the Senate.

Resolution read, and referred to Committee on Rules.

**ADJOURNMENT**

At 3.04 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 2 p.m., Tuesday, March 8, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

TWENTY-EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Tuesday, March 8, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Byrne, on motion of Senator Murdy, due to legislative business.

Senator Cunningham, on motion of Senator John F. McCarthy, due to illness.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Kraft and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Edelman of Los Angeles

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Phyllis Hofmann of Walnut Creek, cousin of Secretary of the Senate J. A. Beek.



On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from the Carquinez Elementary School: Jim Turner, Gary Thomas, Bobby Strain, Larry Greene, Larry Everhart, Alfred Hasenpusch, Gerald James, Roy Parsons, Teddy Guzman, Richard Ceballos, Freda Anderson, Andrea Airolti, Shirley Adams, Janice Bassetti, Diane Bottini, Sharon De Carlo, Arlene Di Maggio, Sheila Littleton, Linda Koller, Shirley Harris, Rhae Ann Barthel, Helen De La Torre, Peggy Paoli, Alma Selby, Jerry Wolthius, Mary Moreno, Pearlene Brasher, Arthur Duff, Carl Hageman, Jerry Ingram, Gordon Jones, Sandra Nygren, George Martin, Monte Moniz, Fernando Moreno, Kenneth Owen, Vernon Scarbrough, Jackie Smith, Richard Surges, Beverly Artist, Norene Biagi, Merlene Brasher, Marlene Caswell, Marlene Di Maggio, Ernestine Garcia, Sharon Hoover, Diane Kenny, Cecilia Moniz, Linda Roncone, Santa Salinas, Jessie Selby, Rosemarie Tacconi, Beverly Warden, Ina Wind, and Karen Yates.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert Ingram of Grass Valley.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. O'Neill, Mr. Freeman, Mr. Graham, Miss Adams and the following students from the Bohannon School, San Lorenzo School District: Evelyn Jean Alford, Judith Bates, Clayton Brugger, William Buderus, Carol Campbell, Edwin Carlson, Barbara Cork, David Costa, Gregory Dibble, Maureen Gibson, Peter Gramo, Barbara Hawke, Beverly Johnson, Diane Kane, Barbara Lackstrom, William McEuen, Anne Maitland, Oleta Mayfield, Kirk Minister, Carole Nathan, Bertha Perez, Frances Peterson, John Phillips, Joan Richardson, Bonnie Roseveare, Richard Schoner, James Smith, Charles Sprague, Carol Sweeney, Kurt Viegelmann, David Walters, Minard Willmes, Colin Wilson, Carol Wix, Pauline Amos, Barbara Broder, Judy Brooks, Carrol Cornelius, James Craik, Henry Davis, Barbara Dawes, Jon Evans, Wayne Glazier, Charles Hansen, Jeannette Holmes, Alfred Lindner, David Lissor, Edward Markal, Mary Martin, Joanne Morrow, Bonnie Okey, Charles Parkhurst, Richard Perry, John Plankinton, Sandra Rego, Jay Schnitzer, James Shields, Sandra Smith, Diane Toof, William Wesley, Malcolm Walters, Rita Walters, Peggy Wilson, Gary Winnie, and Constance Wood.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Milton I. Griesse, vice principal, and the following students from Emery High School: Thayne Alameida, Anna Barichello, Ray Capusotti, Norman Dees, Donna Gale, Jimmy Hollis, Theresa Massola, Jean Mazzola, Joanne Morris, Patricia Petro, Dan Potter, Gayle Schindler, Maureen Shannon, Carol Thomas, Arlyne Tolman, Joanne Vaile, and Judy Wayne.

## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
SENATE CHAMBER, March 8, 1955

## SECRETARY'S REPORT ON CONDITION OF FILE

*Hon. Harold J. Powers*  
*President of the Senate*  
*Sacramento, California*

DEAR MR. PRESIDENT: This is the twenty-eighth calendar day. There have been 5,971 measures presented this session of which 75 have been enacted, leaving 5,896 before us, in addition to which other measures will be added.

The constitution limits us to 120 calendar days. Thus, we have 92 days in which to dispose of 5,896 measures.

Comparing the condition of the file upon the conclusion of business yesterday, the twenty-seventh calendar day with that of the twenty-seventh calendar day of 1953, we find that at conclusion of yesterday's business, we had received from committee 207 bills, whereas on the twenty-seventh calendar day of 1953 we had received 369 bills; also on the twenty-seventh calendar day of this session, we have given second reading to 83 bills, whereas in 1953, we had given second reading to 223 bills. On the twenty-seventh calendar day of this session, we had passed and sent to the Assembly 160 Senate bills, whereas in 1953 we had passed and sent to the Assembly 253 bills.

In 1953, we passed 2,331 bills. If we are to pass the same number in 1955 that we did in 1953, which is a reasonable assumption, and if we do not meet on Saturdays and Sundays, we will have to make final disposition of an average of 24 bills per day in order to complete the work undertaken by June 8th, the 120th calendar day of this session.

Respectfully submitted,

J. A. BEEK  
Secretary of the Senate

## LETTER OF TRANSMITTAL

SENATE INTERIM COMMITTEE ON PUBLIC WORKS  
CALIFORNIA LEGISLATURE, STATE CAPITOL  
SACRAMENTO, CALIFORNIA, February 15, 1955

*Hon. Harold J. Powers, President, and*  
*Members of the Senate*

GENTLEMEN: In accordance with Senate Resolution No. 159, adopted June 10, 1953, the Senate Interim Committee on Public Works submits this report which consists of six sections.

The committee was assigned the task of making studies of the Department of Public Works. These studies included the department itself, the Division of Highways and particularly, the Division of Architecture.

The committee has unanimously adopted the findings and recommendations contained in all sections of the report.

The committee wishes to express its sincere appreciation to all of the members of the advisory committee and to members of the Department of Public Works who assisted in the conduct of these studies. The combined work of the advisory committee was furnished without cost to the State.

Respectfully submitted,

JOHN F. MCCARTHY, Chairman  
ED. C. JOHNSON, Vice Chairman  
A. A. ERHART

Letter of transmittal ordered printed in the Journal, and partial report ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator John F. McCarthy moved that 2,500 additional copies of the partial report submitted by the Senate Interim Committee on Public Works be printed for distribution.

Motion carried.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 33**—Approving a certain amendment to the charter of the County of Alameda, State of California, submitted to, voted for, and ratified by, the electors of said county at a special county election held therein on the eighth day of June, 1954;

**Senate Concurrent Resolution No. 34**—Relative to approving amendments to the charter of the County of Alameda, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the second day of November, 1954;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eighth day of March, 1955, at 2 p.m.

WARD, Chairman

## Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, March 7, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 623

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

## Committee on Transportation

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 389

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 587

Senate Bill No. 936

Senate Bill No. 588

Senate Bill No. 946

Senate Bill No. 811

Senate Bill No. 947

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 52

Senate Bill No. 1019

Senate Bill No. 1643

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1699**

Senator Desmond moved that Senate Bill No. 1699 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1699**—An act to amend Section 21201 of the Financial Code, relating to pawnbrokers.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "Every", insert "loan made by a pawnbroker for which goods are received in pledge as security shall be evidenced by a written contract a copy of which shall be furnished to the borrower. The loan contract shall set forth the loan period and the date on which the loan is due and payable, and shall clearly inform the borrower of his right to redeem the pledge during the redemption period.

Every".

**Amendment No. 2**

On page 1, line 4, strike out "article", and insert "perishable article, including clothing and furs,".

**Amendment No. 3**

On page 1, lines 4 and 5, strike out "after the last date fixed for redemption by the loan contract.", and insert "and every other article pledged to him for a period of nine months, after the date on which the loan became due and payable, during which period the borrower may redeem the articles upon payment of the loan and interest charges.

If any pledged article is not redeemed during the six or nine month redemption period as provided herein, the pawnbroker shall notify the borrower by registered mail addressed to his last known address of the termination of the redemption period, and extending the right of redemption for a period of 10 days from date of mailing of such notice. If any pledged article is not redeemed within such 10-day period, the pawnbroker shall become vested with all right, title, and interest of the pledgor, or his assigns, to the pledged article, to hold and dispose of as his own property. Any other provision of law relating to the foreclosure and sale of pledges shall not be applicable to any pledge the title to which is transferred in accordance with this section."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 181**

Senator Teale moved that Senate Bill No. 181 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 181**—An act to amend Section 424 of the Fish and Game Code, relating to hunting licenses.

Bill read second time.



**Motion to Amend**

Senator Teale moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 18 and 19 of the printed bill, strike out "12 years may receive the course of instruction or", and insert "10 years may".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1635**

Senator Ed. C. Johnson moved that Senate Bill No. 1635 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1635**—An act to amend Section 1201 of the Fish and Game Code, relating to pheasants.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1201 of the Fish and Game Code", and insert "Section 2 of Chapter 157, Statutes of 1951".

**Amendment No. 2**

In line 2 of the title of the printed bill, strike out "pheasants", and insert "game".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

Strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 2 of Chapter 157, Statutes of 1951, is amended to read:

Sec. 2. The provisions of Sections 1156 and 1157 shall be effective until the ninety-first day after final adjournment of the [1955] 1957 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 648**

Senator Coombs moved that Senate Bill No. 648 be withdrawn from Committee on Military and Veterans Affairs for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 648**—An act to add Section 960.5 to the Military and Veterans Code, relating to veterans graves.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 293**

Senator J. Howard Williams moved that Senate Bill No. 293 be withdrawn from Committee on Military and Veterans Affairs for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 293**—An act to amend Section 1191 of the Military and Veterans Code, relating to the powers of memorial districts.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 5, of the printed bill, strike out "of over five hundred dollars (\$500)".

**Amendment No. 2**

On page 2, line 16, after "lease," insert "No sales or lease shall be transacted, however, if a petition has been filed with the board requesting them not to enter into the sales or leasing of the property. Such petition shall:

(1) Have affixed thereto, as petitioners, the signatures, indicating place of residence and place of signing, of the electors of the district in a number equal to at least ten percent (10%) of the votes cast in the district at the last preceding general election held in the State.

(2) Should the petition be found to meet the requirements of (1) above, as determined by the records of the county clerk or registrar of voters for the county or counties in which said district lies, the board shall not convey the property or shall submit to the electors of the district to be voted upon at the next primary or general election, or at a special election called for the purpose to ratify or reject the action of the district to sell or lease the property.

(g) Sell or lease any district property to any political subdivision in which the district lies, or any portion thereof, to be used for the purpose of roads, streets or highways, or for the improvements thereof, without regard to the highest responsible bidder but otherwise meeting the requirements in paragraphs (1) and (2) of subdivision (f) above."

**Amendment No. 3**

On page 2, line 17, strike out "(g)", and insert "(h)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 30**

Senator Gibson moved that Senate Bill No. 30 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 30**—An act to repeal Chapter 5.6 of Division 2 of, to amend Sections 2654, 2665, 2667, and 2685 of, and to add Sections 2668.1, 2676, 2677, 2688, and 2695 to, the Business and Professions Code, relating to the practice of physical therapy.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 19, of the printed bill, strike out "One year from the effective date of this act,".

**Amendment No. 2**

On page 2, line 29, strike out "whether", and insert "unless".

**Amendment No. 3**

On page 2, line 30, strike out "or not".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1978**

Senator Montgomery moved that Senate Bill No. 1978 be withdrawn from Committee on Education, and re-referred to Committee on Local Government.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 260**

Senator Parkman moved that Senate Bill No. 260 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 260**—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 27, of the printed bill, as amended in Senate January 19, 1955, after "husbandry", insert "and the construction of facilities for the housing thereof".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 48

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 48**—Approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held on the second day of November, 1954.

**Request for Unanimous Consent**

Senator Thompson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 48, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 48**

**Assembly Concurrent Resolution No. 48**—Approving certain amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Collier, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 50  
Assembly Bill No. 139  
Assembly Bill No. 140

Assembly Bill No. 141  
Assembly Bill No. 1007  
Assembly Bill No. 1285

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **PAUL F. CRUM**, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 50**—An act to amend Section 6363 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 139**—An act to amend Section 709 of the Vehicle Code, relating to size, weight and loading of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 140**—An act to amend Section 697 of the Vehicle Code, relating to height and length of vehicles.

Referred to Committee on Transportation.



**Assembly Bill No. 141**—An act to amend Sections 512, 512.2 and 516 of the Vehicle Code, relating to speed of vehicles and speed restrictions on highways, bridges or structures.

Referred to Committee on Transportation.

**Assembly Bill No. 1007**—An act to amend Sections 3661, 4661, 4662, and 4663 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 1285**—An act to amend Section 13042 of, and to add Section 13043 to, the Education Code, relating to qualifications for teachers.

Referred to Committee on Education.

**Assistant Secretary Lachlan Richards at the Desk**

#### **MOTION TO FILL VACANCY ON LEGISLATIVE REPRESENTATION COMMITTEE**

Senator McBride moved that the Senate fill the vacancy on the Legislative Representation Committee which was created by the death of Senator Weybret.

Motion carried.

#### **NOMINATION FOR AND ELECTION OF MEMBER OF COMMITTEE ON LEGISLATIVE REPRESENTATION**

The President declared nominations to fill the vacancy on the Legislative Representation Committee in order.

Senator Parkman placed the name of Senator James E. Cunningham in nomination to fill the vacancy on the Legislative Representation Committee.

On motion of Senator McBride, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called with the following results:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—33.

**NOES**—None.

Whereupon the President declared Senator James E. Cunningham duly elected member of the Committee on Legislative Representation.

#### **CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS**

**Senate Bill No. 885**—An act to amend Sections 1525, 1526, 1529, 1532, 1541, and 1542 of, and to add Sections 1529.1, 1532.1, 1532.2, 1542.1, and Article 2.1 to Chapter 8 of Part 2 of Division 2 of the Water Code, and to amend Section 6103.1 of the Government Code, relating to appropriation of water.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendment:

**Amendment No. 1**

On page 3, line 10, of the printed bill, strike out "exclusive of", and insert "other than for services to".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1337**—An act to amend Section 51681 of the Water Code, relating to reclamation districts.

Bill read second time, ordered engrossed, and to third reading.

**REPORTS OF STANDING COMMITTEES****Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 489

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; vacancy 1; absent 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 488

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 5; vacancy 1; absent 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Joint Resolution No. 17:** By Senators Way, Erhart, Richards, Abshire, Robert I. McCarthy, John F. McCarthy, Collier, Coombs, Busch, McBride, and Parkman—Relative to the inclusion of U. S. Highway 101 (from Los Angeles to the Oregon state line) and U. S. Highway 199 (from Crescent City to the Oregon state line) in the National System of Interstate Highways.

Referred to Committee on Transportation.

**ADJOURNMENT**

At 2.34 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Wednesday, March 9, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-SECOND LEGISLATIVE DAY

TWENTY-NINTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, March 9, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Assistant Secretary Lachlan M. Richards at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Breed, on motion of Senator Dorsey, due to legislative business.

Senator Erhart, on motion of Senator Ward, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Marjorie Adams, Mrs. Winifred Wootten and Mrs. Mildred Grothman of the Lafayette Junior Women's Club.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chan Mason and Frank Armstrong, both of Lemon Grove.



On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harold Del Ponte of Klamath and Joe Creisler of Crescent City.

On request of Senators Brown and Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George W. Savage of San Bernardino.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Irene Marsh, teacher, and 30 vocational training students from Eldridge School, Eldridge.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Margaret Baker of Livingston.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edward Kraus of Van Nuys.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Robert Keenan; parents Mrs. Bill Smith, Mrs. Oree DiGiovanni, Mrs. Verlie Hollingsworth and the following students from the Pala School, San Jose: Judy Gearhart, Linda Veley, Georgiana Moorehead, Valarie Hollingsworth, Kathy Prado, Lynda Box, Pat Breakwell, Judy Pratt, Betty Vierra, Sandy Murray, Dianne Mason, Lorna West, Bill Burg, Dan DiGiovanni, Jon Paige, Fred Albert, Ken Smith, Gary Leon, Chuck Dugan, Jerry Wyrick, Dale Beckwith, Virginia Jiminez, Ken Lovett, Bill Hale, Alfred Gonzalez, Roberta Gomes, Leon Lebrucherie, Ray Echavarria, Sarah Muñoz, Eva Payne, Ronald Nordquist, and Hortense Fernandez.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ed. Stockman, instructor, and the following students from the citizenship and naturalizations class from Napa and Solano Counties: Mesdames Harold Norlund, Frank Haslam, Hilmar Larsen, Jack Schmidt, Walter C. Chase, Archie Currie, William Erks, George Smock, William Conow, H. Kline Weir, Wm. Stansberry; Palma Pometta, Austra Wefulis, Muriel D. Kincaid, Zinaida Miglars, Laura Breaw, Barbara Ponceiffa, Rose Steiman, Josephine Gomez, Opranita Molina, Livinia C. Ducay, Sergia C. Balolong, Patty Wong, Verena E. Grossi, Ivanka Beoc; Mesdames Jennie Low, Sheldon Rutherford, Hilda Landis, George Alan Prouty, Herta Kirk, Ida Oja, Olive M. Clendening, Ines Rossi, Darrell Mitchell, Cecil Robins, Leonard Hanney.

On request of Senators Dorsey and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Howell, Mr. Widel, Mr. Moore, Mr. Barthen, and the following students from the Bohanon School, San Lorenzo School District: Charles Aldrich, Anita Aragon, Paul Burkhart, Robert Chandler, Barbara Cline, Patricia Coffie, James Cursun, David Dayton, James Escobar, Jacqueline Fink, Darlene Galletti, Edgar Gulbransen, Barney Halleran, Roberta Hammer, Diane Hoppe, Robert Hudson, Ronnie Jane Kandler, Floyd Keith, Jerrald Kibby, Carol Koch, Hope Mezenski, Barbara Neves, Judith Picard, Gregory Rose, Eleanor Ruiz, Charles Serianni, Stephen Shrader, Leo Tamisiea, Gail Van Dusen,

James Watson, Rino Bertaglio, James Burns, Koren Cantrell, Katheryn Champ, Freddie Fernandez, Hubert Fiedler, Bonnie Franksen, Evangeline Galarsa, Lanette Genzoli, Kaaren Heilstad, Michele Hess, James Jacobs, Clark Jensen, Carol Klein, Jean Kohlmeyer, John Lotz, Karen Lund, Dennis Mason, Peter Metz, Carolyn Miller, Jack Osuna, Philip Polaske, Tommy Parsons, Carol Rutter, Ivan Schlusberg, Lorene Schmitt, James Stabler, Loren Stevens, Robert Stoner, Joseph Vigil, Sharon White, Emma Witte, and Kirk Yarnell.

### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, STATE WATER RESOURCES BOARD  
SACRAMENTO, March 9, 1955

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. BEEK: I have the honor to transmit herewith for your consideration a report dated March 4, 1955, entitled "Report on Activities and Investigations of the State Water Resources Board," which contains certain recommendations to the Legislature.

Very truly yours,

C. A. GRIFFITH, Chairman  
By SAM R. LEEDOM, Administrative Assistant

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF MOTOR VEHICLES  
SACRAMENTO, March 3, 1955

*Hon. Clarence C. Ward, Chairman*  
*Senate Committee on Rules*  
*State Capitol, Sacramento, California*

DEAR SENATOR WARD: By the terms of Senate Concurrent Resolution No. 11 of the current session, the head of each state department or agency is requested to "furnish each of his representatives written authorization to act as such, said authorization to specify the scope of the authority and to instruct such representative to file such written authorization with the chairman of the committees before whom an appearance is to be made."

Since from a review of the bills introduced in the general session, it appears that the Department of Motor Vehicles is interested in measures which are now or may later be assigned to nearly every committee of both houses of the Legislature, this letter is being sent to you directly giving you the information requested in Senate Concurrent Resolution No. 11.

The following have been designated and are authorized to represent this department in connection with legislation. Such authorization includes the presentation of information and the recommendations of this department as to any legislation with which it might be concerned.

A. J. Veglia, Registrar of Vehicles  
Francis J. Watson, Assistant Registrar of Vehicles  
Fred Williams, Chief, Division of Drivers Licenses  
Harold M. Dorman, Assistant Chief, Division of Drivers Licenses  
E. Keith Ball, Chief, Division of Field Office Operation  
John L. McLaughlin, Administrative Service Officer  
Abe Osofsky, Senior Administrative Analyst  
Jack Meyer, Accounting Officer  
D. Bruce Greenwade, Personnel Officer

It will generally be arranged that the individual most familiar with a particular bill will appear thereon. There may be matters concerning which it will be desirable for some other individual from the department to present the specific information and in such cases one of the people listed above will either present such persons to the committee or will make arrangements with you in advance for their appearance.

It should also be clearly understood that if there is any information that the committee desires from this department, we will be most happy to do our best to accommodate any requests.

Very truly yours,

PAUL MASON, Director

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 8, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

HENRY J. RUDDI, a resident of San Francisco; editor and publisher of a local newspaper; served with the Merchant Marine during World War I and II; active in civil and philanthropic organizations; member of the Board of Directors for the Salvation Army and a past president of the United Cerebral Palsy Campaign;

to the Board of State Harbor Commissioners for San Francisco Harbor, vice Ward G. Walkup, resigned, for the term prescribed by law, ending April 30, 1957.

CYRIL MAGNIN, a resident of San Francisco; president of the Joseph Magnin stores; Member of the San Francisco Redevelopment Agency; San Francisco Bay Area Rapid Transit Commission, and a director of the British-American Trade Center;

to the Board of State Harbor Commissioners for San Francisco Harbor, vice Dwight Merriman, resigned, for the term prescribed by law, ending April 30, 1955.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and ordered printed in the Journal.

### LETTER OF TRANSMITTAL

JOINT LEGISLATIVE COMMITTEE ON  
AGRICULTURAL AND LIVESTOCK PROBLEMS  
SENATE, March 9, 1955

*The President of the Senate*

*The Speaker of the Assembly*

*And Other Members of the Senate and Assembly*

The Joint Interim Committee on Agriculture and Livestock Problems, created by Senate Concurrent Resolution No. 51 (Res. Ch. 141) Regular Session of 1945; continued by Senate Concurrent Resolution No. 4 (Res. Ch. 14) Regular Session of 1947; continued by Senate Concurrent Resolution No. 54 (Res. Ch. 193) Regular Session of 1949; continued by Senate Concurrent Resolution No. 69 (Res. Ch. 221) Regular Session of 1951; and continued by Senate Concurrent Resolution No. 63 (Res. Ch. 240) Regular Session of 1953, submits the following special report covering the committee's investigations on the subject of Vesicular Exanthema of Swine.

Respectfully submitted,

SENATOR PAUL L. BYRNE, Chairman  
SENATOR EARL D. DESMOND  
SENATOR NELSON S. DILWORTH  
SENATOR BEN HULSE  
ASSEMBLYMAN J. WARD CASEY  
ASSEMBLYMAN GEORGE A. CLARKE  
ASSEMBLYMAN WILLIAM W. HANSEN  
ASSEMBLYMAN LLOYD W. LOWREY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.



**MOTION TO PRINT REPORT**

Senator Byrne moved that 2,000 additional copies of the report submitted by the Joint Interim Committee on Agriculture and Livestock Problems be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE, SACRAMENTO, CALIFORNIA, March 9, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Committee on Beach Erosion, created by Senate Resolution No. 39 (Senate Journal, March 30, 1954, page 399), presents herewith a final report of its activities and results of its investigations, together with its recommendations.

Respectfully submitted,

A. W. WAY  
A. A. ERHART  
JOHN F. MCCARTHY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Way moved that 200 additional copies of the report submitted by the Senate Interim Committee on Beach Erosion be printed for distribution.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 3, 1955, appointing

MRS. BENJAMIN F. WARMER, to the Board of Social Work Examiners, vice self, term expired, for the term prescribed by law, ending, January 15, 1958;

W. W. SHEPHERD, to the California Aeronautics Commission, vice self, term expired, for the term prescribed by law, ending December 31, 1957;

THOMAS J. MELLON, to the State Board of Education, vice self, term expired, for the term prescribed by law, ending January 15, 1958;

JOHN FELTON TURNER, to the California Aeronautics Commission, vice self, term expired, for the term prescribed by law, ending December 31, 1958;

NORMAN LARSON, to the California Aeronautics Commission, vice self, term expired, for the term prescribed by law, ending December 31, 1958;

ROBERT GREELY, to the State Fire Advisory Board, vice self, term expired, for the term at the pleasure of the Governor;

ANDY KELLY, to the Fish and Game Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1958;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman



**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Mrs. Benjamin F. Warmer as a member of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Mrs. Benjamin F. Warmer as a member of the Board of Social Work Examiners?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Mrs. Benjamin F. Warmer as a member of the Board of Social Work Examiners.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of W. W. Shepherd, John Felton Turner, and Norman Larson as members of the California Aeronautics Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of W. W. Shepherd, John Felton Turner, and Norman Larson as members of the California Aeronautics Commission?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of W. W. Shepherd, John Felton Turner, and Norman Larson as members of the California Aeronautics Commission.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Thomas J. Mellon as a member of the State Board of Education.

The President put the question, "Will the Senate confirm and consent to the appointment of Thomas J. Mellon as a member of the State Board of Education?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Thomas J. Mellon as a member of the State Board of Education.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Robert Greely as a member of the State Fire Advisory Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Robert Greely as a member of the State Fire Advisory Board?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Robert Greely as a member of the State Fire Advisory Board.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Andy Kelly as a member of the Fish and Game Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Andy Kelly as a member of the Fish and Game Commission?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Andy Kelly as a member of the Fish and Game Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 1, 1955, appointing

WILLIAM N. BUCKNAM, to the State Board of Education, vice Joseph P. Loeb, term expired, for the term prescribed by law, ending January 15, 1959;

WENDELL T. ROBIE, to the State Board of Forestry (representing member at large), vice self, term expired, for the term prescribed by law, ending January 15, 1959;

ARNOLD FRIEW, as Member, State Water Resources Board, vice self, interim appointee, for the term prescribed by law, ending January 15, 1956;

RAYMOND RIANDA, as Member, State Soil Conservation Commission, vice self, interim appointee, for the term prescribed by law, ending four years from the date of the commission;

DR. MABEL E. KINNEY, to the State Board of Education, vice self, interim appointee, for the term prescribed by law, ending January 15, 1958;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

#### CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

##### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Dr. Mabel E. Kinney and William N. Bucknam as members of the State Board of Education.

The President put the question, "Will the Senate confirm and consent to the appointment of Dr. Mabel E. Kinney and William N. Bucknam as members of the State Board of Education?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

##### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Dr. Mabel E. Kinney and William N. Bucknam as members of the State Board of Education.

#### CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

##### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Wendell T. Robie as a member of the State Board of Forestry.

The President put the question, "Will the Senate confirm and consent to the appointment of Wendell T. Robie as a member of the State Board of Forestry?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

##### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Wendell T. Robie as a member of the State Board of Forestry.



**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Arnold Frew as a member of the State Water Resources Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Arnold Frew as a member of the State Water Resources Board?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Arnold Frew as a member of the State Water Resources Board.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Raymond Rianda as a member of the State Soil Conservation Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Raymond Rianda as a member of the State Soil Conservation Commission?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Raymond Rianda as a member of the State Soil Conservation Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

**MR. PRESIDENT:** The Committee on Rules, to which was referred the Message from the Governor dated January 3, 1955, appointing

**LOUIS MARRE**, to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment;

**DONALD H. ORCUTT, SR.**, to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment;

**RALPH G. HAGLE**, to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment;

**REVEREND ALBERT J. KNOLL**, to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment;



MONSIGNOR MICHAEL SULLIVAN, to the Board of Trustees, Atascadero State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment;

MRS. HELEN WALTON, to the Board of Trustees, Mendocino State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the appointment;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Louis Marre, Donald H. Orcutt, Sr., Ralph G. Hagle, Rev. Albert J. Knoll, and Monsignor Michael Sullivan as members of the Board of Trustees, Atascadero State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Louis Marre, Donald H. Orcutt, Sr., Ralph G. Hagle, Rev. Albert J. Knoll, and Monsignor Michael Sullivan as members of the Board of Trustees, Atascadero State Hospital?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Louis Marre, Donald H. Orcutt, Sr., Ralph G. Hagle, Rev. Albert J. Knoll, and Monsignor Michael Sullivan as members of the Board of Trustees, Atascadero State Hospital.

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Mrs. Helen Walton as a member of the Board of Trustees, Mendocino State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Mrs. Helen Walton as a member of the Board of Trustees, Mendocino State Hospital?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Mrs. Helen Walton as a member of the Board of Trustees, Mendocino State Hospital.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 3, 1955, appointing

MRS. ELINOR BROWN FRENCH, to the Board of Trustees, Camarillo State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the commission;

FRANK A. LAWRENCE, to the Industrial Accident Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1958;

JAMES MUSSATTI, to the State Board of Education, vice self, term expired, for the term prescribed by law, ending January 15, 1958;

BERENICE I. STONE, M.D., to the Board of Social Work Examiners, vice self, term expired, for the term prescribed by law, ending January 15, 1958;

MRS. BERYL C. REINHARDT, to the Board of Social Work Examiners, vice self, term expired, for the term prescribed by law, ending January 15, 1958.

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Mrs. Elinor Brown French as a member of the Board of Trustees, Camarillo State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Mrs. Elinor Brown French as a member of the Board of Trustees, Camarillo State Hospital?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Mrs. Elinor Brown French as a member of the Board of Trustees, Camarillo State Hospital.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Frank A. Lawrence as a member of the Industrial Accident Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Frank A. Lawrence as a member of the Industrial Accident Commission?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Frank A. Lawrence as a member of the Industrial Accident Commission.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of James Mussatti as a member of the State Board of Education.

The President put the question, "Will the Senate confirm and consent to the appointment of James Mussatti as a member of the State Board of Education?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of James Mussatti as a member of the State Board of Education.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Berenice I. Stone, M.D., and Mrs. Beryl C. Reinhardt as members of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Berenice I. Stone, M.D., and Mrs. Beryl C. Reinhardt as members of the Board of Social Work Examiners?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Berenice I. Stone, M.D., and Mrs. Beryl C. Reinhardt as members of the Board of Social Work Examiners.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

**MR. PRESIDENT:** The Committee on Rules, to which was referred the Message from the Governor dated January 18, 1955, appointing

H. STEPHEN CHASE, to the California Highway Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1959.

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman



**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of H. Stephen Chase as a member of the California Highway Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of H. Stephen Chase as a member of the California Highway Commission?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of H. Stephen Chase as a member of the California Highway Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

**MR. PRESIDENT:** The Committee on Rules, to which was referred the Message from the Governor dated January 17, 1955, appointing

**DR. ROBERT E. BURNS**, to the State Park Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1959;

**CHARLES KASCH**, to the State Park Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1959;

**CARL F. WENTE**, to the Fish and Game Commission, vice self, term expired, for the term prescribed by law, ending January 15, 1961.

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Dr. Robert E. Burns and Charles Kasch as members of the State Park Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Dr. Robert E. Burns and Charles Kasch as members of the State Park Commission?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Dr. Robert E. Burns and Charles Kasch as members of the State Park Commission.



**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Carl F. Wentz as a member of the Fish and Game Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Carl F. Wentz as a member of the Fish and Game Commission?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Carl F. Wentz as a member of the Fish and Game Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

**MR. PRESIDENT:** The Committee on Rules, to which was referred the Message from the Governor dated March 1, 1955, appointing

STANFORD C. SHAW, to the California Law Revision Commission, vice self, interim appointee, for the term prescribed by law, ending October 1, 1955;

STANLEY E. McCAFFREY, to the California Veterans' Board, vice self, interim appointee, for the term prescribed by law, ending January 15, 1959;

Has had the same under consideration and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Stanford C. Shaw as a member of the California Law Revision Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Stanford C. Shaw as a member of the California Law Revision Commission?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Stanford C. Shaw as a member of the California Law Revision Commission.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Stanley E. McCaffrey as a member of the California Veterans' Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Stanley E. McCaffrey as a member of the California Veterans' Board?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Stanley E. McCaffrey as a member of the California Veterans' Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 8, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 1, 1955, appointing

ROBERT W. MATTHEWS, to the State Board of Forestry (representing Redwood interests), vice Frank W. Reynolds, term prescribed by law, ending January 15, 1959;

EDWARD J. WREN, to the Board of Social Work Examiners, vice Rt. Rev. Raymond O'Flaherty, resigned, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Robert W. Matthews as a member of the State Board of Forestry.

The President put the question, "Will the Senate confirm and consent to the appointment of Robert W. Matthews as a member of the State Board of Forestry?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Robert W. Matthews as a member of the State Board of Forestry.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Edward J. Wren as a member of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Edward J. Wren as a member of the Board of Social Work Examiners?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Edward J. Wren as a member of the Board of Social Work Examiners.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1337

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 885

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 8, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 72

Assembly Concurrent Resolution No. 47

Senate Concurrent Resolution No. 18

Assembly Concurrent Resolution No. 53

Senate Concurrent Resolution No. 35

Assembly Joint Resolution No. 24

Senate Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 318

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 8; absent 4.

MURDY, Chairman

Above reported bill ordered to second reading.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 4

Assembly Concurrent Resolution No. 57

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolutions were read:

**Assembly Constitutional Amendment No. 4**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the first paragraph of Section 7½ of Article XI, relating to county charters.

Referred to Committee on Local Government.

**Assembly Concurrent Resolution No. 57**—Relative to the observance of "Save Your Vision Week."

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 57, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 57**

**Assembly Concurrent Resolution No. 57**—Relative to the observance of "Save Your Vision Week."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 51

Assembly Bill No. 54

Assembly Bill No. 630

Assembly Bill No. 632

Assembly Bill No. 633

Assembly Bill No. 840

Assembly Bill No. 1656

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 51**—An act to amend Sections 265 and 272 of, and to add Section 266.5 to, the Vehicle Code, relating to motor vehicle operators' and chauffeurs' licenses.

Referred to Committee on Transportation.



**Assembly Bill No. 54**—An act to amend Sections 215 and 216 of the Vehicle Code, relating to the registration of foreign commercial vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 630**—An act to add Section 1503.6 to the Education Code, relating to interdistrict attendance agreements.

Referred to Committee on Education.

**Assembly Bill No. 632**—An act to amend Sections 3942, 3971, and 3972 of, and to repeal Section 3943 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 633**—An act to amend Sections 322, 368 (as added by Chapter 1168 of the Statutes of 1945), 1553, and 1554 of the Education Code, relating to records.

Referred to Committee on Education.

**Assembly Bill No. 840**—An act to amend Section 13841.1 of the Education Code, relating to sick leave for adult education part-time teachers.

Referred to Committee on Education.

**Assembly Bill No. 1656**—An act to amend Section 14071 of the Education Code, relating to granting of leaves to school district employees.

Referred to Committee on Education.

## RESOLUTIONS

The following resolution was offered:

By Senator Richards:

### Senate Resolution No. 80

Relative to congratulating the City of Lakewood on the occurrence of its first birthday

WHEREAS, One year ago the citizens of Lakewood went to the polls and voted to make the area in which they resided a full fledged city; and

WHEREAS, While most cities start small and grow gradually, Lakewood came into being with a population of 71,316 as the 15th largest of California's 316 cities, a population larger than that of such established cities as Santa Barbara, Riverside or Santa Ana; and

WHEREAS, No other city in the history of the United States had, at the time of its incorporation, a population as large as the population of Lakewood on the occasion of its incorporation; and

WHEREAS, Since the Lakewood area established a national record for percentage of population increase in the past five years it is confidently anticipated that the city will rapidly grow bigger and better in all respects; and

WHEREAS, The citizens of Lakewood, through their conscientious and able Mayor Angelo M. Iacoboni and other officials, have developed a system of operation so unusual as to make it unique among American cities, in that all city services are secured through contract with the county or with private contractors, and such system has enabled the city to reduce taxes, increase municipal services, purchase four parks, install traffic signals and make numerous other improvements and at the same time maintain a pay roll of less than 10 persons and accumulate an unappropriated reserve of nearly a quarter of a million dollars; and

WHEREAS, It is fitting and proper that the Senate on this day take note of such outstanding achievements of the City of Lakewood and its mayor, officials and citizens; now, therefore, be it

*Resolved by the Senate of the State of California, That the City of Lakewood, its Mayor Angelo M. Iacoboni, and its enterprising citizens be, and they hereby are, congratulated upon this first anniversary of the formation of the city and complimented upon their notable achievements; and be it further*

*Resolved, That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to the Honorable Angelo M. Iacoboni, Mayor of the City of Lakewood.*

Resolution read, and, on motion of Senator Richards, unanimously adopted.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1286

Senator Way moved that Senate Bill No. 1286 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1286**—An act to add Section 481.6 to the Fish and Game Code, relating to pollution of Lost Man Creek in Humboldt County.

Bill read second time.

#### Motion to Amend

Senator Way moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 481.6 to the Fish and Game Code", and insert "amend Section 3 of Chapter 973 of the Statutes of 1949".

#### Amendment No. 2

In lines 2 and 3 of the title of the printed bill strike out "pollution of Lost Man Creek in Humboldt County", and insert "fish".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 3

Strike out lines 1 to 10, inclusive, of the printed bill and insert

"SECTION 1. Section 3 of Chapter 973 of the Statutes of 1949 is amended to read:

Sec. 3. The provisions of Sections 495 and 496 of the Fish and Game Code shall be effective until the ninety-first day after final adjournment of the [1955] 1957 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 608

Senator Richards moved that Senate Bill No. 608 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 608**—An act to add Section 376 to the Elections Code, relating to the printing of precinct indices.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

In line 6 of the printed bill strike out "by a certain date and fails to do so," and insert "said contract shall include provisions that said county clerk or registrar of voters shall furnish to said printer copy for the printing of said index within sufficient time to allow said printer to meet a delivery deadline, which said delivery deadline shall be specified in said contract, and shall be established as a date in no instance later than 15 days prior to the next general election. If the printer fails to meet said delivery date,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 23**

Senator Ed. C. Johnson moved that Senate Bill No. 23 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 23**—An act to amend Section 438 of the Education Code, relating to the county superintendent of schools of a county of the thirty-eighth class.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 5, and insert "seven thousand dollars (\$7,000),".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 119**

Senator John F. McCarthy moved that Senate Bill No. 119 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 119**—An act to add Chapter 10 to Part 3, Division 3, Title 2 of, and to repeal Chapter 4 of Part 4, Division 3, Title 2 of, the Government Code, relating to state-owned motor vehicles and automotive equipment.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 4, line 5, of the printed bill, strike out "article", and insert "chapter".

**Amendment No. 2**

On page 4, line 6, strike out "members of the State", and insert "the Department of the California".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 623**—An act to add Sections 13104.7, 13104.8, and 13105.5 to, and to amend Section 13105 of, the Health and Safety Code, relating to records on loss of life by fire and the preparation and dissemination of educational material thereon, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 21, of the printed bill, after "fire.", insert "He shall coordinate fire prevention education between existing fire agencies and the Department of Education."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 399**—An act to amend Section 73 of the Streets and Highways Code, relating to the relinquishment of state highways or portions thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 587**—An act to amend Section 30603 of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 588**—An act to amend Section 207 of the Streets and Highways Code, relating to the investment of state funds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 811**—An act to amend Section 101.1 of the Streets and Highways Code, relating to signs at cities and towns.

Bill read second time.



**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 1, of the printed bill, after "1011", insert "of the Streets and Highways Code."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 936**—An act to add Section 526.1 to the Streets and Highways Code, relating to one-way traffic in subterranean tubes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 946**—An act to add Article 2.5 to Chapter 1 of Division 5 of the Public Resources Code, relating to historical routes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 947**—An act to add Article 2.5 to Chapter 1 of Division 5 of the Public Resources Code, relating to historical routes.

Bill read second time.

**Motion to Amend**

Senator Barry moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "Article 2.5 to Chapter 1 of Division 5 of " and insert "Sections 50511.1 and 50511.2."

**Amendment No. 2**

On page 1, strike out lines 1 to 4 inclusive.

**Amendment No. 3**

On page 1, line 5, insert:

"Section 1. Section 50511.1 is added to the Public Resources Code, to read:"

**Amendment No. 4**

On page 1, line 6, strike out "50511" and insert "50511.1."

**Amendment No. 5**

On page 1 after line 12, insert:

"Sec. 1. Section 50511.2 is added to said code, to read:"

**Amendment No. 6**

On page 1 line 13, strike out "50511.1", and insert "50511.2."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 52**—An act to add Section 50512 to the Vehicle Code, relating to the disposal of garbage, refuse, and other litter upon public and private highways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 8, of the printed bill strike out "to private"

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1019**—An act to add Section 680.5 to the Streets and Highways Code, relating to contracts for the costs of removal, relocation and repair of facilities on state highways which are not freeways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "(Except that one"; and strike out all of line 10.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1643**—An act to amend Section 143.1 of the Streets and Highways Code, relating to the expenditure of funds available for state highways, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

Strike out lines 3 and 4 of the title of the printed bill, and insert "highways."

**Amendment No. 2**

On page 3, strike out lines 1 to 26, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 488**—An act to add Section 5060 to the Penal Code and Section 1727 to the Welfare and Institutions Code, relating to the administration of the state correctional system.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "5060 to the Penal Code and Section 1727," and in line 2 of the title, strike out "to the Welfare and Institutions Code", and insert "11014 to the Government Code".

**Amendment No. 2**

In line 3 of the title strike out "Correctional System".

**Amendment No. 3**

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 11014 is added to the Government Code, to read:

11014. In exercising the powers and duties granted to and imposed upon it, any state agency may construct and maintain communication lines and power lines as may be necessary."

**Amendment No. 4**

On page 1, line 8, strike out "Director of Corrections", and insert "agency".

**Amendment No. 5**

On page 1, line 15, strike out "Director of Corrections", and insert "agency".

**Amendment No. 6**

On page 2 strike out all of lines 1 to 24, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 489**—An act to amend Sections 166.1, 166.2, 1016, and 1017 of the Welfare and Institutions Code, and Sections 5062 and 5063 of the Penal Code, relating to the property of escaped, discharged, or paroled inmates of state institutions.

Bill read second time, ordered engrossed, and to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 946 and 947 carry an appropriation.

The President ordered Senate Bills Nos. 946 and 947 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 885**—An act to amend Sections 1525, 1526, 1529, 1532, 1541, and 1542 of, and to add Sections 1529.1, 1532.1, 1532.2, 1542.1, and Article 2.1 to Chapter 8 of Part 2 of Division 2 of the Water Code, and to amend Section 6103.1 of the Government Code, relating to appropriation of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, and Way—28.

**NOES**—Senators Desmond and Donnelly—2.

**Motion to Reconsider**

Senator Desmond moved to reconsider the vote whereby Senate Bill No. 885 was passed.

**Postponement of Reconsideration**

On motion of Senator Desmond, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 885 was passed, was continued until the next legislative day.

**Senate Bill No. 1337**—An act to amend Section 51681 of the Water Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 468  
Senate Bill No. 481  
Senate Bill No. 495  
Senate Bill No. 497  
Senate Bill No. 679  
Senate Bill No. 688  
Senate Bill No. 716  
Senate Bill No. 721  
Senate Bill No. 745  
Senate Bill No. 747

Senate Bill No. 753  
Senate Bill No. 757  
Senate Bill No. 763  
Senate Bill No. 760  
Senate Bill No. 761  
Senate Bill No. 767  
Senate Bill No. 817  
Senate Bill No. 985  
Senate Bill No. 1395  
Senate Bill No. 1798

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 681  
Senate Bill No. 754  
Senate Bill No. 1955

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency to which were referred:

Senate Bill No. 180  
Senate Bill No. 201

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency to which were referred:

Senate Bill No. 712  
Senate Bill No. 816

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.



**Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 291

Senate Bill No. 473

Senate Bill No. 1068

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 365

Senate Bill No. 415

Senate Bill No. 370

Senate Bill No. 424

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 685

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 284

Senate Bill No. 413

Senate Bill No. 363

Senate Bill No. 447

Senate Bill No. 369

Senate Bill No. 1199

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 743

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 2.58 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Thursday, March 10, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

THIRTIETH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, March 10, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day: Senator Murdy, on motion of Senator Byrne, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Carl E. Olin of Chicago, Illinois.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to August Verden and Gertrude Cunningham of San Francisco.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Helene Christiansen, Mrs. Vivian Silva, Chester Silvas, and Gordon Nicolson, all from Berkeley.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edward G. Leap, Albert Dibblee, Eugene O. Smith, I. H. Reuter, all of Merced; and Kelly Bambauer of Los Banos.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ernest Sanders, Angelo Turchet, and Oscar Tandy, all of Napa.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joe Barbieri and Bob Seawell of Roseville, Alvin Carveth and Ken Reynolds of Auburn, and Roy Hebard of Loomis.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George A. Richards of Long Beach and John M. McCollum of Los Angeles.

On request of Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John Gurich of the Nob Hill Republican Women's Club of San Francisco and Mrs. Raymonde Theill, the Northern California vice president of the National Federation of Women's Clubs.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students, teachers and parents of the Union School, Los Gatos: Jean Adams, Elizabeth Anderson, Ray Attebury, Betty Jo Bailey, Martha Baker, Bill Bare, Phil Bender, Mary Jane Bonds, Bill Borger, Fred Brown, Patsy Brown, Ronnie Clements, Donna Corless, Winifred Courter, Gerald Cummins, Janet Creech, Jane Cuseck, Tony De Domenico, Rosalie Di Pollina, Linda Nell Dixon, Gordon Duncan, Clark Edington, Robert Elliott, Harold Finley, Judy Fischer, Max Fletcher, Pat Fry, Patsy Gardner, Jerry Gutman, Vicki Hardester, Bruce Haver, Sheryl Haver, Corlyn Helppie, Phil Holden, Montie Hull, Lynda Jensen, Marla Johnson, Lowell Johnson, Gary Kesner, Erna Lampreda, Carol Leatherbury, Barbara Leden, Bettye Lederman, Sonny Lee, Anne Lutus, Pat Mashburn, Don Mayo, Ronnie Merrel, Tom Meyers, Dick McCauley, Jan Mirassou, Rolene Mirassou, Ann Mitchell, Bobby Miyamoto, Bill Murphy, Doris Nicholson, Margurite Okumura, Bill Oliver, Mary Ann Park, Glenda Pearce, Judy Plett, Millan Profit, Danny Renner, Bob Richards, Eugene Richardson, Frances Romero, Patsy Romero, Mary Root, Spencer Rubin, Steven Ruben, Linda Sawyer, Bobby Shaddox, Donna Smith, Lorraine Steinmetz, Alan Swanson, Steven Volkers, Buddy Ward, Joe Welka, Diana Welson, Karen Winslow, Sandra Young; teachers, Mrs. Goldie Horton, Lloyd Krelle, John Mount, Miss Evelyn Koutney; and parents, Arthur Downing and Mrs. Steinmetz.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following adults

and students from the Durham Elementary School: Carol Anderson, Wayne Anderson, Robert Birdseye, Carol Boone, Richard Bordin, Floyd Bradshaw, Richard Brandt, Jimmy Briggs, Diana Burnes, Daniel Campbell, Mary Campbell, Malinda Caven, George Chesson, Ella Cole, Lavon Gilley, Andrew Hall, Harry Horr, James Jenkins, Barbara Johnson, Charlene Keplinger, Stanley Lazard, Jerry Luallen, Vincent Lucero, Karen McEnespy, Arthur Moore, Linda Nabors, Madeline Pickard, Mary Pickler, Nadine Roberts, Glenn Reinemer, Marie Sciligo, Therese Shepherd, Shirley Sliger, Shirley Snowden, Roger Sohnrey, Joyce Taylor, Donnie Weinreich, Linda Ziemer; William Caven, teacher; Mrs. Cleda Waddell, teacher; E. G. England, principal; Mrs. Thelma Johnson, mother; and George Brandt, father and bus driver.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hugh O'Connell of San Francisco.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor J. B. Hamn of the City of Colusa and A. B. Davison, member of the California State Recreation Commission.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul W. Ayers of Antioch, Mr. and Mrs. Gene Williams of Walnut Creek and Neill C. Cornwall of Lafayette.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. William S. Palmer, of the Palmer School, Oak Road, Walnut Creek, and the following eighth grade students: Bonnie Carla Olson, Judy Schafer, Stephen D. Smith, and Eric Neil Jensen.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Parmelee of Loch Lomond.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Web Jessup of Los Angeles and Robert E. Battles of Los Angeles.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Yael Uzay, Assistant Secretary to the Government of Israel, Washington, D. C.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Willis Fletcher of San Diego.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harold DeWitts of Vallejo and Gilbert DuMont of Benicia.



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 445	Assembly Bill No. 466
Assembly Bill No. 446	Assembly Bill No. 467
Assembly Bill No. 447	Assembly Bill No. 468
Assembly Bill No. 448	Assembly Bill No. 469
Assembly Bill No. 449	Assembly Bill No. 470
Assembly Bill No. 450	Assembly Bill No. 471
Assembly Bill No. 451	Assembly Bill No. 472
Assembly Bill No. 452	Assembly Bill No. 473
Assembly Bill No. 453	Assembly Bill No. 474
Assembly Bill No. 454	Assembly Bill No. 475
Assembly Bill No. 455	Assembly Bill No. 476
Assembly Bill No. 456	Assembly Bill No. 477
Assembly Bill No. 457	Assembly Bill No. 478
Assembly Bill No. 458	Assembly Bill No. 479
Assembly Bill No. 459	Assembly Bill No. 480
Assembly Bill No. 460	Assembly Bill No. 481
Assembly Bill No. 461	Assembly Bill No. 482
Assembly Bill No. 462	Assembly Bill No. 483
Assembly Bill No. 463	Assembly Bill No. 484
Assembly Bill No. 464	Assembly Bill No. 485
Assembly Bill No. 465	Assembly Bill No. 486

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 487	Assembly Bill No. 492
Assembly Bill No. 488	Assembly Bill No. 493
Assembly Bill No. 489	Assembly Bill No. 494
Assembly Bill No. 490	Assembly Bill No. 495
Assembly Bill No. 491	Assembly Bill No. 496

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 445**—An act to repeal certain obsolete and superseded acts, relating to plant and animal industry and the products thereof.

Referred to Committee on Judiciary.

**Assembly Bill No. 446**—An act to repeal certain obsolete and superseded acts, relating to family relationships and rights and duties incident thereto.

Referred to Committee on Judiciary.

**Assembly Bill No. 447**—An act to repeal certain obsolete and superseded acts, relating to the regulation of businesses, professions, and commercial enterprises.

Referred to Committee on Judiciary.

**Assembly Bill No. 448**—An act to repeal an obsolete and superseded act, relating to trusts.

Referred to Committee on Judiciary.

**Assembly Bill No. 449**—An act to repeal certain obsolete and superseded acts, relating to contractual matters, including negotiable instruments, chattel mortgages, powers of attorney, and accord and satisfaction.

Referred to Committee on Judiciary.

**Assembly Bill No. 450**—An act to repeal an obsolete and superseded act, relating to the status of the common law in California.

Referred to Committee on Judiciary.

**Assembly Bill No. 451**—An act to repeal certain obsolete and superseded acts, relating to the use and transfer of real property and the rights of creditors therein.

Referred to Committee on Judiciary.

**Assembly Bill No. 452**—An act to repeal an obsolete and superseded act, relating to revision of the Civil Code.

Referred to Committee on Judiciary.

**Assembly Bill No. 453**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of a system of state and local government.

Referred to Committee on Judiciary.

**Assembly Bill No. 454**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of the system of state government.

Referred to Committee on Judiciary.

**Assembly Bill No. 455**—An act to repeal certain obsolete and superseded acts, relating to the regulation and conduct of elections.

Referred to Committee on Judiciary.

**Assembly Bill No. 456**—An act to repeal certain obsolete and superseded acts, relating to financial institutions and financial transactions.

Referred to Committee on Judiciary.

**Assembly Bill No. 457**—An act to repeal certain obsolete and superseded acts, relating to procedures in civil actions and proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 458**—An act to repeal certain obsolete and superseded acts, relating to the formation, powers, and duties of corporations and associations.

Referred to Committee on Judiciary.

**Assembly Bill No. 459**—An act to repeal certain obsolete and superseded acts, relating to the establishment, maintenance, government, and operation of schools and institutions of learning.

Referred to Committee on Judiciary.

**Assembly Bill No. 460**—An act to repeal certain obsolete and superseded acts, relating to the protection and preservation of fish and game.

Referred to Committee on Judiciary.

**Assembly Bill No. 461**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of county governments.

Referred to Committee on Judiciary.

**Assembly Bill No. 462**—An act to repeal certain obsolete and superseded acts, relating to cities.

Referred to Committee on Judiciary.

**Assembly Bill No. 463**—An act to repeal certain obsolete and superseded acts, relating to a system of courts of the State and judges, officials, attaches and employees thereof.

Referred to Committee on Judiciary.

**Assembly Bill No. 464**—An act to codify Section 41 of Chapter 641 of the Statutes of 1953, relating to savings and loan associations, by adding Section 5025 to the Financial Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 465**—An act to codify Sections 2 and 3 of Chapter 514 of the Statutes of 1929, relating to criminal offenses, by adding Article 3 to Chapter 12 of Title 13 of Part 1 of the Penal Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 466**—An act to codify Chapter 728 of the Statutes of 1911, relating to cancellation of tax liens on any sixteenth or thirty-sixth section or legal subdivision thereof, by adding Article 4 to Chapter 4 of Part 9 of Division 1 of the Revenue and Taxation Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 467**—An act to codify Section 9 of Chapter 681 of the Statutes of 1941, relating to the sales and use taxes, by adding Section 6007.5 to the Revenue and Taxation Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 468**—An act to repeal certain obsolete and superseded acts, relating to the estates of decedents, missing persons, and wards.

Referred to Committee on Judiciary.

**Assembly Bill No. 469**—An act to repeal certain obsolete and superseded acts, relating to harbors, ports, and navigation, and matters incidental thereto.

Referred to Committee on Judiciary.

**Assembly Bill No. 470**—An act to repeal certain obsolete and superseded acts, relating to the preservation of the public health and safety, including the health and safety of persons, the custody and disposition of dead bodies, the safety and protection of property, and matters incidental thereto.

Referred to Committee on Judiciary.

**Assembly Bill No. 471**—An act to repeal certain obsolete and superseded acts, relating to insurance.

Referred to Committee on Judiciary.

**Assembly Bill No. 472**—An act to repeal certain obsolete and superseded acts, relating to labor and employment relations including the regulation of the importation and immigration of foreign nationals and others.

Referred to Committee on Judiciary.

**Assembly Bill No. 473**—An act to repeal certain obsolete and superseded acts, relating to the armed forces and militia of the State and to civilian defense.

Referred to Committee on Judiciary.

**Assembly Bill No. 474**—An act to repeal certain obsolete and superseded acts, relating to crimes and criminal procedure.

Referred to Committee on Judiciary.

**Assembly Bill No. 475**—An act to codify Chapter 157 of the Statutes of 1911, Chapter 3 of the Statutes of 1911 (1st Ex. Sess.), and Chapter 109 of the Statutes of 1925, relating to water, including irrigation district bonds and watershed protection by adding Section 20066 to, and by adding Article 5 to Chapter 1, Part 2, Division 2 of, the Water Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 476**—An act to repeal certain obsolete and superseded acts, relating to natural resources and public lands, the conservation, utilization and supervision thereof, and matters incidental thereto.

Referred to Committee on Judiciary.

**Assembly Bill No. 477**—An act to repeal certain obsolete and superseded acts, relating to and regulating public utilities and other regulated businesses and matters incidental thereto, including publicly owned utilities.

Referred to Committee on Judiciary.

**Assembly Bill No. 478**—An act to repeal certain obsolete and superseded acts, relating to taxation and the raising of revenue.

Referred to Committee on Judiciary.

**Assembly Bill No. 479**—An act to repeal certain obsolete and superseded acts, relating to streets, highways, roads, bridges, and ferries in this State.

Referred to Committee on Judiciary.



**Assembly Bill No. 480**—An act to repeal certain obsolete and superseded acts, relating to public employment offices.

Referred to Committee on Judiciary.

**Assembly Bill No. 481**—An act to repeal certain obsolete and superseded acts and sections of acts, relating to the administration and enforcement of laws regulating or concerning the use, operation, or registration of vehicles used upon the public streets and highways of this State.

Referred to Committee on Judiciary.

**Assembly Bill No. 482**—An act to repeal certain obsolete and superseded acts, relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, and the establishment and operation of public districts relating to water.

Referred to Committee on Judiciary.

**Assembly Bill No. 483**—An act to repeal certain obsolete and superseded acts, relating to protection, care, and assistance to children, aged, and blind persons.

Referred to Committee on Judiciary.

**Assembly Bill No. 484**—An act to codify Chapter 479 of the Statutes of 1927, relating to inmates of the Preston School of Industry, by adding Section 1125.5 to the Welfare and Institutions Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 485**—An act to codify Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 of the Statutes of 1953, relating to public streets and highways and all appurtenances thereto, by repealing Sections 180 and 181 and Article 4 of Chapter 4 of Division 1 of the Streets and Highways Code, amending Section 512 of said code, adding Sections 180 and 181 and Article 4 of Chapter 4 of Division 1 and Article 3 of Chapter 2 of Division 17 to said code, and repealing Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 (except Section 8 thereof) of the Statutes of 1953.

Referred to Committee on Judiciary.

**Assembly Bill No. 486**—An act to codify Section 2 of Chapter 550 of the Statutes of 1941, Chapter 1127 of the Statutes of 1931, Chapter 1755 of the Statutes of 1953, Section 3 of Chapter 922 of the Statutes of 1945, and Chapter 1319 of the Statutes of 1947, relating to natural resources, the conservation, utilization, and supervision thereof, and matters incidental thereto, by adding Sections 504.5, 4446, 4502.5, 4502.6, and 6321.5 to, adding Article 3.5 to Chapter 1, Division 5 of, and amending Section 5031 of, the Public Resources Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 487**—An act to codify Chapter 1195 of the Statutes of 1947, relating to veterans' farm and home purchases, and making an appropriation, by adding Section 987.12 to the Military and Veterans Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 488**—An act to codify Section 4 of Chapter 14 of the Statutes of 1953, relating to workmen's compensation insurance, by adding Section 11716.5 to the Insurance Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 489**—An act to codify certain statutes, relating to the organization, operation, and maintenance of a system of state and local government by adding Sections 111, 112, 1028.2, and 12523 to, and Article 3 to Chapter 2, Part 5, Division 3, Title 2 of, Article 2 and a new article heading to Chapter 2, Part 6, Division 3, Title 2 of, and Article 1.5 to Chapter 9, Title 8 of, the Government Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 490**—An act to codify Section 2 of Chapter 1276 of the Statutes of 1947, relating to the creation of the Marine Research Committee in the Department of Fish and Game, by adding Section 1015.1 to the Fish and Game Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 491**—An act to codify Chapter 4 of the Statutes of 1949, Chapter 86 of the Statutes of 1949, and Chapter 406 of the Statutes of 1949, relating to the system of publicly supported higher education, by adding Chapters 3.1, 3.2, and 3.3 to Division 10 of the Education Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 492**—An act to codify Chapter 500 of the Statutes of 1861, Chapter 281 of the Statutes of 1865-6, Chapter 268 of the Statutes of 1873-4, Section 2 of Chapter 269 of the Statutes of 1905, and Section 7 of Chapter 29, Sections 61 and 63 of Chapter 743 and Sections 199 and 200 of Chapter 744 of the Statutes of 1933, relating to civil actions and civil procedure, by adding Sections 81, 116, 182, 262.11, 690.51, 690.52, 934, 967, 972, and 1927.5 to, and by amending Sections 12a and 675a of, the Code of Civil Procedure, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 493**—An act to codify Section 2 of Chapter 27 of the Statutes of 1889, relating to the collection of stud fees, by adding Section 3064.1 to the Civil Code, and repealing Chapter 27 of the Statutes of 1889.

Referred to Committee on Judiciary.

**Assembly Bill No. 494**—An act to codify Section 3 of Chapter 1175 of the Statutes of 1953, relating to the removal of improvements from real property, by amending Section 1013.5 of the Civil Code, and repealing Section 3 of Chapter 1175 of the Statutes of 1953.

Referred to Committee on Judiciary.

**Assembly Bill No. 495**—An act to codify Chapter 835 of the Statutes of 1937 and Sections 14 and 16 of Chapter 678 of the Statutes of 1917, relating to plant and animal industry and the products thereof, by adding Section 87.6 to the Agricultural Code; Article 18 to Chapter 2 of Division 3 of said code; and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 496**—An act to codify Chapter 1424 of the Statutes of 1953, making an appropriation for support of the Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association, by adding Section 19626.6 to the Business and Professions Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Amendment No. 3

Assembly Concurrent Amendment No. 46

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

**Assembly Constitutional Amendment No. 3**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1½ of Article XIII thereof, relating to the tax exemption of church property.

Referred to Committee on Revenue and Taxation.

**Assembly Constitutional Amendment No. 46**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XI thereof a new section to be numbered 7½a, relating to county charters.

Referred to Committee on Local Government.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 352  
Assembly Bill No. 355  
Assembly Bill No. 497  
Assembly Bill No. 596  
Assembly Bill No. 628  
Assembly Bill No. 958  
Assembly Bill No. 962

Assembly Bill No. 1179  
Assembly Bill No. 1180  
Assembly Bill No. 1873  
Assembly Bill No. 2012  
Assembly Bill No. 2285  
Assembly Bill No. 2862

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk



**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 352**—An act to amend Section 1098 of the Penal Code, relating to the trial of criminal actions.

Referred to Committee on Judiciary.

**Assembly Bill No. 355**—An act to amend Section 1203 of the Penal Code, relating to probation in criminal actions.

Referred to Committee on Judiciary.

**Assembly Bill No. 497**—An act to repeal Section 10602 of the Health and Safety Code, relating to proceedings to establish records of births, deaths, and marriages.

Referred to Committee on Judiciary.

**Assembly Bill No. 596**—An act to amend Section 6860 of the Government Code, and Section 1360 of the Financial Code, relating to authorized investments for all public and private funds and their use as security for the performance of any act.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 628**—An act to amend Sections 3632, 3634, 3862, 3863, and 3871 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 958**—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to mental commitments.

Referred to Committee on Judiciary.

**Assembly Bill No. 962**—An act to amend Section 1449 of the Penal Code, relating to inferior court procedure.

Referred to Committee on Judiciary.

**Assembly Bill No. 1179**—An act to amend Section 620 of the Financial Code, relating to par value of stock issued by any bank or trust company.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1180**—An act to amend Sections 2070 and 2093 of the Financial Code, relating to the merger of banks and trust companies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1873**—An act to add Article 5, comprising Sections 11628, 11629, and 11629.5, to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 2012**—An act to amend Section 502 of the Vehicle Code, relating to driving while under the influence of liquor.

Referred to Committee on Judiciary.



**Assembly Bill No. 2285**—An act to amend Section 4532 of the Penal Code, relating to escapes by persons convicted of misdemeanors.

Referred to Committee on Judiciary.

**Assembly Bill No. 2862**—An act to amend Section 3371 of the Financial Code, relating to loans to directors.

Referred to Committee on Financial Institutions.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 52

Senate Bill No. 1019

Senate Bill No. 488

Senate Bill No. 1643

Senate Bill No. 811

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 389

Senate Bill No. 936

Senate Bill No. 489

Senate Concurrent Resolution No. 18

Senate Bill No. 587

Senate Concurrent Resolution No. 35

Senate Bill No. 588

Senate Joint Resolution No. 16

And reports the same correctly engrossed.

WARD, Chairman

### Committee on Local Government

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 339

Senate Bill No. 802

Senate Bill No. 340

Senate Bill No. 1045

Senate Bill No. 341

Senate Bill No. 1135

Senate Bill No. 343

Senate Bill No. 1196

Senate Bill No. 659

Senate Bill No. 1705

Senate Bill No. 801

Senate Bill No. 1746

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 335

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 345

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Joint Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

REGAN, Chairman

Above reported resolution ordered to third reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1478

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 344

Senate Bill No. 798

Senate Bill No. 800

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bills ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 717

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1598

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bill ordered to second reading.

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 401

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 172

Senate Bill No. 626

Senate Bill No. 1930

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 490

Senate Bill No. 924

Senate Bill No. 684

Senate Bill No. 1668

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 491

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Judiciary**

## SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 530

Senate Bill No. 860

Senate Bill No. 319

Senate Bill No. 526

Senate Bill No. 320

Senate Bill No. 531

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 524

Senate Bill No. 558

Assembly Bill No. 89

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

REGAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 529

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bill ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

**MR. PRESIDENT:** The Committee on Labor, to which was referred:

Senate Concurrent Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: be re-referred to the Committee on Rules with request that the subject matter be referred to appropriate interim committee for study.

Committee membership 6; committee vote: Ayes 5; absent 1.

ABSHIRE, Chairman

Above reported resolution re-referred to Committee on Rules.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 304**

Senator J. Howard Williams moved that Senate Bill No. 304 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 304**—An act to amend Sections 60750, 60752, 60754, and 60755.5 of the Government Code, and to add Chapter 4 (consisting of Sections 60900 to 60926, inclusive,) to Part 7 of Division 3 of Title 5 of said code, relating to community service districts.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill strike out "to amend Sections 60750, 60752, 60754, and 60755.5 of the Government Code, and".

**Amendment No. 2**

In line 4 of the title strike out "said code", and insert "the Government Code".

**Amendment No. 3**

On page 1 strike out lines 1 to 25, inclusive; and on page 2 strike out lines 1 to 8, inclusive.

**Amendment No. 4**

On page 2, line 9, strike out "SEC. 5.", and insert "SECTION 1."

**Amendment No. 5**

On page 2, lines 10 and 11, strike out "said code", and insert "the Government Code".

**Amendment No. 6**

On page 2, line 12, after "Exclusion", insert "of Territory".

**Amendment No. 7**

On page 2, line 16, after "that the" insert "territory composed of such".

**Amendment No. 8**

On page 2, line 29, strike out "exclusion petition", and insert "petition for the exclusion of territory".

**Amendment No. 9**

On page 2, line 31, strike out "land", and insert "territory".

**Amendment No. 10**

On page 2, line 36, strike out "on the land", and insert "in the territory".

**Amendment No. 11**

On page 2, line 38, strike out "land", and insert "territory".



**Amendment No. 12**

On page 2, line 41, strike out "land", and insert "territory".

**Amendment No. 13**

On page 2, line 46, strike out "land", and insert "territory".

**Amendment No. 14**

On page 3, line 1, strike out "land", and insert "territory".

**Amendment No. 15**

On page 3, line 2, strike out "land", and insert "territory".

**Amendment No. 16**

On page 3, line 19, strike out "land", and insert "territory".

**Amendment No. 17**

On page 3, line 21, strike out "land", and insert "territory".

**Amendment No. 18**

On page 3, line 23, strike out "land", and insert "territory".

**Amendment No. 19**

On page 3, line 26, strike out "land", and insert "territory".

**Amendment No. 20**

On page 3, line 27, strike out "land", and insert "territory".

**Amendment No. 21**

On page 3, line 28, strike out "land", and insert "territory".

**Amendment No. 22**

On page 3, line 33, strike out "land", and insert "territory".

**Amendment No. 23**

On page 3, line 38, strike out "land", and insert "territory".

**Amendment No. 24**

On page 3, line 45, strike out "land," and insert "territory".

**Amendment No. 25**

On page 3, line 47, strike out "land", and insert "territory".

**Amendment No. 26**

On page 3, line 50, strike out "land", and insert "territory".

**Amendment No. 27**

On page 4, line 6, strike out "land", and insert "territory".

**Amendment No. 28**

On page 4, line 18, strike out "land", and insert "territory".

**Amendment No. 29**

On page 4, line 19, strike out "land", and insert "territory".

**Amendment No. 30**

On page 4, line 20, strike out "land", and insert "territory".

**Amendment No. 31**

On page 4, line 23, strike out "land", and insert "territory".

**Amendment No. 32**

On page 4, line 24, strike out "land", and insert "territory".

**Amendment No. 33**

On page 4 strike out line 28, and insert "the exclusion of the territory as fully as though the territory had not".

**Amendment No. 34**

On page 4, line 32, strike out "land", and insert "territory".

**Amendment No. 35**

On page 4, line 33, strike out "land", and insert "territory".

**Amendment No. 36**

On page 4, line 35, strike out "land", and insert "territory".

**Amendment No. 37**

On page 4, line 38, strike out "land", and insert "territory".

**Amendment No. 38**

On page 4, line 40, strike out "land", and insert "territory".

**Amendment No. 39**

On page 4, line 43, strike out "land", and insert "territory".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 504**

Senator Dorsey moved that Senate Bill No. 504 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 504**—An act to amend Section 21367 of, and to add Article 5 to Chapter 8 of Division 10 to, the Education Code, relating to the residential schools known as the California Academies for dependent, neglected and homeless children.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "Section 21367 of", and insert "Sections 21362, 21364, 21367, 21368, 21371, 21372, 21381, 21382, 21383, 21384, 21391, 21392, 21393, 21395, and 21396 of, to add Sections 21364.1 and 21385 to".

**Amendment No. 2**

On page 1, line 1, strike out "21367", and insert "21362".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, between lines 2 and 3, insert

"21362. There are hereby established the following schools: One school [for boys] to be located in the northern part of the State, and to be known as the "California Academy at -----" (adding to the name of the school the name of the city nearest its location, the city so honored to be selected by the State Department of Education).

One school [for boys] to be located in the southern part of the State, and to be known as the "California Academy at -----" (adding to the name of the school the name of the city nearest its location, the city so honored to be selected by the State Department of Education).

One school [for girls] to be located in the central part of the State, and to be known as the "California Academy at -----" (adding to the name of the school the name of the city nearest its location, the city so honored to be selected by the State Department of Education).

*The first academy to be activated under this act shall be coeducational in character, that is, for boys and girls. The additional academies may be for boys or girls or coeducational in character at the discretion of the Director of Education.*

SEC. 1.3. Section 21364 of said code is amended to read:

21364. The Director of Education shall determine, subject to the State Civil Service Act, the number and qualifications of all personnel of the schools, appoint the same, and fix their compensation. Teachers and instructors shall be selected from the standpoint of efficiency in the particular line or subject to be covered by them.

The instructors and teachers of vocational education and academic subjects shall possess the same qualifications as are now, or may hereafter be, required by any law of this State for instructors and teachers of vocational and academic subjects in the public schools of the State and they shall be certificated as now or hereafter may be required by the provisions of the Education Code.

In the academic field as to subjects to be taught and the qualifications of teachers and instructors for all grades and departments, the rules and regulations to be adopted by the board shall conform as nearly as practicable to the provisions of the Education Code covering similar subjects so as to provide the said California Academies academic departments and to give to the students thereof educational advantages similar in character to those of the public schools of the State.

[Physicians and surgeons, including not less than one for each school who specializes in psychiatric cases as may be determined shall be engaged by the board at compensation] *comparable to that received by physicians and surgeons in other state institutions.* The religious faith of any child shall be respected and upheld in the administration of the academies, and a child shall not be required to have medical or psychiatric treatment if his parent, guardian, or person standing in loco parentis, in good faith is providing treatment in accordance with the religious tenets of any church, as authorized under Chapter 5 of the Business and Professions Code of California.

Teachers and instructors in the California Academies shall be entitled to all the rights and benefits of the State Teachers' Retirement System.

SEC. 1.5. Section 21364.1 is added to said code, to read:

21364.1. If the Director of Education makes provision for the pupils attending any California academy to attend a district school as provided in Section 21401, the provisions of Section 21364 shall not apply to instructors and teachers in the academic field in connection with the California Academies.

SEC. 2. Section 21367 of said code is amended to read:

#### Amendment No. 4

On page 1, between lines 17 and 18, insert

*"Minors between the ages of ten (10) and twelve (12) may be admitted to such schools through the procedure provided for herein, in the discretion of the Director of Education.*

*The attendance of such academy shall not exceed one hundred and twenty (120) pupils.*

SEC. 3. Section 21368 of said code is amended to read:

21368. Each school shall provide [24-hour] supervision, discipline, and training. [and] The residence for the children [therein] shall be of cottage type and equipped to accommodate from twelve (12) to fourteen (14) children and a cottage mother and shall be as nearly homelike as practicable.

SEC. 4. Section 21371 of said code is amended to read:

21371. Each [school for boys] academy shall include within its curriculum for boys military training and discipline, academic subjects, vocational training, physical culture, and such other subjects of training as may be determined to be proper and suitable. [Training ship or ships and other facilities may be provided to equip older boys for seamanship.]

SEC. 5. Section 21372 of said code is amended to read:

21372. The [school for girls] academy shall include within its curriculum for girls training and discipline, academic subjects, vocational training, home economics, and such other subjects of training as may be determined by the board as proper and suitable.

SEC. 6. Section 21381 of said code is amended to read:

21381. A committee known as the County Selective Committee for the California Academies, composed of the county superintendent of schools, director of county welfare department, and [three citizens appointed by the county board of supervisors] *the chief juvenile probation officer of the county, if such there be, and if not, the probation officer,* shall pass on the eligibility of cases to be submitted for admission [], but in no case shall any person connected with the juvenile court or probation department thereof be appointed on such a committee]. *Preference shall be given to cases of orphaned children. If any member of the committee is unable to attend a meeting thereof he may designate a substitute to act in his stead.*

SEC. 7. Section 21382 of said code is amended to read:

21382. Any parent or guardian [may petition the committee for the admission of a child. Superintendents], *the welfare director of the county, the person in charge*



of a state licensed child placing agency in the county, or the superintendent of city [and] or district schools, or principals of schools, may petition the committee for the admission of children [found in their schools] who, in their opinion, are in need of [24-hour supervision and training] *the facilities of the California Academies.*

When a petition is presented [by the schools of the county or a child shall be referred] to the County Selective Committee [by the juvenile court as hereinafter provided] and the parent [or guardian, if any, has theretofore been appointed], or person having legal custody of the child, refuses consent for placement in the California Academies, the County Selective Committee shall [take up the matter of such child with] *cause a petition to be filed in the probate department of the superior court in and for such county and if no guardian has theretofore been appointed for such child [the committee shall cause a petition to be filed in said court for the appointment of a guardian for such child. If the probate court finds the child in need of such care and training and believes that the treatment and training may be secured in a California Academy], a guardian shall be appointed [for such child], and thereupon the guardian so [to be] appointed, or the guardian theretofore appointed, [shall] may be directed by the probate court [so appointing to apply] to consent to the [Superintendent of the proper California Academy for admission] placement of such child as a student [therein] in the California Academy as recommended by the County Selective Committee.* No fee shall be payable for the filing of a petition for appointment of guardian for the purpose of this act. No bond shall be required upon the issuance of letters of guardianship on such petition.

[When a child shall have been referred to the County Selective Committee by the juvenile court and the committee has found said child to be eligible for placement in the California Academy as a student, the committee may thereupon request the juvenile court to transfer jurisdiction of said child to the probate department of the superior court of such county for the appointment of a guardian of such child.]

SEC. 8. Section 21383 of said code is amended to read:

21383. The superintendent of such California Academy [shall pass on the eligibility of all applications for admittance of students to such school presented by the County Selective Committees and determine their fitness and acceptability as students in such California Academy], *if he finds the child so recommended for admission by the County Selective Committee to be unfit or unacceptable as a student to enter or remain therein, shall refer the matter of such child to the County Selective Committee which recommended the admittance of such student, with his recommendations therefor, and the said committee shall thereupon rescind the recommendation for placement. The cause of rejection shall be kept confidential by the committee and superintendent of such academy.*

Juvenile court judges are hereby empowered to refer from their courts to the County Selective Committee of the county for study as to qualifications for admittance as a student in the California Academies any [person] child brought before them between the ages of [8] *twelve (12)* and [16] *seventeen (17)* years who in their opinion can properly qualify for admission, and upon [final admission of such person to the school the proceedings, if any, against said person in the court shall be dismissed] *determination of the committee that such child is otherwise qualified for admission, the juvenile judge shall enter an order waiving jurisdiction of such child for the purpose of allowing the appointment of a guardian in the probate department of the superior court for such child. Upon appointment of such guardian the proceedings involving such child in the juvenile court shall be dismissed.*

SEC. 9. Section 21384 of said code is amended to read:

21384. The staff of every California Academy shall make adjustment as rapidly as possible in order that the period of time a child is away from ordinary community life may be brief. When, in the opinion of the superintendent of such academy, a child is ready [for release] *to return home,* the County Selective Committee responsible for the child's placement in the school shall be notified. It shall be the duty of the County Selective Committee through the county welfare department, visiting teachers of the public school department, or the county probation department, to make suitable arrangements for the child's return to the community and to see that adequate supervision is provided for at least one year [following release] *thereafter.*

If a child has been previously made a ward of the court the County Selective Committee may at any time study the qualifications of such child for admission as a student in one of the California Academies and if by said committee found eligible the said County Selective Committee shall proceed in the manner hereinbefore provided to have the child admitted as a student in one of such schools and upon final admission of such child to the school, petition the court to set aside the order making such child a ward of the juvenile court and dismiss the proceedings against such child in said court.

Parent, if any, or guardian, or some responsible and proper person approved by the superintendent shall accompany the child to and from a California Academy and pay for transportation expenses; provided, however, that in no case shall a child be accompanied to the school by any probation officer or peace officer or any person directly connected with a penal, correctional, or detention institution either



state, county, or municipal, nor shall any person holding any such position or connected therewith, be appointed guardian of any child subject to this act. When parents or guardians are unable to meet the expense for such transportation the cost of transportation shall be paid from the support funds of the California Academies.

SEC. 10. Section 21385 is added to said code, to read:

21385. If a child who has been admitted to a California Academy absents himself therefrom without leave of the principal, the latter shall notify the juvenile probation officer of the county from which the child was admitted. Upon receipt of such notice said juvenile probation officer, through an order issued by the superior judge of the county from which the child had been admitted, shall cooperate with parent or guardian in instituting a search for the child and return him to the academy. Expenses necessarily incurred by the juvenile probation officer in carrying out the duty imposed on him by this section shall be a proper charge against, and shall be paid by, the parent if financially able or by the guardian if the child has an estate from which the same may be paid, otherwise by the county of the child's residence.

SEC. 11. Section 21391 of said code is amended to read:

21391. The Director of Education shall establish a uniform charge for the maintenance, clothing, care, and tuition of pupils to be paid by a parent or parents or by the guardian where the ward has an estate from which the same may be paid. When, however, the parent or guardian of the child is unable to pay the full amount of the charge, the Director of Education may reduce the charge in whole or in part as the case requires.

When the parent legally responsible for the support of the child fails to pay, or does not pay, the full amount of the charge, or the sum to which said charge has been reduced by the [Board] *Director of Education* if any reduction has been made, the [juvenile court of the county of residence of said child at time of his admission to the school may, upon the application of the superintendent of the school, examine the parent or parents and determine the amount of such charge which such parent or parents may reasonably be required to pay and make an order directing such parent or parents to make such payment, and upon the affidavit of the superintendent that any such payment is due and has not been made, execution in favor of the Director of Education may issue for such payment upon the order and at the discretion of the court] *director shall refer the matter to the Attorney General, who shall take such action as may be necessary to collect the amount due.*

SEC. 12. Section 21392 of said code is amended to read:

21392. There shall be transferred during each fiscal year to the California Academies Fund from the State General Fund by the State Controller one hundred and twenty dollars (\$120) for each unit of average daily attendance in each [school] *academy* during the preceding fiscal year. Units of average daily attendance shall be calculated and reported for each [school] *academy* in exactly the same manner as units of average daily attendance are calculated and reported for elementary school districts under the provisions of the Education Code.

SEC. 13. Section 21393 of said code is amended to read:

21393. Each [school] *academy* is in addition to being a public school, an institution within the meaning of Chapter 1 of Part 2 of Division 2 of the Welfare and Institutions Code, and the Director of Education may make application for and receive aid pursuant to said chapter. Aid for needy children maintained at or by any of the [schools] *academies* shall be paid to the [board] *California Academies Fund* to the same full extent in every respect as is aid payable, under the provisions of said chapter, to any other institution that maintains needy children.

SEC. 14. Section 21395 of said code is amended to read:

21395. For each child admitted to such [schools] *academies* the county of the residence of such child shall pay the State at the rate [of twenty-five dollars (\$25) per month] *and in the manner provided in this section for the time such child so admitted remains in such [school] academy; provided, however, that if the parent or guardian of such child pays the full amount of the charge so fixed by the Director of Education the county shall be relieved of the payment for such child. Payments by the counties shall be made in the same manner and [to] in the same [extent as payments are required from counties provided in Article 10 of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code or as same may be hereafter amended] amounts as payments made by the county pursuant to county ordinance or regulation or any amendment thereto which relates to the payment by the county for boarding children in boarding homes, camps or foster homes and which is in effect when the payments required by this section are made by the county.*

SEC. 15. Section 21396 of said code is amended to read:

21396. All amounts provided for by this article shall be collected and deposited in the State Treasury in the California Academies Fund, hereby created. The Controller shall maintain a separate account in such fund covering the sources from which any moneys are received. None of the moneys in said fund shall be available for expenditure in carrying out the provisions of this chapter except such amounts thereof as are hereafter appropriated by the Legislature for specified purposes.

[The Director of Education shall submit a budget to the 1948 session of the Legislature including funds for construction, equipment and operation of the California Academies.] Broad powers shall be granted the Director of Education in the securing of special sites, buildings, either by purchase or lease or through gifts to establish the California Academies. The [schools] *academies* shall be built up by careful selection of staff through adoption of sound administrative and educational policies, calling for a gradual development rather than speedy growth."

**Amendment No. 5**

On page 1, line 18, strike out "2", and insert "16".

**Amendment No. 6**

On page 1 strike out lines 23 to 26, inclusive.

**Amendment No. 7**

On page 2, line 1, strike out "21402", and insert "21401".

**Amendment No. 8**

On page 2, lines 1 and 2, strike out ", with the approval of the State Board of Education,".

**Amendment No. 9**

On page 2, line 13, after "pupils", insert ", which compensation shall be a charge against and paid out of the California Academies Fund".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1246**

Senator Parkman moved that Senate Bill No. 1246 be withdrawn from Committee on Public Health and Safety for the purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1246**—An act to add Chapter 4 to Division 3 of the Health and Safety Code, relating to psittacine birds and public health.  
Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title to the printed bill strike out "psittacine birds and public health", and insert "pet birds and public health, and making an appropriation".

**Amendment No. 2**

On page 1, lines 1 and 2, strike out "of Division 3, comprising Section 2100, is added to", and insert "is added to Division 3 of".

**Amendment No. 3**

On page 1, line 4, strike out "Psittacine", and insert "Pet".

**Amendment No. 4**

On page 1, strike out lines 6 to 8, inclusive, and insert "2100. "Psittacine birds," as used in this chapter, includes all birds commonly known as parrots, cockatiels, Amazons, Mexican double heads, African Grays, cockatoos, macaws, parakeets, shell parakeets or budgerigars, love birds, lories, and all other hooked bill birds of the psittacine family.

2101. No person, association, organization, partnership, or corporation shall raise and sell, offer for sale, trade, or barter any shell parakeet or budgerigar unless such bird is banded with traceable, seamless, closed bands of standard size not to exceed inside diameter of .0148 of an inch.

2102. No band manufacturer, bird club, association, corporation, society, or person shall issue any bands prescribed under Section 2101 without a permit from the department. A permit shall be granted by the department upon compliance with such reasonable and necessary regulations as prescribed by the board.

2103. No manufacturer of bands prescribed under Section 2101 shall sell or market such bands in the State without giving such bond as required by the regulations of the department and without obtaining a permit from the department.

2104. Every band issuing agency shall maintain such records and make such reports as required by reasonable and necessary regulations of the department. The board may by regulation prescribe the keeping of such sales records as it deems necessary to effectuate the purposes of this chapter.

2105. Whenever the director finds that psittacosis, or any other diseases transmissible to man from pet birds, have become a public health hazard to the extent that control measures are necessary or desirable, the board shall adopt such additional regulations as it deems necessary for the public health, which regulations shall apply to all pet birds whether or not of a species otherwise regulated under this chapter. Such regulations shall be adopted pursuant to Section 2106 and in accordance with Chapter 4 of Part 1, Division 3, Title 2 of the Government Code.

2106. No pet birds of a species regulated under this chapter shall be shipped or brought into this State for sale or for commercial purposes without obtaining a permit from the department. The department shall issue such permits only to applicants whose birds meet the requirements imposed on the same species of birds in this State.

2107. The director, with the advice of the board, shall appoint an advisory committee consisting of nine members representing the pet bird industry from recognized pet bird organizations, which committee shall advise and consult with the department in carrying out the administration of this chapter.

2108. Each person, firm, association, or corporation selling or marketing bands prescribed in Section 2101 shall pay a fee to the department on each such band sold. The board shall provide by regulation the amount of the fee to be paid, the total amount of such fees to yield a sum not exceeding the estimated cost of the administration of this chapter. All fees due and payable under this chapter shall be paid quarterly, the first quarter to begin on or before the fifteenth day of January of each year.

2109. The authorized representatives of the department and all local health officers, during reasonable hours, for the purpose of enforcing or administering this chapter or any order, regulation or rule prescribed pursuant thereto, may enter every aviary, building, premises or other place where pet birds are sold, offered for sale, trade or barter.

2110. Every local health officer shall enforce all orders, rules and regulations concerning pet birds prescribed or directed by the department.

2111. The finding of shell parakeets or budgerigars without leg bands, as prescribed by this chapter, shall be prima facie evidence of a violation of this chapter.

2112. The violation of any of the provisions of this chapter shall constitute a misdemeanor.

2113. In the event that any band manufacturer, or other holder of a permit to issue bands, violates any of the provisions of this chapter, the permit may be subject to suspension or cancellation by the department in addition to the punishment as provided under Section 2112.

2114. The provisions of this chapter do not prohibit the enactment or enforcement by any city, county or city and county of any local ordinance stricter than the provisions of this chapter, which local ordinance regulates or controls the raising or selling, offering for sale, trade or barter of pet birds.

2115. The provisions of this chapter shall apply only to those pet birds hatched after September 6, 1955.

Sec. 2. The sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, is hereby appropriated from the General Fund to the State Department of Public Health in order to carry out the provisions of that act, which sum shall be repaid from the fee revenues collected under this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1520

Senator Cobey moved that Senate Bill No. 1520 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1520**—An act to amend Section 1299.18 of, and to add Section 1299.19 to, the Agricultural Code, relating to the ginning of cotton.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill strike out “, and to add Section 1299.19 to,”.

**Amendment No. 2**

On page 1, line 20, strike out “or corporation”.

**Amendment No. 3**

On page 1, line 22, strike out “or corporation”.

**Amendment No. 4**

On page 2 strike out lines 13 to 32, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1744

Senator Desmond moved that Senate Bill No. 1744 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1744**—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill strike out lines 11 to 24, inclusive, and insert

“Actions shall be commenced and maintained in small claims court as follows:

(1) When a defendant has contracted to perform an obligation in a particular judicial district or city or city and county, and action founded on such obligation may be commenced and maintained either in the judicial district or city or city and county where such obligation is to be performed, or in which the defendant, or any such defendant, resides at the commencement of the action.

(2) When the action be for injury to person, or to personal property, either the judicial district where the injury occurs, or where the defendants or any of them, reside at the commencement of the action, shall be the proper judicial district for the trial of the action.

(3) In all other cases, actions shall be commenced and maintained in the judicial district or city or city and county in which the defendant, or any such defendant, resides at the commencement of the action.”

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.



**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1539**

Senator Donnelly moved that Senate Bill No. 1539 be withdrawn from Committee on Social Welfare and re-referred to Committee on Governmental Efficiency.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1703**

Senator Desmond moved that Senate Bill No. 1703 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1703**—An act to amend Section 3166.1 of the Civil Code, relating to bank holidays.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "Section 3166.1 of the Civil Code, relating to", and insert "Sections 9 and 3166 and to repeal Sections 9.1 and 3166.1 of the Civil Code,".

**Amendment No. 2**

In line 2 of the title strike out "bank holidays.", and insert "relating to the time for payment or presentment of negotiable instruments."

**Amendment No. 3**

On page 1 strike out lines 1 to 27, inclusive.

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 4**

On page 2 strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 9 of the Civil Code is amended to read as follows:

9. [All other days than those mentioned in Section 7 are to be deemed business days for all purposes; provided, however, that no bank organized under the laws of, or doing business in, this State as a commercial bank, savings bank, or trust company, shall be under obligation to permit the withdrawal on Saturday of funds on deposit, or to keep its banking house or any branch or office thereof open for the transaction of business on Saturday, or to permit access to its safe deposit vaults on Saturday; and if any such bank or branch or office thereof elects to close on Saturday, then any act appointed by law or contract, or in any other way, to be performed on Saturday by any such bank or branch or office thereof, whether acting in its own behalf or in any capacity whatsoever, may be performed upon the next succeeding business day. Any act to be performed on Saturday at a bank or branch or office thereof may be performed on the next succeeding business day if the bank or branch or office thereof at which such act is to be performed is closed on Saturday.] *All other days than those mentioned in Section 7 are to be deemed business days for all purposes; provided, that as to any act appointed by law or contract, or in any other way, to be performed by, at, or through any bank organized under the laws of or doing business in this State, Saturday is a holiday and not a business day; and provided, that any act appointed by law or contract, or in any other way, to be performed on any day which is an optional bank holiday as defined in Section 3166 of this code, by, at, or through any bank or branch or office thereof, whether acting in its own behalf or in any other capacity whatsoever, may be performed on such optional bank holiday if the bank or branch or office thereof by, at, or through which such act is to be performed is open for the transaction of business on such optional bank holiday, or, at the option of the person obligated to perform the act, it may be performed on the next succeeding business day which is not a Saturday.*

SEC. 2. Section 3166 of the Civil Code is amended to read as follows:

3166. [Every negotiable instrument is payable at the time fixed therein without grace. When the day of maturity falls upon Sunday, Saturday or a holiday, the instrument is payable on the next succeeding business day which is not a Saturday; provided, however, that where the day of maturity of the instrument falls on Saturday or the instrument would except for the foregoing provision be payable on Saturday and it is payable by or at a banking house or any branch or office thereof and the particular banking house or branch or office thereof by or at which the instrument is payable is open for the transaction of business on Saturday, the holder of the instrument may at his option present the same for payment at said banking house or branch or office thereof by or at which the same is payable before 12 o'clock noon on Saturday. An instrument payable on demand is not to be presented for payment on Sunday, Saturday or a holiday but is to be presented for payment on the next succeeding business day which is not a Saturday, except that where such instrument is payable by or at a banking house or any branch or office thereof and the particular banking house or branch or office thereof by or at which such instrument is payable is open for the transaction of business on Saturday, the holder of such instrument may at his option present the same for payment at said banking house or branch or office thereof by or at which the same is payable before 12 o'clock noon on Saturday.] *Every negotiable instrument is payable at the time fixed therein without grace. When the day of maturity falls upon Sunday, Saturday or a holiday, the instrument is payable on the next succeeding business day which is not a Saturday; provided, however, that where the day of maturity of the instrument falls on an optional bank holiday or the instrument would except for the foregoing provision be payable on an optional bank holiday and it is payable by or at a banking house or any branch or office thereof and the particular banking house or branch or office thereof by or at which the instrument is payable is open for the transaction of business on such optional bank holiday, the holder of the instrument may at his option present the same for payment at said banking house or branch or office thereof by or at which the same is payable on such optional bank holiday or on the next succeeding business day which is not a Saturday. An instrument payable on demand is not to be presented for payment on Sunday, Saturday, or a holiday but is to be presented for payment on the next succeeding business day which is not a Saturday, except that where such instrument is payable by or at a banking house or any branch or office thereof and the particular banking house or branch or office thereof by or at which such instrument is payable is open for the transaction of business on an optional bank holiday, the holder of such instrument may at his option present the same for payment at said banking house or branch or office thereof by or at which the same is payable on such optional bank holiday or on the next succeeding business day which is not a Saturday. For the purpose of this section an optional bank holiday is every holiday referred to in Sections 6700 and 6701 of the Government Code of this State, except for the following: January 1st, May 30th, July 4th, September 9th, and December 25th, any Monday following any Sunday or which any such day falls, the first Monday in September, Good Friday from 12 noon until 3 p.m., the Thursday in November appointed as Thanksgiving Day, and every Sunday.*

SEC. 3. Sections 9.1 and 3166.1 of said code are hereby repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 37

Senator Cunningham moved that Senate Bill No. 37 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 37**—An act to amend Section 74264 of the Government Code, relating to employees of the municipal court established in a district embracing the City of San Bernardino.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 through 23, and insert

	B	C	D	E	F
Chief clerk .....	\$438	\$460	\$483	\$507	\$532
Assistant clerk .....	311	327	343	360	378
Court clerk .....	282	296	311	327	344
Supervising clerk .....	282	296	311	327	344
Court clerk assistant .....	256	269	282	296	311
Clerk III .....	232	244	256	269	282
Clerk II .....	210	221	232	244	256
Marshal .....	475	475	475	475	475
Chief deputy marshal .....	311	327	343	360	378
Deputy marshal .....	282	296	311	327	344
Deputy bailiff .....	269	282	296	311	327
Deputy marshal clerk .....	221	232	244	256	269

Amendment read, and adopted.

Bill ordered printed, and to third reading. Re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 722**

Senator John F. McCarthy moved that Senate Bill No. 722 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 722**—An act making an appropriation for the completion of the lower level of the Richmond-San Rafael Bridge.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

Strike out the title of the printed bill, and insert "An act providing funds for the completion of the lower level of the Richmond-San Rafael Bridge, and approaches to said bridge."

**Amendment No. 2**

On page 1 strike out lines 1 to 27, inclusive; and on page 2, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. The Director of Finance and the California Toll Bridge Authority are hereby authorized to enter into an agreement whereby the Director of Finance may invest, for the purposes set forth in this section, not to exceed the sum of six million dollars (\$6,000,000) from the State School Land Fund, or from any other special fund or funds in the State Treasury from which the Director of Finance is authorized to make investments. The agreement herein authorized shall provide for the dates of making funds available to the California Toll Bridge Authority and the Department of Public Works, and the payment of interest, including the rate or rates. Such funds shall be available in accordance with the California Toll Bridge Authority Act for the acquisition of any necessary property for and construction of the lower level of the Richmond-San Rafael Bridge, including surfacing and completion thereof, and for improvement to approaches and the construction of such additional approaches as the California Toll Bridge Authority may determine necessary, and for additional toll collection facilities. Such work shall be performed by the Department of Public Works in the manner provided by the California Toll Bridge Authority Act. The amounts invested by the Director of Finance pursuant to this act, and the interest thereon, if not otherwise paid pursuant to said agreement, shall be repaid out of the first bonds hereafter issued which are secured by the revenues of the Richmond-San Rafael Bridge, and if such bonds are not hereafter issued at or prior to the time that all of the existing bonds secured by the



revenues of said bridge are paid or redeemed, such funds shall be repaid from the tolls and revenues of the Richmond-San Rafael Bridge, and the California Toll Bridge Authority shall continue to fix and collect tolls on said bridge for the purpose of making such repayments."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### CONSIDERATION OF DAILY FILE MOTIONS TO RECONSIDER

**Senate Bill No. 885**—An act to amend Sections 1525, 1526, 1529, 1532, 1541, and 1542 of, and to add Sections 1529.1, 1532.1, 1532.2, 1542.1, and Article 2.1 to Chapter 8 of Part 2 of Division 2 of the Water Code, and to amend Section 6103.1 of the Government Code, relating to appropriation of water.

#### Postponement of a Motion to Reconsider

Senator Desmond moved that his motion to reconsider the vote whereby Senate Bill No. 885 was passed be continued until Tuesday, March 15, 1955.

The roll was called and the motion to reconsider Senate Bill No. 885 was continued by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—34.

**NOES**—None.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 468**—An act to amend Section 1153 of, to add Section 12420.1 to and to repeal Section 20122 of, the Government Code, relating to payroll deductions for purchases of United States savings bonds by state officers and employees, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 481**—An act to amend Section 14370 of the Government Code, relating to state public works projects.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 495**—An act to amend Section 9765 of the Government Code, relating to the preparation and printing of statutes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 497**—An act to amend Section 11901 of the Government Code, relating to the printing of biennial reports.

Bill read second time.

#### Motion to Amend

Senator Brown moved the adoption of the following amendment:

#### Amendment No. 1

In line 1 of the title of the printed bill strike out "11901", and insert "11091".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 679**—An act to amend Section 16302.1 of the Government Code, relating to the disposition of amounts less than two dollars (\$2) paid to state agencies determined to constitute overpayments of taxes, penalties, interest, license fees, or other revenues due the State of California.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 688**—An act to amend Section 13110 of the Government Code, relating to transfer of real property from one state agency to another state agency.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 716**—An act to amend and renumber Section 11007.5 of the Government Code, as amended by Chapter 1307 of the Statutes of 1953, relating to state agencies insuring their officers and employees against flight injuries.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 721**—An act to amend Section 13294 of the Government Code, relating to the duties and powers of the Department of Finance.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 745**—An act to amend Sections 11290, 11292, 11293, and 13164 of the Government Code, relating to space and services furnished to state agencies, and making an appropriation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 747**—An act to amend Sections 13551 and 13661 of the Government Code, relating to the distribution of state publications, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 753**—An act to add Section 13450.1 to the Government Code, relating to investment of state funds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 757**—An act to amend Section 11334 of the Government Code, relating to moneys collected for the sale of products by state institutions.

**Motion to Pass on File**

Senator Hulse moved that Senate Bill No. 757 be passed on file, and continued on the second reading file until the next legislative day.

Motion carried.

**Senate Bill No. 763**—An act to add Section 16304.5 to the Government Code, relating to availability of funds appropriated for construction projects.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 760**—An act to amend Sections 13551, 13602, and 13603 and to repeal Sections 13553 and 13578 of the Government Code, relating to state printing.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 761**—An act to repeal Section 13074 of the Government Code, relating to recovery of taxes and excess freight payments.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 767**—An act to amend Section 20751 of the Government Code, relating to appropriations to the Retirement Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 817**—An act authorizing the Director of Finance to dispose of a state-owned license and easement.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 985**—An act appropriating to the Department of Finance supplies and equipment in the Service Revolving Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1395**—An act to amend Section 11007.7 of the Government Code, relating to procuring of insurance by state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1798**—An act to amend Section 31692 of the Government Code, relating to members of county employees retirement systems in respect to employment of persons who have attained the age of a compulsory retirement.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 681**—An act to amend Section 13006 of the Government Code, relating to the Department of Finance.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 1 of the title of the printed bill strike out "Section", and insert "Sections".

##### Amendment No. 2

In line 1 of the title of the bill, after "13006", insert ", 13800, 15253, 15254 and 15278".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### Amendment No. 3

On page 1, following line 6, insert

"SEC. 2. Section 13800 of the Government Code is amended to read:

13800. There is in the Department of Finance a [Division of] Communications Division.

SEC. 3. Section 15253 of said code is amended to read:

15253. This part shall apply only to those communications facilities which are owned and operated by public agencies in connection with official business of law enforcement services, fire services, natural resources services, agricultural services,

and highway maintenance and control of the State or of cities, counties, and other political subdivisions in this State. This part shall not be construed as conferring upon the [Division of] Communications *Division* or the Communications Advisory Board control of programs or broadcasts intended for the general public.

SEC. 4. Section 15254 of said code is amended to read:

15254. Radio and other communications facilities owned or operated by the State and subject to the jurisdiction of the [Division of] Communications *Division* or the board shall not be used for political, sectarian, or propaganda purposes. Such facilities shall not be used for the purpose of broadcasts intended for the general public, except for fire, flood, frost, storm, catastrophe, and such other warnings and information for the protection of the public safety as the board may prescribe.

SEC. 5. Section 15278 of said code is amended to read:

15278. The technical assistance required by the board and its staff shall be provided by the [Division of] Communications *Division*."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 754**—An act to amend Section 6218 of the Public Resources Code, relating to fees of the State Lands Commission.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1 of the printed bill, line 16, after "paid", insert ", except that money received from successful applicants or bidders shall be credited by the State Controller to and in augmentation of the current appropriation for support of the commission".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1955**—An act to amend Section 9102 of the Government Code, relating to legislative offices, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1 of the printed bill, line 7, after "Senate", insert "as provided for in subdivision (a) (4) of Section 4, Article XXIV of the California Constitution".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 712**—An act to amend Section 15854 of the Government Code, relating to the acquisition of property by the State Public Works Board.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 816**—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

#### Motion to Pass on File

Senator Richards moved that Senate Bill No. 816 be passed on file and continued on the second reading file until the next legislative day.

Motion carried.

**Senate Bill No. 291**—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "primary", and insert "exclusive".

**Amendment No. 2**

On page 1, line 10, after "public", insert "or private".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 473**—An act to amend Sections 5152, 5202, 5202.1, and 7121 of, and to add Section 7120 to, the Education Code, relating to school apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 3, line 16, of the printed bill, strike out "7121", and insert "7120".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1068**—An act to amend Section 370 of the Education Code, relating to employees of county superintendents of schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "pointed", insert "expires".

**Amendment No. 2**

On page 1, line 8, strike out "seven", and insert "six".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 365**—An act to amend Sections 7109.1, 7112, 7113, 7114, 7119, 7121.2, and 7123 of, and to repeal Section 7119.1 of the Education Code, relating to State School Fund apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 3 of the title of the printed bill, after "Code", insert "and Section 16.6 of Chapter 1510 of the Statutes of 1953".

**Amendment No. 2**

On page 4, following line 21, insert

"SEC. 9. Section 16.6 of Chapter 1510 of the Statutes of 1953 is repealed."

**Amendment No. 3**

On page 4, line 22, strike out "9", and insert "10".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 370**—An act to amend the title of Article 4 of Chapter 8 of Division 3 of, to amend Sections 5961 and 5968 of, to repeal Sections 5962, 5963, 5964, 5965, 5966, and 5967 of, and to add Sections 5962 and 5963 to the Education Code, relating to school funds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Sections", insert "5003, 5007,".

**Amendment No. 2**

In line 2 of the title strike out "and 5968" and insert ", 5968, and 6301".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, after line 5, insert

"SEC. 2. Section 5003 of said code is amended to read:

5003. All moneys received by any school district or paid into the county or city and county treasury to the credit of the district from state apportionments, county, district or municipal taxes, other than moneys required to be placed in a special [accumulative building] *reserve* fund, a building fund or bond interest and sinking fund, and moneys authorized to be paid into a cafeteria fund or account, shall be deposited in the general fund of the district, which fund is continued in existence in each county and city and county treasury.

Nothing in this section shall be construed as discontinuing, nor as affecting the disposition of moneys in emergency cash funds, in revolving funds for warehouse stock, in cafeteria funds or accounts, in special [accumulative building] *reserve* funds, in building funds, or in bond interest and sinking funds created or established under this code.

SEC. 3. Section 5007 of said code is amended to read:

5007. The governing board of any school district which now has, or hereafter shall have, funds in a special [accumulative building] *reserve* fund of the district or any surplus moneys not required for the immediate necessities of the district, is hereby authorized to invest all or any part of such funds in bonds, notes, bills or certificates issued by the United States of America. Any bonds, notes, bills or certificates so purchased may be sold and the proceeds reinvested in similar bonds, notes, bills or certificates of the United States of America or placed in the county treasury for credit to the fund of the district from which purchased. This section shall not be construed as in any way limiting or modifying the application of any other law providing for or authorizing the investment of any funds of a school district."

**Amendment No. 4**

On page 1, line 6, strike out "2", and insert "4".

**Amendment No. 5**

On page 1, line 13, strike out "3", and insert "5".

**Amendment No. 6**

On page 1, line 15, strike out "4", and insert "6".

**Amendment No. 7**

On page 2, line 1, strike out "5", and insert "7".

**Amendment No. 8**

On page 2, line 6, strike out "6", and insert "8".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 9**

On page 2, after line 15, insert

"SEC. 9. Section 6301 of said code is amended to read:

6301. (a) On or before the first day of July in each year, the governing board of each school district shall file with the county superintendent of schools a tentative budget showing all the purposes for which the school district will need money and the estimated amount of money that will be needed for each purpose for the ensuing fiscal year. These purposes shall be classified to set forth the data by functions and objects of expenditure within the major classifications of administration, instruction, operation of plant, maintenance of plant, auxiliary services, community services, capital outlay, and such additional major classifications as may be prescribed by the Superintendent of Public Instruction and expenditures proposed to be made from bonds or other income not yet authorized. Within the major classifications of administration, instruction, operation of plant, maintenance of plant, auxiliary agencies, and community services there shall be set forth as separate entries the amount of proposed expenditures for salaries and wages and maintenance and operation and such additional intermediate classification as may be prescribed by the Superintendent of Public Instruction. Proposed capital outlay appropriations shall be set forth by land, building, and equipment classifications. Wherever a district has a special [accumulative building] reserve fund, as provided in Article 4 of Chapter 8 of this division, the amount in such fund at the end of the last preceding fiscal year, and the amount to be added during the ensuing fiscal year, shall be shown.

(b) The tentative budget shall also contain an amount to be known as the general reserve in such sum as the governing board may deem sufficient, for the next succeeding fiscal year, to meet the cash requirements to which the district's credit may be legally extended for that portion of said next succeeding fiscal year until adequate proceeds of the taxes levied for, or apportionment of state funds made to, the district during such succeeding fiscal year are available to the district.

(c) The tentative budget may also contain an amount to be known as the undistributed reserve. The funds in the undistributed reserve shall be available for appropriation by a two-thirds vote of the members of the governing board, to cover expenditures that have not been provided for or that may have been insufficiently provided for, or for unforeseen requirements as they may arise."

**Amendment No. 10**

On page 2, line 16, strike out "7", and insert "10".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 415**—An act to provide for a study of an educational program for gifted pupils in the public schools of California, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1 of the printed bill, following line 21, insert

"Sec. 3. The State Superintendent of Public Instruction is hereby authorized to appoint an advisory committee of six members to assist in the formulation of a design for the project and in the evaluation of the outcomes. One member of the advisory committee shall be a research specialist appointed on the recommendation of the Legislative Auditor. From the funds appropriated under Section 2 of this act, the Department of Education is authorized to pay travel and subsistence expenses incurred by members of the advisory committee in attending meetings of the committee called by the State Superintendent of Public Instruction, provided that not more than one thousand dollars (\$1,000) may be used for this purpose during the 1955-56 Fiscal Year, not more than five hundred dollars (\$500) during the 1956-57 Fiscal Year, and not more than five hundred dollars (\$500) during the 1957-58 Fiscal Year."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 424**—An act to repeal Sections 1813, 1819, 1820, 3129, 3130, 3131, 3132, 4124, 4125, 4126, and 4127 of, to amend Sections 1671, 1801, 1804, 1805, 1806, 1808, 1809, 1818, 1822, 1825, 1826, 1828, 1829, 6358, 7402, 7404, and 7407 of, to amend and renumber Sections 3133 and 4128 of, and to add Sections 1819 and 1820 to, the Education Code, relating to school district elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 11, after "districts", insert "where a city charter provision may provide to the contrary".

**Amendment No. 2**

On page 1, line 18, strike out "post", and insert "cause to be posted".

**Amendment No. 3**

On page 2, lines 31 and 32, strike out "who shall conduct the election.", and insert "If those appointed are not present at the time for the opening of the polls, the electors present shall appoint the necessary officials who shall conduct the election."

**Amendment No. 4**

On page 3, line 48, strike out "they shall arrange", and insert "he shall cause to have arrangements made".

**Amendment No. 5**

On page 4, line 14, after "list", insert "precinct of \_\_\_\_\_".

**Amendment No. 6**

On page 4, line 18, strike out "and", and insert "for the governing board of each of the school districts, respectively, participating in the election in that precinct. The name of the district shall be clearly indicated above each list of candidates for the governing board of that district. It".

**Amendment No. 7**

On page 4, line 24, after "in", insert "precinct of \_\_\_\_\_".

**Amendment No. 8**

On page 6, lines 11 and 12, strike out "at the request of the governing board of the district".

**Amendment No. 9**

On page 6, lines 21 and 22, strike out "if the governing board wishes a card to be mailed to the registered voters, then at", and insert "At".

**Amendment No. 10**

On page 7, line 11, after "by", insert "a majority of the governing board of the district not less than 60 days before the election".

**Amendment No. 11**

On page 7, line 20, strike out "at the request of the governing board of the district,".

**Amendment No. 12**

On page 7, lines 31 and 32, strike out "If the governing board wishes a card to be mailed to the registered voters then at", and insert "At".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 685**—An act to amend Section 5033 of the Education Code, relating to distressed school districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 7, of the printed bill as adopted in the Senate January 14, 1955, strike out "1956", insert "1953"

**Amendment No. 2**

On page 1, line 10, strike out "1957", insert "1954"

**Amendment No. 3**

On page 1, after line 18, insert

"Section 5033.1 is hereby added to the Education Code to read:  
5033.1. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated from any money in the State Treasury not otherwise appropriated for apportionments to school districts pursuant to this chapter which the board deems necessary or advisable in order to complete, or to reimburse a district for expenditures made in connection with, a project at a given site for which an apportionment has previously been made under this chapter. Funds appropriated by this section for which application is not made on or before December 31, 1957, shall revert to the General Fund of the State Treasury. In regard to such applications filed on or before the latter date, apportionments may be made at any time until December 31, 1958."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 284**—An act to add Section 13203.5 to the Education Code, relating to automobile allowances to school district employees

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 363**—An act to amend Sections 7041 and 9645 of the Education Code, relating to apportionments for emergency schools maintained by the county superintendent of schools, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 369**—An act to amend Section 6907 of, and to add Section 7000.5 to the Education Code, relating to school apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 413**—An act to repeal Section 351 of the Education Code, relating to school superintendents.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 447**—An act to amend Sections 4964 and 4902.7 of, and to repeal Section 4964.2 of the Education Code, relating to school districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1199**—An act to amend Sections 20343 and 20343.1 of, and to repeal Section 20345 of, the Education Code, relating to student fees at state colleges.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 743**—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1 of the printed bill following line 9, insert "Proceeds from the sale of this property shall be paid into the Motor Vehicle Fund."

##### Amendment No. 2

On page 1, following line 12, insert "Proceeds from the sale of this property shall be paid into the Motor Vehicle Fund."

##### Amendment No. 3

On page 2, line 21, strike out "2.4 acres", and insert ".4 acre".

##### Amendment No. 4

On page 2, delete lines 24 through 30, inclusive, as follows:

"Parcel 10. Basin Creek Hatchery, Department of Fish and Game, being the southwest quarter of the southeast quarter of Section 26, Township 2 North, Range 16 East, M. C. B. & M., containing approximately 40 acres, in the County of Tuolumne, State of California.

Proceeds from the sale of this property shall be paid into the Fish and Game Preservation Fund."

##### Amendment No. 5

On page 2, line 34, strike out "Burial lots Nos. 1 and 11, Block 1, in Mt. Olive", and insert "The east one-half of Lot 10 and all of Lot 11, Block I, in Whittier".

##### Amendment No. 6

On page 3 following line 5, insert

"Parcel 17. That certain parcel of property known as the Reynolds Ranch, said property now being a part of the facilities of the Sonoma State Hospital.

Parcel 18. Approximately two acres of land in the northwest quarter of the northwest quarter of Section 17, Township 3 South, Range 11 West, S. B. B. & M., in the County of Los Angeles, State of California, being a portion of the property known as the Metropolitan State Hospital.

Parcel 19. Lots 20, 29 and 30 in Section 14, Township 2 South, Range 8 West, City of Chino, County of San Bernardino, State of California.

With respect to the real property contained in this parcel, in lieu of disposing of the property, the Director of Finance is authorized to enter into leases or lease purchase agreements with nonprofit corporations not to exceed 20 years for the use of the property as a community recreation center, junior fair, park, or for other general community uses.

Parcel 20. San Gabriel Fish Hatchery Site, containing approximately 2.8 acres being a portion of Lot 110, Tract 621, County of Los Angeles, State of California.

Proceeds from the sale of this property shall be paid into the Wildlife Restoration Fund."

#### Amendment No. 7

On page 3 following line 15, insert

"SEC. 3. The Director of Finance is hereby authorized to transfer control and possession of the hereinafter described real property to the Department of Fish and Game for use of the Yountville Game Farm, upon such terms and conditions and with such reservations and exceptions as in his opinion may be for the best interest of the State. Said real property, being a part of the Napa State Farm, is in the County of Napa, State of California, and is particularly described as follows:

Starting at the southeast corner of the property known as Tract No. 1, which point is distant 3699.2 feet, S 18° 14' E of the N. W. corner of Sec. 19, T 7 N, R 4 W, MDB&M; thence, N 16° 40' W, a distance of 620.00 feet along the westerly line of Silverado Trail to the true point of beginning; thence, S 62° 04' W, a distance of 1162.00 feet; thence, S 57° 04' W, a distance of 750.00 feet, thence, N 27° 56' W, a distance of 165.27 feet, thence N 62° 04' E, a distance of 1929.06 feet to the westerly line of Silverado Trail; thence, S 16° 40' E, a distance of 101.97 feet along said westerly line to the point of beginning; and containing 5.06 acres more or less."

#### Amendment No. 8

On page 3, line 16, strike out "SEC. 3" and insert "SEC. 4".

#### Amendment No. 9

On page 3, line 19, strike out "SEC. 4", and insert "SEC. 5".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 318**—An act to amend Section 828.83 of the Agricultural Code, relating to citrus fruit, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 468, 745, and 760 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 468, 745, and 760 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

Assistant Secretary Lachlan Richards at the Desk

### THIRD READING OF SENATE BILLS

**Senate Bill No. 389**—An act to amend Section 73 of the Streets and Highways Code, relating to the relinquishment of state highways or portions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Echart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 587**—An act to amend Section 30603 of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 588**—An act to amend Section 207 of the Streets and Highways Code, relating to the investment of state funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 811**—An act to amend Section 101.1 of the Streets and Highways Code, relating to signs at cities and towns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 936**—An act to add Section 526.1 to the Streets and Highways Code, relating to one-way traffic in subterranean tubes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 52**—An act to add Section 600.5 to the Vehicle Code, relating to the disposal of garbage, refuse, and other litter upon public and private highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1019**—An act to add Section 680.5 to the Streets and Highways Code, relating to contracts for the costs of removal, relocation and repair of facilities on state highways which are not freeways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1643**—An act to amend Section 143.1 of the Streets and Highways Code, relating to the expenditure of funds available for state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, Way, J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 488**—An act to add Section 11014 to the Government Code, relating to the administration of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Teale, Thompson, and Way—27.

NOES—Senators Desmond, Donnelly, Hulse, and J. Howard Williams—4.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 489**—An act to amend Sections 166.1, 166.2, 1016, and 1017 of the Welfare and Institutions Code, and Sections 5062 and 5063 of the Penal Code, relating to the property of escaped, discharged, or paroled inmates of state institutions.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—Senator Hulse—1.

Bill ordered transmitted to the Assembly.

**Senate Resolution No. 72**

Relative to augmenting funds of the Special Senate Investigating Committee on Governmental Administration

*Resolved by the Senate of the State of California*, That, in addition to any money heretofore made available, the sum of seven thousand five hundred dollars (\$7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Special Senate Investigating Committee on Governmental Administration (created by Senate Resolution No. 157, as amended, 1953 Regular Session and continued by Senate Resolution No. 40, 1955 Regular Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Busch, Byrne, Cobey, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Ward, Way, and J. Howard Williams—25.

NOES—None.

**Senate Concurrent Resolution No. 35**—Relative to commending the University of Southern California on the occasion of the celebration of its Diamond Jubilee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Thompson, Ward, and Way—23.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 16**—Relative to memorializing Congress, the Department of Defense, the Department of the Interior, and the Department of the Navy, not to withdraw land in Saline Valley in Inyo County from the public domain for use as an aerial gunnery range.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Desmond, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Concurrent Resolution No. 47**—Relative to amending Rule 37 of the Joint Rules of the Senate and Assembly regarding the Legislative Budget Committee.

Resolution read, and presented by Senator Ward.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold E. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 53**—Relative to congratulating Walter Kane, manager and publisher of the *Bakersfield Californian*.

Resolution read, and presented by Senator Dorsey.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Thompson, Way, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Joint Resolution No. 24**—Relative to the Panama Canal.

Resolution read, and presented by Senator Robert I. McCarthy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

## MOTION TO PRINT MESSAGE FROM THE STATE OF NEVADA

Senator Burns moved that the following message from the Secretary of the State of Nevada, transmitting Assembly Joint Resolution No. 22, and also Assembly Joint Resolution No. 22 be printed in the Journal, and the subject matter be referred to the Committee on Interstate Cooperation.

Motion carried.

## STATE OF NEVADA, DEPARTMENT OF STATE

I, JOHN KOONTZ, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the annexed is a true, full and correct copy of the original Assembly Joint Resolution No. 22 now on file and of record in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office, in Carson City, Nevada, this ninth day of March, 1955.

JOHN KOONTZ  
Secretary of State

(SEAL)

**Assembly Joint Resolution No. 22**

Memorializing the Legislature of the State of California to take immediate action to forestall a collapse of existing reciprocity arrangements on the registration of commercial motor vehicles with the State of Nevada, and to create machinery for adjusting the problem

WHEREAS, The legislature of the State of Nevada has been advised that the State of California will soon require the registration of all Nevada domiciled commercial motor vehicles entering the State of California; and

WHEREAS, Reciprocity on commercial motor vehicle registration has existed for many years between the two states; and

WHEREAS, The economy of the two states is so integrated that a breakdown of this friendly arrangement would cause great hardship to business and industry in both states; and

WHEREAS, The bulk of the commercial motor vehicles engaged in interstate commerce between Nevada and California are domiciled in California; and

WHEREAS, A similar requirement in Nevada would result in great hardship on the California carrier industry; and

WHEREAS, Efforts to resolve this problem should be made at the legislative level in the two states; now, therefore, be it

*Resolved by the Assembly and Senate of the State of Nevada, jointly,* That the legislature of the State of California be memorialized to take immediate action to forestall a collapse of existing reciprocity arrangements with the State of Nevada; and be it further

*Resolved,* That the legislature of the State of California be memorialized to create the machinery for achieving a satisfactory adjustment of this important problem; and be it further

*Resolved,* That duly certified copies of this resolution be delivered to the governor of the State of California, the president of the senate, the speaker of the assembly, the chairmen of the committees on transportation of the senate and assembly, and the chairmen of the commission on interstate cooperation of the State of California.

**MOTION TO PRINT OPINION OF THE LEGISLATIVE COUNSEL**

Senator John F. McCarthy moved that the following opinion of the Legislative Counsel regarding Senate Bill No. 722 be printed in the Journal.

Motion carried.

**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, March 10, 1955

*Hon. Frank B. Durkee*

*Director of Public Works*

*1120 N Street, Sacramento 14, California*

*Investment of State Funds—No. 7906*

DEAR MR. DURKEE:

*Question*

You have asked whether Senate Bill No. 722, as proposed to be amended by amendments submitted by you, would be constitutional with respect to a loan of money from the State School Land Fund.

*Opinion*

In our opinion the bill, as amended, would be constitutional in this respect.

*Analysis*

Senate Bill No. 722, as proposed to be amended by amendments submitted by you, would authorize the Director of Finance and the California Toll Bridge Authority to enter into an agreement whereby the Director of Finance may invest not to exceed \$6,000,000 from the State



School Land Fund, or from any other special fund or funds in the State Treasury from which the Director of Finance is authorized to make investments, for the construction and improvement of the lower level of the Richmond-San Rafael Bridge and approaches thereto. Provision is made in the bill, as amended, for the repayment of the money invested with interest from the first bonds issued secured by the revenues of said bridge, or if no bonds are issued, from the tolls and revenues of said bridge.

The State School Land Fund, which is provided for by Section 4 of Article IX of the California Constitution, consisting of proceeds of specified lands and estates, is required by said constitutional provision to be and remain a perpetual fund the interest of which, together with all the rents of the unsold lands (which are paid into said fund), and such other means as the Legislature may provide, is inviolably appropriated to the support of common schools throughout the State.

Sections 13471 and 13472 of the Government Code authorize the Director of Finance, when there is \$10,000 or more in the State School Land Fund, to invest such sums in bonds of this State, of the United States, or of any county, permanent road district, city, school district, metropolitan water district, municipal utility district, or irrigation district of this State. We can see no constitutional objection to a further legislative extension of the type of investments which may be made of money in the State School Land Fund and therefore believe that Senate Bill No. 722, as proposed to be amended, would be held constitutional with respect to the authorization of investment of money in the State School Land Fund for the purpose described in said bill.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By RAY H. WHITAKER, Deputy

Two copies to Hon. John F. McCarthy pursuant to Joint Rule 34.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 144

Senator Brown moved that Senate Bill No. 144 be withdrawn from Committee on Transportation for purpose of amendment, and referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 144**—An act to repeal Sections 215, 216, and 217 of; amend Sections 210, and 214; and to add Division 2B and Sections 62.2, 215, 216, and 217 to; the Vehicle Code, relating to reciprocity. Bill read second time.

##### Motion to Amend

Senator Brown moved the adoption of the following amendments:

##### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in Senate January 17, 1955, strike out "to repeal Sections 215, 216, and 217 of; amend Sections 210, and 214; and".

##### Amendment No. 2

In lines 2 and 3 of the title, strike out "Division 2B and Sections 62.2, 215, 216, and".



**Amendment No. 3**

In line 3 of the title strike out the semicolon.

**Amendment No. 4**

In line 3 of the title after "reciprocity", insert "with respect to the privileges of persons owning vehicles registered elsewhere than in this State, declaring the urgency thereof, to take effect immediately".

**Amendment No. 5**

On page 1 strike out line 1, and insert

"SECTION 1. Section 217 is added to the Vehicle Code, to read:

217. Exemptions in effect January 1, 1955. Any vehicle described in Section 215 or 216 which on January 1, 1955, was considered exempt from registration and the payment of fees imposed by this Vehicle Code or by the Vehicle License Fee Law in this State, shall be considered to be so exempted until January 1, 1956, irrespective of any determination made after January 1, 1955, that any such vehicle was not so exempted under the provisions of Section 215 or 216.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

A recent determination by the Attorney General has cast doubt upon the privilege of persons owning vehicles registered elsewhere than in this State to be exempted upon a reciprocal basis from the requirement of registration and the payment of fees prescribed by the Vehicle Code and the Vehicle License Fee Law of this State. To avoid disruption in the interstate movement of vehicles and of trade, and to prevent needless confusion as to the registration and fee requirements both in this State and in other states, it is therefore necessary that this act take effect immediately."

**Amendment No. 6**

On page 1 strike out lines 2 to 26, inclusive; and strike out pages 2 to 5, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1615**

Senator Miller moved that Senate Bill No. 1615 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1615**—An act to amend Section 5463, 6499, 6514, 6644, and 6917 of the Health and Safety Code, and to amend Section 58501 of the Government Code, relating to sewers and sanitation.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 37, of the printed bill, after "that", insert "if".

**Amendment No. 2**

On page 2, line 44, after "election", insert ", then bonds of the district for the amount stated in such order calling for such election may be issued and sold if a majority of the votes cast at the election are in favor of incurring the bonded indebtedness as proposed".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1036**

Senator Thompson moved that Senate Bill No. 1036 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1036**—An act to amend Section 6503 of the Business and Professions Code, relating to barbers.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "The", insert "position of".

**Amendment No. 2**

On page 1 strike out lines 10 to 17, inclusive, and insert "Personnel Board. No person shall be admitted to the examination for the position of executive secretary to the board unless he holds a valid certificate of registration to practice barbering in this State and has had at least five years experience as a registered barber in this State immediately preceding the date of application."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 42:** By Senators Byrne, Sutton, Breed, Abshire, Ed. C. Johnson, Cunningham, J. Howard Williams, and Harold T. Johnson—Relative to making additional funds available to the Legislative Budget Committee for the purpose of making a review of the proposed Feather River Project.

Referred to Committee on Rules.

**LETTER OF TRANSMITTAL**

CALIFORNIA STATE SENATE  
March 10, 1955

*Hon. Harold J. Powers*  
*President of the Senate*  
*Senate Chamber*

DEAR MR. PRESIDENT: I am transmitting herewith a first report of the Senate Interim Committee on Motor Vehicle Registration Fees and Weight Fees.

The Senate is requested to print this letter in the Journal of the Senate for this day and to print this report in the Appendix to the Journal of the Senate.

Respectfully submitted,

PAUL L. BYRNE, Chairman, Senate Interim Committee  
on Motor Vehicles Registration Fees and Weight Fees

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Byrne moved that 500 additional copies of the report submitted by the Senate Interim Committee on Motor Vehicle Registration Fees and Weight Fees be printed for distribution.

Motion carried.

**ADJOURNMENT**

At 3.45 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 10 a.m., Friday, March 11, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY

THIRTY-FIRST CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, March 11, 1955

The Senate met at 10 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day: Senator Dale C. Williams, on motion of Senator McBride, due to illness.

Senator Teale, on motion of Senator McBride, due to legislative business.

Senator Parkman, on motion of Senator Cobey, due to legislative business.

Senator Regan, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Murdy, on motion of Senator Byrne, due to legislative business.

Senator Abshire, on motion of Senator Ward, due to legislative business.

Senator Miller, on motion of Senator Montgomery, due to legislative business.



Senator Short, on motion of Senator Montgomery, due to legislative business.

Senator Collier, on motion of Senator Ward, due to legislative business.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Byrne and Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. W. Cox of Costa Mesa and Dr. Robert Olander of Newport Beach.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Charles Brusortti of Marin County.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. L. C. Sorensen and Mrs. Harold Wakefield of Los Angeles.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to D. D. Jenkins of Calgary, Canada.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to advisers Mr. Benson and Mrs. Holmes, and the following senior students from the Roseville Union High School: Lovelle Gostlin, Sally Monahan, Andrea Ripoll, Rita Galcomelli, Daryl Goldsberry, Bob Owen, Art McElroy, Larry Martinez, Tremma Jones, Nancy Leaf, Norman Rezac, Myrtle Driver, Sharon Leavett, Harriet Vares, Noreen Terackee, Ken Iwaski, Wanda West, Reba Jones, Lee Stanley, Galen Reaves, Donna Spinelli, Jack Franklin, Jean M. Miller, Diane Macario, Ron Matson, Gladys Conley, Lavanche Howard, Rex Langley, Lee Elam, Don Robinson, Necke Chuchas, Jean Bartleson, Johnnie Mantero, Frank Vega, Bob McAndrew, Patrick Martin, Ray Adamson, Larry Dougherty, Robert Morris, Phyllis Brown, Frank Duran, Jim McClure, Vera Broek, Ronnie Wilson, Jean Chatham, Tina Garcia, Barbara Bertacchi, Betty Lozano, Marion Bermudez, Marily Clemments, Mariona Wallis, Phyliss Koberlein, Marilyn Layton, Loyce Joghson, Sharon Christensen, Jackie Fish, Lee Caldwell, Rose Marie Schlechter, Karen White, Eddie Korte, Tom Mooney, Delmar Burrows, Terry Freymiller, Marvin Taylor, Sandra Campbell, Rosie Gomez, Douglas Louis, Jim Eberly, Nancy Collins, Darlene Duykendall, Joe Couvrette, Noel Wilson, Douglas Decker, Patricia Krush, Carol Ann Hickerson, Gless Jones, Emma Jean Sorenson, Clareda Brown, Mary Perez, Katherine Assad, Steve Frkovich, Bonnie Noakes, Madine Waltrip, Eddie Strain, Sharon Hardison, Ruth Maddin, Darlene Crowder, Margie Swift, Charlotte Eubank, Jeanette Thiers, Martha Georgis, Carol Hanger, Richard Krueger, Derrol Byfield, Gelendalee Pierce, Hope Omachi, Linda Neel, Sandra Taylor, Carol Ann Roby, Patricia Hicks, Patricia Chaney, Virginia Stewart, Louise Butts, Louis Allen, Joy Empey, Helen Hicks, Clyde Clagget, Atethia Bailon, Robert Kaufman, Val Koberlein, Norma Stanley, Arden Stull, Joan Butler, Carolea Lambert, Florence Hays, Sandra Walker, Evelyn Byfield, Ann Andrich, Jean Donaldson, Joan Merridith, Nancy Willford, and Eddie Herbst.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frode Kilstofte, Mauto D. Aspirin, John J. Waiverna, all of Wilmington; and Matt Brkich of San Pedro.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Swendsen of San Francisco.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. James E. Cunningham, wife of Senator Cunningham, and their two children, René and James, Jr.

On request of Senator Desmond and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hartman Kitsker of Bielefeld, Germany.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to advisers Claire E. Pence, Alwin W. Edgar and Jack Nolan, bus driver Frank Ferraiuolo, and the following eighth grade students from the Colusa Elementary School: Leon Averett, Peggy Sue Baker, Louis Barber, Audrey Bergman, Mary Bigley, Gwen Boyer, Lee Boyes, Barclay Braden, Betty Brown, Mary Ann Castro, Gilbert Chenoworth, Ray Christensen, Ida Cook, David Crabtree, Oran Cummins, George Dart, Sharon DeBolt, Judith Dokken, Jimmie Emery, Patrick Fairlee, Donald Ferraiuolo, Richard Fishback, Mary Fosso, Jack Freed, Jesus Genera, Sandra Harman, Darlene Hulsizer, Jeanne Huberty, Sat Ishigaki, Sonja Isreal, Frank Jaconetti, Jr., Ronnie Jarnigan, Gayle Klewe, Nancy Gerrans, Eugene Lanouette, Erik Larsen, Pauline Lee, Ethel Lindwedel, Joyce McKasson, Keith Mannee, Wayne Marsh, Dennis Mayberry, Leslie Meadows, Donald McCann, Shirley Melis, Darwin Miller, Larry Myers, Leslie Meadows, Shirley Melis, Chris Nishioka, Gerald Nokes, Mary Lou Norris, Raymond Ochoa, Jack Ponge, Dorothy Quick, Robert Quick, Rosie Raglin, Lupe Razo, Sharon Richardson, Samuel Rieo, Adeline Roa, Chester Roberson, Violet Robinson, Donald Rouland, Albert Rozales, Gerald Sartain, Inez Shorter, Violet Shuman, Wayne Shuman, Betty Jo Summerbell, Nancy Tennant, Kenneth Townzen, Gloria Trojillo, Gene Tucker, Ronald Vieira, Ellena Warren, June Weldon, Carol Wellborn, Phyllis Whaley, and Beverley Yopp.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, March 8, 1955

Hon. J. A. Beek  
Secretary of the Senate  
State Capitol

DEAR MR. BEEK: Transmitted herewith is a report prepared by the Division of Water Resources of the Department of Public Works, entitled "Memorandum Report on Water Conditions in Antelope Valley in Kern, Los Angeles, and San Bernardino Counties," dated February, 1955. The investigation was conducted with funds appropriated for the Southern California Area Investigation, as provided by the Legislature under Chapter 832, Statutes of 1929.

The report describes water conditions in Antelope Valley as determined from data on file in the offices of the Division of Water Resources and other local agencies. No field studies were conducted due to the limited funds available.

Very truly yours,

FRANK B. DURKEE  
Director of Public Works

Report ordered filed with the Secretary of the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SACRAMENTO, CALIFORNIA, March 11, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 8, 1955, appointing

HENRY J. BUDDE, to the Board of State Harbor Commissioners for San Francisco Harbor, vice Ward G. Walkup, resigned, for the term prescribed by law, ending April 30, 1957;

CYRIL MAGNIN, to the Board of State Harbor Commissioners for San Francisco Harbor, vice Dwight Merriman, resigned, for the term prescribed by law, ending April 30, 1955;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Henry J. Budde and Cyril Magnin as members of the Board of State Harbor Commissioners for San Francisco Harbor.

The President put the question, "Will the Senate confirm and consent to the appointment of Henry J. Budde and Cyril Magnin as members of the Board of State Harbor Commissioners for San Francisco Harbor?"

The roll was called, with the following result:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert L. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, and Way—26.

NOES—None.

### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Henry J. Budde and Cyril Magnin as members of the Board of State Harbor Commissioners for San Francisco Harbor.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 284  
Senate Bill No. 363  
Senate Bill No. 369  
Senate Bill No. 413  
Senate Bill No. 447  
Senate Bill No. 481  
Senate Bill No. 495  
Senate Bill No. 679  
Senate Bill No. 688  
Senate Bill No. 712  
Senate Bill No. 716

Senate Bill No. 721  
Senate Bill No. 747  
Senate Bill No. 753  
Senate Bill No. 761  
Senate Bill No. 763  
Senate Bill No. 767  
Senate Bill No. 817  
Senate Bill No. 985  
Senate Bill No. 1199  
Senate Bill No. 1395  
Senate Bill No. 1798

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1706

Senate Bill No. 338

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 696

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 935**

Senator Brown moved that Senate Bill No. 935 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 935**—An act to add Chapter 2.6 to Division 1, Title 2, of the Government Code, creating a California-Nevada Interstate Compact Commission and prescribing its powers and duties, and to provide an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

In line 11 of the printed bill strike out "five", and insert "seven".

**Amendment No. 2**

In line 12 strike out "four", and insert "six".

**Amendment No. 3**

In line 15 strike out "One"; and strike out lines 16 and 17, and insert "One from Sierra or Nevada County; one from Placer County; one from El Dorado County; one from Alpine County; one from Mono County; and one member at large representing the Lake Tahoe area in California."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 211**

Senator Grunsky moved that Senate Bill No. 211 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 211.**—An act to add Sections 10301.4 and 10301.5 to the Education Code, relating to the financial support of elementary schools, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "add" insert "Article 3.5 to Chapter 6 of Division 4 of, and to add".

**Amendment No. 2**

In line 1 of the title before "the", insert a comma.

**Amendment No. 3**

In line 2 of the title after "to", insert "junior high schools and".

**Amendment No. 4**

On page 1 strike out lines 1 and 2, and insert

"SECTION 1. Article 3.5 is added to Chapter 6 of Division 4 of the Education Code, to read:

**Article 3.5. Discontinuance of Junior High Schools**

8766. Any junior high school or system of junior high schools maintained by the governing board of a county, union, or joint union high school district may be discontinued pursuant to this article.

8767. Whenever the governing board of the high school district deems it for the best interest of the district to discontinue the maintenance of junior high schools it may adopt a resolution reciting such fact and proposing the discontinuance of the junior high school or system of junior high schools in the high school district.

8768. A copy of the resolution shall be forwarded to the governing board of each of the elementary school districts comprising the high school district and to the county superintendent of schools of the county having jurisdiction of the high school district.

8769. If each of the governing boards of the elementary school districts comprising the high school district adopt a resolution approving the proposal of the high school district to discontinue the junior high school or system of junior high schools and forward a copy of the resolution to the governing board of the high school district and to the county superintendent of schools having jurisdiction of the high school district, the maintenance of the junior high school or system of junior high schools by the governing board of the high school district shall be discontinued as provided in this article.

8770. Any action undertaken to discontinue the maintenance of a junior high school or system of junior high schools shall be complete prior to the first day of June of the school year in which the action was began and shall be effective on the first day of July next succeeding.

8771. During the first school year succeeding the discontinuance of a junior high school or system of junior high schools in any high school district, the pupils of the eighth grade residing in any elementary school district situated in such high school district shall be educated by the high school district pursuant to an agreement entered into between the governing boards of the school districts concerned stipulating the terms upon which the interdistrict attendance shall be permitted, or upon order of the county board of education prescribing the terms upon which such pupils shall be educated by the high school district.

8772. The governing board of the elementary school district shall not pay, or be required to pay, to the high school district for the education of the eighth grade pupils under this article an amount in excess of the actual net cost to the high school district of educating such pupils but such amount shall not be less than the average net cost of educating pupils in the first seven grades of the elementary schools of the elementary school district.

8773. If the governing board of any elementary school district fails to draw warrants for the amount agreed upon for the education of the eighth grade pupils, or the amount ordered paid by the county board of education, the county superintendent of schools shall draw his warrant therefor.

8774. The average daily attendance of all eighth grade pupils educated by a high school district pursuant to this article shall be kept separate and credited to the elementary school district in which the pupils reside.

8775. This article shall not apply to any high school district which has received an apportionment of funds pursuant to the provisions of Chapter 1.6 or Chapter 19 of Division 3 of this code.

SEC. 2. Section 10301.4 is added to said code, to read:".

#### **Amendment No. 5**

On page 1, line 5, before "main-", insert "situated in a high school district maintaining one or more junior high schools".

#### **Amendment No. 6**

On page 1 strike out lines 7 to 11, inclusive, and insert "year 1954-55, or prior thereto, the attendance of pupils upon classes during".

#### **Amendment No. 7**

On page 1, line 21, strike out "2", and insert "3".

#### **Amendment No. 8**

On page 2, line 6, strike out "and eighth grades", and insert "or eighth grades, or both,".

#### **Amendment No. 9**

On page 2 between lines 7 and 8, insert

"Any contract entered into pursuant to this section does not in any manner change the legal status of any high school district authorized to maintain seventh and eighth grades, and the authorization and obligation of such high school district to furnish school buildings for such seventh and eighth grade pupils is and shall continue to be a sole responsibility of such district.

Contracts entered into pursuant to this section shall be for a fiscal year only."

#### **Amendment No. 10**

On page 2, line 8, strike out "3", and insert "4".

#### **Amendment No. 11**

On page 2 strike out line 23, and insert "State, and since there is now no authorization for the discontinuance of junior high schools established in county, union, or joint union high school districts, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 75**

Senator Ed. C. Johnson moved that Senate Bill No. 75 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 75**—An act to amend Section 28138 of the Government Code and Section 438 of the Education Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read second time.

#### **Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendments:

#### **Amendment No. 1**

In lines 1 and 2 of the title of the printed bill strike out "and Section 438 of the Education Code".

**Amendment No. 2**

On page 1, line 7, strike out "----- dollars (\$-----)", and insert "two thousand eight hundred seventy dollars (\$2,870)".

**Amendment No. 3**

On page 1, line 9, strike out "----- dollars (\$-----)", and insert "six thousand six hundred dollars (\$6,600)".

**Amendment No. 4**

On page 1, line 12, strike out "----- dollars (\$-----)", and insert "six thousand six hundred dollars (\$6,600)".

**Amendment No. 5**

On page 1, line 17, strike out "----- dollars (\$-----)", and insert "three thousand dollars (\$3,000)".

**Amendment No. 6**

On page 2 strike out lines 5 through 11 inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 949**

Senator Richards moved that Senate Bill No. 949 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 949**—An act to add Chapter 8 to Part 4 of Division 6 of, and to amend Section 7409 of, the Welfare and Institutions Code, relating to the establishment and operation of the Neuropsychiatric Institute in the City of Los Angeles.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 28, of the printed bill, after "years", insert ", and shall serve without compensation other than necessary expenses incurred in performance of duty".

**Amendment No. 2**

On page 3, line 3, strike out "A cer-"; and strike out lines 4 to 8, inclusive, and insert "The ques-".

**Amendment No. 3**

On page 3, line 12, strike out the period, and insert "and shall be prepared by the Personnel Board together with the Director of Mental Hygiene or any medical superintendent that he shall designate, and the dean of the University of California Medical School at Los Angeles, or such member of the faculty of the medical school as the dean shall designate, in consultation with a representative of the State Personnel Board."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1219**

Senator Montgomery moved that Senate Bill No. 1219 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1219**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 3, 1955, after "of", insert " and to add Section 142.3 to,".

**Amendment No. 2**

In lines 2 and 3 of the title strike out "and the definition of implements of husbandry in relation thereto".

**Amendment No. 3**

On page 2, line 30, after "van", insert " for which an identification plate has been issued pursuant to Section 142.3,".

**Amendment No. 4**

On page 2, after line 40, insert

"SEC. 2. Section 142.3 is added to said code, to read:

142.3. Identification Plates for Cotton Wagons or Vans. Cotton wagons or vans shall not be subject to registration if the requirements of Section 142 are fulfilled, and if prior to any movement on the highway, each such wagon or van shall display an identification plate attached thereto.

Application for the identification plate may be made at any time before the wagon or van is moved over the highway to the department on a form furnished by the department, together with payment of a service charge of three dollars (\$3), the fees from which are to be credited to the Motor Vehicle Fund. The department shall issue to the applicant a single metal plate with a distinguishing number for the wagon or van and a receipt for the fee collected. Each identification plate issued by the department shall expire at midnight on December 31 of the year in which it is issued."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 796**

Senator Gibson moved that Senate Bill No. 796 be withdrawn from Committee on Local Government for purpose of amendment, and referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 796**—An act to amend Section 1 of the Solano County Flood Control and Water Conservation District Act, relating to the Solano County Flood Control and Water Conservation District.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "Section 1", and insert "Sections 1 and 2".

**Amendment No. 2**

On page 1, line 6, strike out "lying".



**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

### Amendment No. 3

On page 1 strike out lines 7 to 9, inclusive, and insert "the County of Solano lying within the exterior boundaries thereof, the Davis Campus of the University of California, and such of the territory of any member unit lying outside the exterior boundaries of the County of Solano.

SEC. 2. Section 2 of said act is amended to read:

Sec. 2. As used in this act, the following words shall have the following respective meanings except by the context otherwise indicated:

(a) "The district" shall mean the Solano County Flood Control and Water Conservation District;

(b) "The county" shall mean the County of Solano, State of California;

(c) "United States" shall include the United States of America and all bureaus, commissions, divisions, departments, boards, agencies and officers of the United States of America;

(d) "State of California" shall include the State of California and all bureaus, commissions, divisions, departments, boards, agencies and officers of the State of California;

(e) "Work" or "works" shall include dams and dam sites, all reservoirs and reservoir sites, and all conduits and other facilities useful in the control, conservation, diversion and transmission of surface waters, and all land, property, franchises, easements, rights of way and privileges necessary or useful to operate or maintain any of the foregoing;

(f) "Member unit" shall mean any county water district, reclamation district, irrigation district, water conservation district, municipality, flood control district and other district or political subdivision of the State empowered by law to appropriate water and to deliver to water users, the territory of which lies [entirely] within or partly within or contiguous to the exterior boundaries of the County of Solano, which member unit may enter into a contract with the district for (I) the repayment in whole or part to the district or any other person, corporation, public district, State of California, or the United States, of any or all of the construction costs of any works constructed by or on behalf of the district, or for (II) the underwriting in whole or part of any or all of such construction costs, or for (III) the repayment in whole or in part to the district or any other person, corporation, public district, State of California or the United States of any or all of the cost of furnishing water or a water supply to the district or the underwriting in whole or in part of such cost, or for (IV) the payment in whole or in part for water to be furnished or sold to such district by the district or the United States.

(g) "Elector" or "qualified elector" or "voter" or "qualified voter" shall mean any elector of the county qualified under the laws of the State of California to vote in the county at general elections;

(h) "May" is permissive and "shall" is mandatory."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1203

Senator Byrne moved that Senate Bill No. 1203 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1203**—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill strike out lines 23 to 26, inclusive, and insert

"(d) Grand jurors in the superior court shall receive six dollars (\$6) for each day's attendance and eight cents (\$.08) for each mile actually traveled in attending court as such jurors. Such per diem and mileage allowance shall be paid to grand jurors for attendance at meetings of committees appointed by the foreman of the grand jury and to grand jurors making individual investigations when such investigations are authorized in writing by the foreman.

Trial jurors in the superior court shall receive three dollars (\$3) for the first day's attendance at court and six dollars (\$6) for each succeeding day's attendance, together with fifteen cents (\$.15) for each mile traveled in attending court as such jurors, one way only."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 757**—An act to amend Section 11334 of the Government Code, relating to moneys collected for the sale of products by state institutions.

Bill read second time.

**Motion to Amend**

Senator Hulse moved the adoption of the following amendment:

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 1**

On page 1 of the printed bill strike out lines 3 through 9, inclusive, and insert

"11334. All money received by a state agency for the sale of products shall be accounted for and reported at the end of each month to the Controller and at the same time remitted to the Treasurer and credited to the support appropriation [or the then corresponding] current at the time the proceeds were received by the agency [appropriation from which the cost of production was or is paid.

Such remittances shall be in augmentation of the appropriations to which they are credited and available for the same purposes as the original or corresponding appropriation.]"

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 816**—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 1**

On page 1 of the printed bill strike out lines 3 to 14, inclusive, and insert

"13101. If no other state agency is specifically authorized and directed to institute such proceedings, the director may institute and maintain in the name of the State condemnation proceedings for:

(a) The acquiring of any land authorized by law to be obtained for any state agency [.]

(b) *The acquiring of any easements or rights of way necessary for use in connection with land, easements or rights of way, owned or being acquired by the State.*

*This section does not apply to [except] land, easements, or rights of way to be acquired by the Department of Public Works [for highway purposes, if no other state agency is specifically authorized and directed to institute such proceedings]."*

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 339**—An act to amend Section 29747 of the Government Code, relating to claims allowed by county auditor.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 340**—An act to amend Section 29746 of the Government Code, relating to the transmittal of claims rejected by the auditor.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 341**—An act to amend Section 1504 of the Government Code, relating to personal liability for negligence of deputies or employees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 343**—An act to amend Section 29712 of the Government Code, relating to submission and payment of claims.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 659**—An act to amend Section 28134 of the Government Code, relating to compensation for public service in counties of the thirty-fourth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 801**—An act to add Chapter 7 to Title 6 of the Government Code, relating to districts.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "or other officer of any", and insert "of an".

#### Amendment No. 2

On page 1, line 7, strike out "or other officer".

#### Amendment No. 3

On page 1, line 8, strike out "any", and insert "a".

#### Amendment No. 4

On page 1, line 8, strike out "such person's", and insert "the".

#### Amendment No. 5

On page 1, line 9, of the printed bill, after "positions", insert "by such person".

#### Amendment No. 6

On page 1, line 9, strike out "be held to".

#### Amendment No. 7

On page 1, line 10, strike out "nor in conflict with any of the laws of this State".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 802**—An act to add Section 60230 to the Government Code, relating to community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1045**—An act to amend Section 54425 and 54515 of the Government Code, relating to revenue bonds, the apportionment of maintenance and operation costs from revenues, and the sufficiency of charges to pay required amounts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1135**—An act to amend Sections 60101, 60102, 60104, 60105, 60106, 60111, 60128, and 60141 of the Government Code, and to amend Sections 60120, 60122, 60123, 60124, 60125, and 60127 (all as added by Chapter 1711 of the Statutes of 1951) of the Government Code, relating to community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1196**—An act to amend Section 5402 of the Public Resources Code, relating to recreation, park, and parkway districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1705**—An act to amend Section 60240 of the Government Code, relating to community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1746**—An act to amend Section 5658 of the Public Resources Code, relating to park, recreation and parkway districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 335**—An act to amend Section 31030 of the Water Code, relating to the authorization of revenue bonds by county water districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

In line 3 of the title of the printed bill add after "tricts" and before the period the following "and declaring the urgency thereof, to take effect immediately".

##### Amendment No. 2

On page 1 strike out lines 5 and 6, and insert "providing funds for the acquisition, construction, improving or financing of any public improvement authorized by this division."

##### Amendment No. 3

After line 12 add

"SEC. 2. This act is an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution, and shall go into immediate effect. The facts constituting such necessity are:

County water districts are in urgent need of facilities to supply water to protect the public health and safety of the people in said districts. It is desirable that said facilities be financed by the issuance and sale of revenue bonds. The use of the Revenue Bond Law of 1941 to finance said facilities would greatly speed up their



construction so that they could be completed during the summer. Therefore, to provide water facilities necessary for public health and safety at an early date, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 345**—An act to amend Section 29323 of the Government Code, relating to revolving fund bonds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1478**—An act to amend Section 55104 of the Water Code, relating to county water works districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1, after line 22, of the printed bill, insert

"The formation petition may also contain:

(1) an estimate of the cost of the proposed improvement and of the incidental expenses in connection therewith;

(2) a request that the question of the incurring of any indebtedness by the issuance of bonds of the district to pay the cost and expense of the proposed improvements or any part thereof be submitted at the election called for the purpose of submitting to the qualified voters thereof the proposition of forming the district."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**Senate Bill No. 344**—An act to amend Section 25350 of the Government Code, relating to the purchase of real property requiring the publication of a notice of intention.

Bill read second time, and ordered engrossed, and to third reading.

**Senate Bill No. 798**—An act to amend the Community Services District Law by amending Section 60673 of the Government Code, relating to force, value and use of bonds, tax exemption and investigation and certification of bonds by the California Districts Securities Commission; by repealing Section 60687 of the Government Code, relating to limitation on general obligation bonded indebtedness; and by adding Section 60687 to the Government Code, relating to the applicability of Title 5, Division 3, Part 5, Chapter 4 thereof.

Bill read second time, and ordered engrossed, and to third reading.

**Senate Bill No. 800**—An act to amend the Revenue Bond Law of 1941 by amending Section 54434 of the Government Code, relating to investigation and certification of revenue bonds by the California Districts Securities Commission.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 717**—An act to amend Section 19622.7 of the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund.

Bill read second time.

**Motion to Re-refer Senate Bill No. 717**

Senator Hulse moved that Senate Bill No. 717 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1598**—An act to add Section 16603 to the Business and Professions Code, relating to tie-in sales of magazines and other publications.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In lines 2, and 3 of the title of the printed bill strike out "magazines and other publications", and insert "horror comic books".

**Amendment No. 2**

On page 1 strike out line 6; and, in line 7, strike out "article", and insert "any horror comic books".

**Amendment No. 3**

On page 1, after line 16, insert  
"As used in this section "horror comic book" means a magazine or other publication in which is prominently featured by words or illustrations an account of a crime or act of violence which would tend to incite a person to the commission of a crime."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 401**—An act to amend Section 624 of the Fish and Game Code, relating to shipment of trout from this State.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 172**—An act to amend Section 1403 of the Fish and Game Code, relating to burros.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 626**—An act to amend Sections 1351 and 1352 of, and to add Article 6.5 to Chapter 3, Part 3 of Division 4 of, the Fish and Game Code, relating to frogs.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1930**—An act to repeal Sections 142, 164, and 165 of the Fish and Game Code, relating to game refuges.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 490**—An act to amend Section 403 of the Fish and Game Code, relating to licenses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 684**—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 924**—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of United States.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1668**—An act to repeal Section 734 of the Fish and Game Code.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 491**—An act to amend Section 1047 of the Fish and Game Code, relating to private stocking of domestically reared fish.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "commission," and insert "department, under such rules and regulations as the commission is hereby authorized to prescribe,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 530**—An act to amend Sections 3013, 3014, and 3014.5 of the Civil Code, relating to trust receipts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 319**—An act to add Section 41.1 to the Probate Code, relating to testamentary dispositions by will to charity.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 320**—An act to amend Section 901 of the Probate Code, relating to compensation of executors and administrators.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 860**—An act to amend Section 948 of the Code of Civil Procedure, relating to undertakings on appeal.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 526**—An act to amend Section 955.1 of the Civil Code, relating to the assignment of rights to payment.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 531**—An act to amend Section 360 of the Code of Civil Procedure, relating to the statute of limitations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 524**—An act to amend Section 683 of the Civil Code, relating to joint tenancy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 8 of the printed bill strike out the words "or wife, or both", and insert "and wife".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 558**—An act to add Section 1200.1 to the Probate Code, relating to administration of estates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 16, after "published", insert ", if any".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 529**—An act to amend Sections 2957, 2962, and 2965 of the Civil Code, relating to mortgages of personal property; prescribing a system of filing a certificate of recordation and providing for its effect as notice when mortgaged personal property is removed to another county.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 2, line 12, of the printed bill, following "is", insert "or has been".

**Amendment No. 2**

On page 3, line 28, strike out "until".

**Amendment No. 3**

On page 3, line 29, strike out "The mortgage", and insert "Until the mortgagee".

**Amendment No. 4**

On page 3, line 31, strike out "The mortgagee causes", and insert "Unless the mortgagee causes or has caused".

**Amendment No. 5**

On page 3, line 33, strike out "The", and insert "Until the".

**Amendment No. 6**

In line 5 of the title of the printed bill after "county", insert ", and making an appropriation".

**Amendment No. 7**

On page 4, after line 10, insert

"All fees collected pursuant to this section shall be deposited in a special fund designated the Recordation Fund, which is hereby created in the State Treasury, and shall be used solely for paying the necessary costs of the services performed by the Secretary of State under this chapter.

SEC. 3. The sum of five thousand dollars (\$5,000) is hereby appropriated to the Secretary of State to be expended during the 1955-56 Fiscal Year for costs incurred by him in carrying out the duties imposed on him by this act. This sum shall be repaid to the General Fund from the Recordation Fund whenever the balance in the



latter exceeds by \$5,000 the amount necessary to pay said costs of the Secretary of State for the ensuing fiscal year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 89**—An act to amend Section 71343 of the Government Code, relating to jury trials in municipal courts, and declaring the urgency thereof.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

#### Amendment No. 1

On page 1 of the printed bill, as amended in Assembly January 14, 1955, strike out lines 11 to 15, inclusive.

Amendment read, and adopted.

Bill ordered printed, and to third reading.

### THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 18**—Relative to the observance of Flag Day.

Resolution read.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed measure strike out lines 8 to 13, inclusive, and insert "WHEREAS, Our revered national emblem symbolizes the most enduring form of freedom under a republic the world has ever known, based on our unique Constitution which recognizes each citizen has the sovereign right to participate in determining who shall be chosen as our official leaders, the right to life, the right to liberty, the right to freedom of speech, the right of assembly, the right of choice of his own religion, and many other dignified prerogatives, including the right to own and enjoy property and to make himself and his family secure; and

WHEREAS, Our flag, known on land and sea as "Old Glory," has been a messenger of good will for our Constitution which is the greatest peace document ever produced by man, and has released the energies of our people to achieve the world's highest standard of living in physical comfort and cultural enjoyment and the most universal distribution thereof among a people, all under the protection of our beautiful national emblem;"

Amendment read, and adopted.

Resolution ordered printed, and to third reading.

**Senate Bill No. 481**—An act to amend Section 14370 of the Government Code, relating to state public works projects.

Bill read third time.

#### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 8, of the printed bill, strike out "appropriation", and insert "appropriate".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 495**—An act to amend Section 9765 of the Government Code, relating to the preparation and printing of statutes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 497**—An act to amend Section 11901 of the Government Code, relating to the printing of biennial reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 679**—An act to amend Section 16302.1 of the Government Code, relating to the disposition of amounts less than two dollars (\$2) paid to state agencies determined to constitute overpayments of taxes, penalties, interest, license fees, or other revenues due the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 688**—An act to amend Section 13110 of the Government Code, relating to transfer of real property from one state agency to another state agency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 721**—An act to amend Section 13294 of the Government Code, relating to the duties and powers of the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 753**—An act to add Section 13450.1 to the Government Code, relating to investment of state funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 763**—An act to add Section 16304.5 to the Government Code, relating to availability of funds appropriated for construction projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 761**—An act to repeal Section 13074 of the Government Code, relating to recovery of taxes and excess freight payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 767**—An act to amend Section 20751 of the Government Code, relating to appropriations to the Retirement Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 817**—An act authorizing the Director of Finance to dispose of a state-owned license and easement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 1395**—An act to amend Section 11007.7 of the Government Code, relating to procuring of insurance by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 681**—An act to amend Section 13006 of the Government Code, relating to the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 754**—An act to amend Section 6218 of the Public Resources Code, relating to fees of the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1955**—An act to amend Section 9102 of the Government Code, relating to legislative offices, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse,



Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Thompson, Ward, Way, and J. Howard Williams—28.  
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Thompson, Ward, Way, and J. Howard Williams—28.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 712**—An act to amend Section 15854 of the Government Code, relating to the acquisition of property by the State Public Works Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 291**—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 473**—An act to amend Sections 5152, 5202, 5202.1, and 7121 of, and to add Section 7120 to, the Education Code, relating to school apportionments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1068**—An act to amend Section 370 of the Education Code, relating to employees of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 284**—An act to add Section 13203.5 to the Education Code, relating to automobile allowances to school district employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 363**—An act to amend Sections 7041 and 9645 of the Education Code, relating to apportionments for emergency schools maintained by the county superintendent of schools, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Call of the Senate

Senator Dilworth moved a call of the Senate.

Motion carried.

Time, 11.20 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 369**—An act to amend Section 6907 of, and to add Section 7000.5 to the Education Code, relating to school apportionments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 413**—An act to repeal Section 351 of the Education Code, relating to school superintendents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 447**—An act to amend Sections 4964 and 4902.7 of, and to repeal Section 4964.2 of the Education Code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1199**—An act to amend Sections 20343 and 20343.1 of, and to repeal Section 20345 of, the Education Code, relating to student fees at state colleges.

**Motion to Re-refer Senate Bill No. 1199**

Senator Hulse moved that Senate Bill No. 1199 be re-referred to Committee on Finance.

Motion carried.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 318**—An act to amend Section 828.83 of the Agricultural Code, relating to citrus fruit, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Dilworth.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Joint Resolution No. 9**—Relative to memorializing the Congress of the United States to take appropriate action to establish a separate Federal Judicial District for the Counties of San Diego and Imperial, with two resident federal judges.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 11.37 a.m., on motion of Senator Dilworth, further proceedings under the call of the Senate were dispensed with.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 291

Senate Bill No. 754

Senate Bill No. 473

Senate Bill No. 1068

Senate Bill No. 497

Senate Bill No. 1955

Senate Bill No. 681

And reports the same correctly engrossed.

WARD, Chairman

**LETTER OF TRANSMITTAL**

SENATE, CALIFORNIA LEGISLATURE  
SACRAMENTO, CALIFORNIA, March 10, 1955

*Hon. Clarence C. Ward, President  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Committee on Vehicles and Aircraft, created by Senate Resolution 121 of the 1953 Session, presents a report of its activities and



investigations, together with certain recommendations in the matter of the problem of the irresponsible motorist.

Respectfully submitted by,

EARL D. DESMOND  
DONALD L. GRUNSKY  
JAMES J. McBRIDE

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### MOTION TO PRINT REPORT

Senator Desmond moved that 2,000 additional copies of the report submitted by the Senate Interim Committee on Vehicles and Aircraft, be printed for distribution.

Motion carried.

#### RESOLUTIONS

The following resolution was offered:

By Senators Ward, Breed, Burns, Brown, Berry, Byrne, Cobey, Coombs, Cunningham, Desmond, Erhart, Gibson, Grunsky, Kraft, Robert I. McCarthy, Murdy, Regan, Short, and Dale C. Williams:

##### Senate Resolution No. 81

Relative to congratulating the Honorable Jess R. Dorsey

Resolution referred to Committee on Rules.

#### ADJOURNMENT

At 11.47 a.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Monday, March 14, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-FIFTH LEGISLATIVE DAY

THIRTY-FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, March 14, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### PLEDGE OF ALLEGIANCE

Senator J. Howard Williams led the Senate in pledging allegiance to the Flag.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator McBride, on motion of Senator Collier, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Superintendent David C. Gray and the following students and teachers from the Marina Elementary School District, Marina: Alvin Avila, Joseph Cardoza, Donald Harris, Wendell Killian, Robert Mills, William Mills, Harold Rangnow, Eleodoro Souza, Lefkathea Atwell, Joyce Cummins,

Patricia Duncan, Maria Froberg, Louise Hensen, Mary Marler, Myrtle Moran, Darlene Smith, Sharline Walkup, Shirline Walkup, Barbara Knudson; teachers David C. Gray, and Mrs. Enid Maisel.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edwin D. Klein, and Morris Pfaelzer of Los Angeles and Hy Weitzman of San Bernardino.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bernard DeMartini of San Francisco.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Merritt White of San Marino.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Martha Simmons and the following students from the eighth grade class of the Westport school: Dewain Clark, Carl Denton, Louis Dias, Alfred Genasci, Frank Gomes, Gerald Hackett, Steven Harris, Buddy Hutson, Ronald Moore, Oscar Neal, Stephen Relvas, George Roberts, Darell Schregardus, Dennis Simar, Ronald Teague, Johnny Terra, Marie Amador, Adrienne De Witt, Barbara Foletta, Emelia Gomes, Jacqueline Hall, Gerry Hinkelman, Janet Hyer, Frances Inderbitzen, Alma Lee Mello, Mae Navarro, Mary Pappas, Judy Peterson, Angelina Silveira, Mary Frances Silveira, and Margaret Soares.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senators Harry D. Boivin and Carl Francis and Representative Leon Davis of the State of Oregon, and Miss Truly Shuey and Eugene Huston of Sacramento.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William F. Blackburn of Los Angeles and Walter G. Danielson, Consul of Sweden in Los Angeles.

On request of Senators Coombs, Busch, Abshire, Robert I. McCarthy, John F. McCarthy, and Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George P. Anderson of Ukiah, L. E. (Bud) Castner of Boyes Hot Springs, and James Adam of San Francisco.

On request of Senators Montgomery and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred Walter of Corcoran and William Taylor of Sacramento.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gordon Dunn, Mayor of the City of Fresno.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stuart Davis of Oakland; teachers Mrs. Olga Frey, Robert Vejby, John Lanthier, Michael Fahey and the following students from the Washington Manor School of the San Lorenzo School District: Pamela Akert, Richard Altmore, Shirley Bettencourt, Benny Betts, Diane Camisa, Joan Doidge, Frank Faria, Jerry Fink, Constance Fischer, Howard Fowler,

Grace Gianforte, Tommy Gray, James Hanselman, Jo Nell Heck, Kenneth Hightower, Kenneth Hutton, William Jewett, Carole Johns, Barbara Lambton, Judith Lani, John Larson, Mary Ellen Londigan, George Melin, Harold Michelsen, Darrell Moleiro, Phyllis Nunn, Elke Rahnenfuhrer, Robert Silva, James Smith, Gail Spencer, Joseph Teruel, Everilda Weisenberger, Elaine Woltner, James Wood, Richard Wood, Kathy Swim, Gary Arentz, Patrick Bailey, Keith Bartlett, Carolyn Botelho, Delmer Burge, Richard Clement, Gwendolyn Cramer, Lynda Crane, Gailand Creighton, Wayne Daves, Harvey Firestone, Patsy Gambill, Maurine Grafton, Michael Hammer, Sharyne Kyes, Paul LaCombe, Melvin Mack, Francis Mello, Robert Mello, Barbara Moore, Ronald Nunes, James Oldfield, Dennis Ortega, Linda Pike, Terry Ramage, James Raymond, Jimmy Simpson, Carolyn Skinner, Herbert Snelling, Gilbert Soares, Janet Sullivan, JoAnn Vaughn, Karen Watson, Patricia Wetherell, Randolph Windham, James Wolf, Darlene Goodrich, and Nancy Hampton.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John H. Dunlea of San Jose.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leonard Hooker of Sacramento.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Donald S. Smith and the following students from West Acres Elementary School of West Sacramento: Larry Adloff, Barbara Baird, Donald Burgard, Richard Burke, Cruz Charles, Daylene Clover, Caryl Cooper, Billy Daniels, Gary DeGregori, Larry Dolezal, Kenny Fudge, Judy Gnevo, Terry Hayashi, Shirley Hurd, Charlesie Johnson, Carol Manley, Connie McCary, Sandy Milne, Gary Moniz, Johnnie Myers, Sharon Pinter, Judy Raviotta, Joann Reynolds, Dolores Rodriques, Judy Rogers, Clifford Shaw, Gordon Smith, Linda Stearns, Betsy Stevens, Bonnie Thompson, Olga Treichler, Janet Turner, Jimmy Vandiver, Jean Willis, and Stewart Wood.

### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
March 14, 1955

#### *Secretary's Report on Condition of the File*

Hon. Harold J. Powers  
President of the Senate

DEAR MR. PRESIDENT: This is the thirty-fourth calendar day. Upon the conclusion of business on the thirty-third calendar day of the 1953 Session, we had received from committee 466 bills, had given second reading to 323, and had passed and sent to the Governor or Secretary of State 77. This year, we have received from committee 323 bills and given second reading to 165. We have passed and sent to the Governor or Secretary of State 100 measures, so in that respect we are 23 ahead of our position two years ago.

There remain before us 5,871 measures. Assuming that we will pass the same number this session as we did last session, we will have to dispose of an average of 27 measures per calendar day, if we omit Saturdays and Sundays, in order to complete our business on the eighth of June, the 120th day of the session.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate



ORANGE, CALIFORNIA, March 8, 1955

*Members of the Senate  
California Legislature  
State Capitol, Sacramento 14, California*

GENTLEMEN: Please accept my sincere gratitude for the very beautiful copy of the Senate Concurrent Resolution passed in memory of my beloved father. I shall always cherish it.

I believe the happiest years of my parents' lives were those spent in the California Legislature. Out of those years grew many wonderful friendships and memories to be recalled in the years after retirement. Some of those friends are with them now, I am sure, and with them are watching over you as you work now for the good of the State.

God bless you all.

Sincerely,

MILDRED WATSON

STATE OF CALIFORNIA, DEPARTMENT OF INDUSTRIAL RELATIONS  
INDUSTRIAL ACCIDENT COMMISSION  
SAN FRANCISCO, March 10, 1955

*Hon. Clarence C. Ward, Chairman  
Senate Committee on Rules  
State Capitol, Sacramento, California*

DEAR SENATOR WARD: Under the provisions of Senate Concurrent Resolution No. 11, the head of each state department, or agency, is requested to furnish each of his representatives written authorization to act in accordance with the provisions of the resolution, and to instruct such representative to file written authorization to make such representation to the chairman of the committee before whom an appearance is to be made.

Since bills affecting the Industrial Accident Commission will appear before a number of Senate committees during the present session, this letter is being sent to you directly so that you may have the information requested in Senate Concurrent Resolution No. 11.

The following has been designated and is authorized to represent the Industrial Accident Commission in connection with legislation. This authorization includes presentation of information and the recommendations of this commission as to any legislation with which it might be concerned:

Edmund J. Thomas, Jr.  
Secretary and Supervising Referee Panel I  
Industrial Accident Commission

Should it be desirable that some other individual present specific information, then Mr. Thomas will either present such person to the committee, or will make arrangements in advance for such appearance.

Generally, there will be someone from the Industrial Accident Commission present whenever any bills of particular interest to this commission come up in committee so that should the committee, or any of its members, desire information from this commission, it will be available without delay.

We shall be most happy to do our best to accommodate you, or any of your committees, at any time.

Respectfully yours,

S. W. MACDONALD, Chairman  
Industrial Accident Commission

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, February 28, 1955

*Hon. Clarence C. Ward  
Chairman, Senate Committee on Rules  
State Capitol, Sacramento, California*

DEAR SENATOR WARD: By the terms of Senate Concurrent Resolution No. 11 of the current session, the head of each state department or agency is requested to "furnish each of his representatives written authorization to act as such, said authorization to specify the scope of the authority, and to instruct such representative to file such written authorization with the chairman of the committees before whom an appearance is to be made."

Since, from a review of the bills introduced at the January session, it appears that the Department of Public Works is interested in measures which are now, or may later be, assigned to nearly every committee of both houses of the Legislature, this letter is being sent to you directly, giving you the information requested in Senate Concurrent Resolution No. 11.

The following have been designated and are authorized to represent this department in connection with legislation. Such authorization includes the presentation of

information and the recommendations of this department as to any legislation with which it might be concerned.

Robert E. Reed, Chief, Division of Contracts and Rights of Way  
 C. M. Gilliss, Assistant Deputy Director  
 Frank Escobedo, Personnel Officer  
 Warren P. Marsden }  
 Emerson Rhyner } Attorneys, Division of Contracts and Rights of Way  
 Victor Henley }  
 G. T. McCoy, State Highway Engineer  
 R. M. Gillis, Deputy State Highway Engineer  
 J. W. Vickrey, Assistant State Highway Engineer  
 Anson Boyd, State Architect  
 A. D. Edmonston, State Engineer  
 T. B. Waddell, Assistant State Engineer  
 Henry Holsinger, Principal Attorney, Division of Water Resources  
 James Carl, Attorney, Division of Water Resources

It will generally be arranged that the individual most familiar with a particular bill will appear thereon.

There may be matters concerning which it will be desirable for some other individual from the department to present specific information, and in such cases one of the people listed above will either present such persons to the committee or will make arrangements with you in advance for their appearance.

It should also be clearly understood that if there is any information that the committee desires from this department, we will be most happy to do our best to accommodate any request.

Very truly yours,

FRANK B. DURKEE, Director of Public Works

#### MOTION TO EXTEND APPRECIATION TO VERN H. CANNON

Senator Burns moved that the Senate extend its appreciation to Vern H. Cannon of the California Teamsters Legislative Council, for the "Book of California State Legislators and Other State Officials," a copy of which was presented to each member of the Senate.

Motion carried.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 56

Assembly Concurrent Resolution No. 59

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read the first time:

**Assembly Concurrent Resolution No. 56**—Relative to the Second Pan American Games.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 59**—Relative to commending the University of San Francisco.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 64

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

## ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1955.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 98

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 64**—An act to repeal Part 2 of, and to add Part 2 and Part 2.1 to, Division 13 of the Health and Safety Code, relating to auto courts and resorts and auto and trailer parks, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 98**—An act to amend Section 1743 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners from San Francisco Harbor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 209  
Assembly Bill No. 210  
Assembly Bill No. 211  
Assembly Bill No. 212  
Assembly Bill No. 214  
Assembly Bill No. 217  
Assembly Bill No. 219  
Assembly Bill No. 221  
Assembly Bill No. 222  
Assembly Bill No. 224  
Assembly Bill No. 226  
Assembly Bill No. 227  
Assembly Bill No. 228  
Assembly Bill No. 229  
Assembly Bill No. 231  
Assembly Bill No. 232

Assembly Bill No. 233  
Assembly Bill No. 234  
Assembly Bill No. 235  
Assembly Bill No. 236  
Assembly Bill No. 238  
Assembly Bill No. 239  
Assembly Bill No. 240  
Assembly Bill No. 243  
Assembly Bill No. 244  
Assembly Bill No. 245  
Assembly Bill No. 246  
Assembly Bill No. 247  
Assembly Bill No. 249  
Assembly Bill No. 250  
Assembly Bill No. 253  
Assembly Bill No. 443

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 209**—An act to amend Section 28 of the Elections Code, relating to township.

Referred to Committee on Elections.

**Assembly Bill No. 210**—An act to amend Section 46.5 of the Elections Code, relating to circulators of petitions.

Referred to Committee on Elections.

**Assembly Bill No. 211**—An act to amend Section 291 of the Elections Code, relating to cancellation of registration.

Referred to Committee on Elections.

**Assembly Bill No. 212**—An act to amend Section 330.5 of the Elections Code, relating to preservation of affidavits of registration.

Referred to Committee on Elections.

**Assembly Bill No. 214**—An act to amend Section 373.5 of the Elections Code, relating to printed indexes of registration.

Referred to Committee on Elections.

**Assembly Bill No. 217**—An act to add Section 658.6 to the Elections Code, relating to substitutive canvassing boards.

Referred to Committee on Elections.

**Assembly Bill No. 219**—An act to amend Section 668, and repeal Sections 669, 670, 671, 672, 672.5, and 673 of the Elections Code, relating to publications.

Referred to Committee on Elections.

**Assembly Bill No. 221**—An act to amend Sections 1402 and 1404 of the Elections Code, relating to initiative and referendum petitions.

Referred to Committee on Elections.

**Assembly Bill No. 222**—An act to amend Section 1515 of the Elections Code, relating to the mailing of ballot pamphlets.

Referred to Committee on Elections.

**Assembly Bill No. 224**—An act to amend Section 2351 and 2353 of the Elections Code, relating to publications.

Referred to Committee on Elections.

**Assembly Bill No. 226**—An act to amend Section 2605 of the Elections Code, relating to number of sponsors.

Referred to Committee on Elections.

**Assembly Bill No. 227**—An act to amend Section 2670.1 of the Elections Code, relating to candidates' filing forms.

Referred to Committee on Elections.

**Assembly Bill No. 228**—An act to amend Sections 2703 and 2705 of the Elections Code, relating to publication.

Referred to Committee on Elections.

**Assembly Bill No. 229**—An act to add Section 2743.5 to the Elections Code, relating to the direct primary.

Referred to Committee on Elections.

**Assembly Bill No. 231**—An act to amend Section 3000 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections.

**Assembly Bill No. 232**—An act to amend Section 3709 of the Elections Code, relating to sample ballots.

Referred to Committee on Elections.



**Assembly Bill No. 233**—An act to amend Sections 3822 and 3944 of the Elections Code, relating to ballot forms.

Referred to Committee on Elections.

**Assembly Bill No. 234**—An act to amend Section 3922 of the Elections Code, relating to "Instructions to Voters" on primary ballot.

Referred to Committee on Elections.

**Assembly Bill No. 235**—An act to add Section 3922.1 to, and to amend Section 3946 of, the Elections Code, relating to ballots.

Referred to Committee on Elections.

**Assembly Bill No. 236**—An act to amend Section 3935 of the Elections Code, relating to the order of names on the ballot.

Referred to Committee on Elections.

**Assembly Bill No. 238**—An act to amend Section 5563 of the Elections Code, relating to voting.

Referred to Committee on Elections.

**Assembly Bill No. 239**—An act to amend Section 5717 of the Elections Code, relating to voting.

Referred to Committee on Elections.

**Assembly Bill No. 240**—An act to amend Section 5726 of the Elections Code, relating to cancellation of ballots.

Referred to Committee on Elections.

**Assembly Bill No. 243**—An act to amend Section 5805 of the Elections Code, relating to absence of precinct board members.

Referred to Committee on Elections.

**Assembly Bill No. 244**—An act to amend Section 5931.5 of the Elections Code, relating to war voters.

Referred to Committee on Elections.

**Assembly Bill No. 245**—An act to amend and renumber Section 9002 of the Elections Code, relating to voting.

Referred to Committee on Elections.

**Assembly Bill No. 246**—An act to amend Section 11053 of the Elections Code, relating to petitions for recall of county officers.

Referred to Committee on Elections.

**Assembly Bill No. 247**—An act to amend Section 11057 of the Elections Code, relating to petitions for recall of county officers.

Referred to Committee on Elections.

**Assembly Bill No. 249**—An act to amend Section 1812 of the Education Code, relating to school district elections.

Referred to Committee on Elections.

**Assembly Bill No. 250**—An act to amend Sections 14258.5, 14540, and 14813 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Elections.

**Assembly Bill No. 253**—An act to amend Sections 30748, 30754, 30755 and 30756 and repeal Sections 30757 and 30759 of the Water Code, relating to nomination petitions.

Referred to Committee on Elections.

**Assembly Bill No. 443**—An act to amend Section 9801 of the Elections Code, relating to municipal elections.

Referred to Committee on Elections.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 8  
Assembly Bill No. 112  
Assembly Bill No. 113  
Assembly Bill No. 115  
Assembly Bill No. 145  
Assembly Bill No. 162  
Assembly Bill No. 164  
Assembly Bill No. 168  
Assembly Bill No. 169  
Assembly Bill No. 172  
Assembly Bill No. 173  
Assembly Bill No. 314  
Assembly Bill No. 383  
Assembly Bill No. 437  
Assembly Bill No. 560

Assembly Bill No. 721  
Assembly Bill No. 1082  
Assembly Bill No. 1083  
Assembly Bill No. 1793  
Assembly Bill No. 1891  
Assembly Bill No. 1911  
Assembly Bill No. 1946  
Assembly Bill No. 2229  
Assembly Bill No. 2231  
Assembly Bill No. 2232  
Assembly Bill No. 2353  
Assembly Bill No. 2536  
Assembly Bill No. 2651  
Assembly Bill No. 3024  
Assembly Bill No. 3432

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 8**—An act to add Section 30425 to the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 112**—An act to amend Section 772 of the Probate Code, relating to sales of estate property.

Referred to Committee on Judiciary.

**Assembly Bill No. 113**—An act to amend Section 7 of the Civil Code, relating to holidays.

Referred to Committee on Judiciary.

**Assembly Bill No. 115**—An act to amend Section 850 of the Probate Code, relating to contracts of decedents.

Referred to Committee on Judiciary.

**Assembly Bill No. 145**—An act to amend Section 1403 of the Health and Safety Code, relating to licensing of hospitals.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 162**—An act to amend Sections 26825, 72055, and 72056 of the Government Code, relating to filing fees for appeals from municipal courts, and fees for filing first papers in municipal courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 164**—An act to amend Section 117d of the Code of Civil Procedure, relating to time limits for small claims hearings.  
Referred to Committee on Judiciary.

**Assembly Bill No. 168**—An act to amend Section 117ha of the Code of Civil Procedure, relating to fee for execution in small claims courts.  
Referred to Committee on Judiciary.

**Assembly Bill No. 169**—An act to amend Section 117m of the Code of Civil Procedure, relating to fee for abstract of judgment in small claims courts.  
Referred to Committee on Judiciary.

**Assembly Bill No. 172**—An act to amend Section 585 of the Code of Civil Procedure, relating to default judgments.  
Referred to Committee on Judiciary.

**Assembly Bill No. 173**—An act to amend Section 1033 of the Code of Civil Procedure, relating to memorandum of costs.  
Referred to Committee on Judiciary.

**Assembly Bill No. 314**—An act to add Section 1324 to the Fish and Game Code, relating to nutria permits.  
Referred to Committee on Fish and Game.

**Assembly Bill No. 383**—An act to amend Section 364.1 of the Agricultural Code, relating to public sales yards for the sale of cattle.  
Referred to Committee on Agriculture.

**Assembly Bill No. 437**—An act to amend Section 12516, the Business and Professions Code, relating to weighing devices.  
Referred to Committee on Agriculture.

**Assembly Bill No. 560**—An act to amend Section 515 of the Code of Civil Procedure, relating to the sufficiency of sureties.  
Referred to Committee on Judiciary.

**Assembly Bill No. 721**—An act to add Section 318.5 to the Agricultural Code, relating to meat inspection.  
Referred to Committee on Agriculture.

**Assembly Bill No. 1082**—An act to add Section 559 to, and to repeal Sections 663 and 664 of, the Agricultural Code, relating to the sanitation of milk products plants.  
Referred to Committee on Agriculture.

**Assembly Bill No. 1083**—An act to amend Section 442 of the Fish and Game Code, relating to licenses.  
Referred to Committee on Fish and Game.

**Assembly Bill No. 1793**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.  
Referred to Committee on Agriculture.

**Assembly Bill No. 1891**—An act to add Sections 8967, 8967.5, 8968, 8968.5, and 8969 of the Health and Safety Code, relating to dedication of property of public cemetery districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1911**—An act to add Section 30.1 to the Agricultural Code, relating to production of trees.

Referred to Committee on Agriculture.

**Assembly Bill No. 1946**—An act to amend Section 2559.5 of the Health and Safety Code, relating to tuberculosis, communicable disease, and public health.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2229**—An act to amend Section 117g of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 2231**—An act to amend Section 474 of the Code of Civil Procedure, relating to the pleading of fictitious names.

Referred to Committee on Judiciary.

**Assembly Bill No. 2232**—An act to amend Section 690.26 of the Code of Civil Procedure, relating to exemptions from attachment or execution proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 2353**—An act to repeal Sections 7400, 7404, 7410, 10102, 10476, and the title of Chapter 6, Part 1, Division 7 of, to amend and renumber Sections 7401, 7402, 7405, 7406, 7407, 7411, and 7412 of, to amend Sections 7501, 10551, 10607, and 10617 of, and to add Sections 10483 and 10632 to, the Health and Safety Code, relating to vital statistics and public health.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2536**—An act to amend Section 2147.5 of the Business and Professions Code, relating to the healing arts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2651**—An act to amend Section 1013a of the Code of Civil Procedure, relating to service by mail.

Referred to Committee on Judiciary.

**Assembly Bill No. 3024**—An act to amend Section 1213 of the Penal Code, relating to commitments.

Referred to Committee on Judiciary.

**Assembly Bill No. 3432**—An act to amend Section 595 of the Code of Civil Procedure, relating to extension of time and continuances in civil and administrative actions and proceedings.

Referred to Committee on Judiciary.



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 62

ARTHUR A. O'HINIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 62**—Approving amendments to the charter of the City of Salinas, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the State of California General Election held on the second day of November, 1954.

## Request for Unanimous Consent

Senator Grunsky asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 62, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 62

**Assembly Concurrent Resolution No. 62** Approving amendments to the charter of the City of Salinas, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the State of California General Election held on the second day of November, 1954.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 172	Senate Bill No. 659
Senate Bill No. 319	Senate Bill No. 684
Senate Bill No. 320	Senate Bill No. 798
Senate Bill No. 339	Senate Bill No. 800
Senate Bill No. 340	Senate Bill No. 802
Senate Bill No. 341	Senate Bill No. 860
Senate Bill No. 343	Senate Bill No. 924
Senate Bill No. 344	Senate Bill No. 1045
Senate Bill No. 345	Senate Bill No. 1135
Senate Bill No. 401	Senate Bill No. 1196
Senate Bill No. 490	Senate Bill No. 1668
Senate Bill No. 526	Senate Bill No. 1705
Senate Bill No. 530	Senate Bill No. 1746
Senate Bill No. 531	Senate Bill No. 1930
Senate Bill No. 626	

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 335

Senate Bill No. 757

Senate Bill No. 491

Senate Bill No. 801

Senate Bill No. 524

Senate Bill No. 816

Senate Bill No. 558

Senate Bill No. 1598

Senate Bill No. 681

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 481

Senate Concurrent Resolution No. 18

And reports the same correctly re-engrossed.

WARD, Chairman

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 87

Senate Bill No. 61

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

J. HOWARD WILLIAMS, Chairman

Above reported bills ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 11, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 342

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bill ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 739

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

**Request for Unanimous Consent**

Senator Parkman asked for, and was granted, unanimous consent to take up Senate Bill No. 739, at this time for consideration of committee amendments.

**Senate Bill No. 739**—An act to amend Section 25905 of the Government Code, relating to agricultural fairs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1 of the printed bill strike out lines 13 to 21, inclusive, and insert "be established in the county treasury for such purpose. The moneys in the fund shall

be expended only for support of the county fair, including maintenance and operation of the county fair facilities, premiums, purposes incidental to the fair, capital outlay for fair purposes and for the acquisition or purchase of real property to be used for fair purposes."

#### Amendment No. 2

On page 2 strike out lines 9 to 13, inclusive, and insert "board may also allocate and pay to such nonprofit corporation in advance such sum of money it deems necessary to be used for the purposes for which such use, possession, and management is granted."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### LETTER OF TRANSMITTAL

THE SENATE  
SACRAMENTO, CALIFORNIA, March, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Judiciary Committee, created by Senate Resolution No. 135 (Senate Journal, June 10, 1953, page 4137) presents herewith a third progress report of its activities and results of its investigations, together with its recommendations.

Respectfully submitted,

BURT W. BUSCH  
GERALD J. O'GARA  
EDWIN J. REGAN  
JACK B. TENNEY  
A. W. WAY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### MOTION TO PRINT REPORT

Senator Regan moved that 5,000 additional copies of the progress report submitted by the Senate Interim Judiciary Committee be printed for distribution.

Motion carried.

#### LETTER OF TRANSMITTAL

SACRAMENTO, March 14, 1955

*Hon. Harold J. Powers, President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: The Senate Standing Committee on Labor of the 1953 General Session acting under authority and direction set forth in the resolution of the Committee on Rules, recorded on Page 4186 of the Senate Daily Journal for June 10, 1953, submits herewith a partial report of its activities in relation to workmen's compensation.

In this report we present comparative studies of, and investigation into, some subjections of paramount importance to all persons and organizations interested in the Workmen's Compensation Law.

Respectfully submitted,

F. PRESLEY ABSHIRE, Chairman  
ROBERT I. MONTGOMERY, Vice Chairman  
HAROLD T. JOHNSON  
JOHN A. MURDY, JR.  
J. HOWARD WILLIAMS  
JACK B. TENNEY (Resigned)  
FRED WEYBRET (Deceased)

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Abshire moved that 3,500 additional copies of the report submitted by the Senate Standing Committee on Labor be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON ADMINISTRATIVE REGULATIONS

March 14, 1955

*Hon. Harold J. Powers*  
*President of the Senate*  
*Senate Chamber, State Capitol*  
*Sacramento, California*

MR. PRESIDENT: The Senate Interim Committee on Administrative Regulations is submitting herewith a report to the 1955 Legislature of the State of California of the findings and recommendations of the committee.

This report is submitted as a partial report in conformity with Senate Resolution No. 40 of the 1955 Session of the Legislature.

Respectfully submitted,

F. PRESLEY ABSHIRE, Chairman

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Abshire moved that 1,000 additional copies of the report submitted by the Senate Interim Committee on Administrative Regulations be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON CHILD WELFARE

March 14, 1955

*Hon. Harold J. Powers*  
*President of the Senate, and*  
*Members of the Senate*  
*Sacramento, California*

GENTLEMEN: Your Interim Committee on Child Welfare, created by Senate Resolution No. 182 of the 1953 Regular Session of the California Legislature, and continued under Senate Resolution No. 16, Regular Session 1955, with the following members:

Jess R. Dorsey, Chairman  
Stephen P. Teale  
John F. Thompson  
Louis G. Sutton  
A. W. Way  
A. P. (Gus) Bellisle, Secretary  
Robley E. George, Counsel

Herewith submits this preliminary report of the committee as filed with the Secretary of the Senate, March 14, 1955, and presents its report of findings and recommendations.

Respectfully submitted,

JESS R. DORSEY, Chairman

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Dorsey moved that 5,000 additional copies of the report submitted by the Interim Committee on Child Welfare be printed for distribution.

Motion carried.



**President pro Tempore of the Senate Presiding**

At 2.45 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**LETTER OF TRANSMITTAL**

SENATE, CALIFORNIA LEGISLATURE  
March 14, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: The Senate Interim Committee on Oil and Gas Development on State Lands submits its report of Findings and Recommendations pursuant to the provisions of Senate Resolution No. 109 of the 1953 General Session.

Respectfully submitted,

SWIFT BERRY  
DONALD L. GRUNSKY  
ED. C. JOHNSON  
EDWIN J. REGAN, Vice Chairman  
JAMES E. CUNNINGHAM, Chairman

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Berry moved that 1,000 additional copies of the report submitted by the Senate Interim Committee on Oil and Gas Development on State Lands, be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON  
LICENSING BUSINESS AND PROFESSIONS  
SACRAMENTO, CALIFORNIA, March 14, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Committee on Licensing of Business and Professions, created by Senate Resolution 412 (Senate Journal, June 10, 1953), presents the attached report entitled "1955 Report to the Legislature."

This, together, with the "First Partial Report to the Legislature" on April 1, 1954, constitutes a summary of the activities of the committee, and contains a series of recommendations for legislation (each of which have been included in bills introduced in the current legislative session, and referred to herein), and for the further investigation of certain subject matter the study of which could not be concluded by the committee in the time available.

Respectfully submitted,

LUTHER E. GIBSON  
EARL D. DESMOND  
FRED H. KRAFT

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Gibson moved that 1,000 additional copies of the report submitted by the Senate Interim Committee on Licensing of Business and Professions, be printed for distribution.

Motion carried.

**MOTION TO APPROVE JOURNALS**

Senator Ward moved that the Journals for Monday, March 7, 1955; Tuesday, March 8, 1955; Wednesday, March 9, 1955; Thursday, March 10, 1955; and Friday, March 11, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 830**

Senator Cobey moved that Senate Bill No. 830 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 830**—An act to amend Section 4311 of the Agricultural Code, relating to petitions for sales stimulation and consumer educational programs.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "producers", insert "and producers' associations,".

**Amendment No. 2**

On page 1, line 15, after "director", insert "and with respect to producers' associations the director shall consider those associations in which the major interest of the members thereof is in the production of fluid milk for the marketing area".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1091**

Senator Collier moved that Senate Bill No. 1091 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1091**—An act to amend Sections 6006.5, 6201, and 6367 of, and to add Sections 6021, 6248, and 6404 to, the Revenue and Taxation Code, and to amend Section 148 of the Vehicle Code and to add Section 148.5 thereto, relating to sales and use taxes in respect to motor vehicles and to registration of motor vehicles.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "6201, and 6367", and insert "6015, 6452 and 6453".

**Amendment No. 2**

In line 2 of the title strike out ", 6248, and 6404", and insert "and 6248".

**Amendment No. 3**

In lines 3 and 4 of said title strike out "amend Section 148 of the Vehicle Code and to add Section 148.5 thereto", and insert "add Section 148.5 to the Vehicle Code".

**Amendment No. 4**

On page 1, line 21, of the printed bill strike out "6201", and insert "6015".

**Amendment No. 5**

On page 1 strike out lines 22 to 24, inclusive; and on page 2 strike out lines 1 to 6, inclusive, and insert

"6015. "Retailer" includes:

(a) Every seller who makes any retail sale or sales of tangible personal property, and every person engaged in the business of making retail sales at auction of tangible personal property owned by the person or others.

(b) Every person engaged in the business of making sales for storage, use, or other consumption or in the business of making sales at auction of tangible personal property owned by the person or others for storage, use, or other consumption.

(c) Any person conducting a race meeting under the provisions of Chapter 4 of Division 8 of the Business and Professions Code, with respect to horses which are claimed during such meeting.

(d) *Any person who makes any retail sale or sales of a vehicle of a type subject to registration under the Vehicle Code.*

When the board determines that it is necessary for the efficient administration of this part to regard any salesmen, representatives, peddlers or canvassers as the agents of the dealers, distributors, supervisors, or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors, or employers the board may so regard them and may regard the dealers, distributors, supervisors, or employers as retailers for purposes of this part."

**Amendment No. 6**

On page 2, line 18, strike out "as", and insert "is".

**Amendment No. 7**

On page 2 strike out lines 19 to 27, inclusive, and insert

"6248. On and after the effective date of this section it shall be presumed that any vehicle brought into California within 90 days from the date of its purchase, and which is subject to registration under the Vehicle Code, was acquired for storage, use, or other consumption in this State."

**Amendment No. 8**

On page 2, line 28, strike out "6404 is added to said code," and insert "6452 of said code is amended".

**Amendment No. 9**

On page 2 strike out lines 29 to 37, inclusive, and insert

"6452. On or before the last day of the month following each quarterly period of three months, a return for the preceding quarterly period shall be filed with the board in such form as the board may prescribe.

For purposes of the sales tax a return shall be filed by every seller, and by every retailer as defined by subdivisions (c) and (d) of Section 6915. For purposes of the use tax a return shall be filed by every retailer maintaining a place of business in the State and by every person purchasing tangible personal property, the storage, use, or other consumption of which is subject to the use tax, who has not paid the use tax due to a retailer required to collect the tax. Returns shall be signed by the person required to file the return or by his duly authorized agent but need not be verified by oath."

**Amendment No. 10**

On page 2, line 38, strike out "148 of the Vehicle Code", and insert "6453 of said code".

**Amendment No. 11**

On page 2 strike out lines 39 to 50, inclusive, and insert

"6453. For purposes of the sales tax the return shall show the gross receipts of the seller or retailer during the preceding reporting period. For purposes of the use tax, in case of a return filed by a retailer, the return shall show the total sales price of the property sold by him, the storage, use, or consumption of which property became subject to the use tax during the preceding reporting period; in case of a return filed by a purchaser, the return shall show the total sales price of the property purchased by him, the storage, use, or consumption of which became subject to the use tax during the preceding reporting period.

The return shall also show the amount of the taxes for the period covered by the return and such other information as the board deems necessary for the proper administration of this part."

**Amendment No. 12**

On page 3 strike out lines 2 to 14, inclusive, and insert

"148.5. Payments of Sales Taxes. The department shall refuse to register or transfer any vehicle sold at retail to the applicant and as to which the sales tax imposed by Part 1, Division 2 of the Revenue and Taxation Code is applicable, unless there is filed with the application a certificate of sales tax clearance respecting

the sale issued by the State Board of Equalization. The filing of a tax clearance shall not, however, be required in the case of a vehicle sold by a dealer who has, pursuant to Section 6701 of the Revenue and Taxation Code, deposited with the State Board of Equalization security for the payment of any sales taxes payable by him; nor in the case of a vehicle sold by a dealer whom the board has found financially able to pay such taxes and, consequently, has not been required by the board to deposit any such security."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 326

Senator Sutton moved that Senate Bill No. 326 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 326**—An act to add Chapter 7A to Title 9 of Part 1 of the Penal Code, relating to crime comic books.

Bill read second time.

##### Motion to Amend

Senator Sutton moved the adoption of the following amendments:

##### Amendment No. 1

On page 1 of the printed bill strike out lines 6 to 8, inclusive, and insert "310. Every person who furnishes to".

##### Amendment No. 2

On page 1, line 25, strike out "violent death", and insert "death by brutal violence".

##### Amendment No. 3

On page 2, line 4, after "children", insert "or to make them callous to cruelty and crime".

##### Amendment No. 4

On page 2, line 21, strike out "a sale or".

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 302

Senator J. Howard Williams moved that Senate Bill No. 302 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 302**—An act to amend Sections 803, 803.5, 828.4, and 829.2 of the Agricultural Code, relating to agricultural containers.

Bill read second time.

##### Motion to Amend

Senator J. Howard Williams moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "803, 803.5, 828.4 and 829.2", and insert "819, 828.65, 829.2 and 829.45".



PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1 strike out lines 1 to 28, inclusive; strike out all of page 2, and on page 3, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 819 of the Agricultural Code is amended to read:

819. Sweet potatoes shall be free from mold, decay, and soft and wet rots; and free from serious damage due to insect injury, bruises, growth cracks, or other disease, freezing, grass roots, or other causes. Damage to any one sweet potato is not serious unless it causes a waste of 10 percent, by weight, of the individual potato.

Not more than 10 percent, by weight, of the sweet potatoes in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance shall be allowed for any one cause.

All sweet potatoes when in containers which are closed must be in standard containers numbers 27, 47, 48, 48A, 48B, and 50A. The container requirements of this section shall not apply to sweet potatoes in [sacks or] containers which are not closed [.] or in sacks.

SEC. 2. Section 828.65 of said code is amended to read:

828.65.	46	Standard Cauliflower crate-----	8½	18	21½
	47	Standard sweet potato crate-----	10½	9½	19½
	48	Special sweet potato crate-----	12	12	16
	48A	Jumbo sweet potato crate-----	14	11½	19½
	48B	Special sweet potato crate-----	10½	12½	18"

#### Amendment No. 3

On page 3, line 28, strike out "SEC. 4", and insert "SEC. 3".

#### Amendment No. 4

On page 3, between lines 30 and 31, insert

"Ta. Nectarines, numbers 1, 1A, 5, 6, 7, 8, 9, 9A, 9B, 12B, 12C, 15, 16, 17, 18, 18A, 22B, 22D, 25, 26, 27 or 27A".

#### Amendment No. 5

On page 3, line 35, strike out "27", and insert "22D, 27, 27B".

#### Amendment No. 6

On page 3, line 36, after "9," insert "9C,".

#### Amendment No. 7

On page 3, line 37, after "22B," insert "22D,".

#### Amendment No. 8

On page 3 strike out lines 39 and 40, and insert

"SEC. 4. Section 829.45 of said code is amended to read:

829.45. 17. Sweet potatoes, numbers 27, 47, 48, 48A, 48B, and 50A."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 303

Senator J. Howard Williams moved that Senate Bill No. 303 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 303**—An act to amend Section 828.53 of the Agricultural Code, relating to grape containers.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "10½", and insert "9½".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 106**

Senator Grunsky moved that Senate Bill No. 106 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 106**—An act to amend Section 18610 of the Financial Code, relating to annual reports of industrial loan companies.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill strike out lines 4 to 28, inclusive, and insert "year, each company shall file a report with the commissioner, giving such relevant information as the commissioner reasonably requires concerning the business and affairs of the preceding calendar year for each place of business within the State conducted by such company. Each such report shall contain, amongst other information required by the commissioner, a balance sheet of the company as of the last day of the previous calendar year and statements of income and surplus for such previous calendar year, together with an opinion by an independent certified public accountant or public accountant as to whether such financial statements have been prepared in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding fiscal period. The opinion shall be based on an examination of such financial statements made in accordance with generally accepted auditing standards and accordingly including such tests of the accounting records and such other auditing procedures as are considered necessary in the circumstances, and such examination shall include a count or independent confirmation of investments and an independent confirmation, at least by test, of loans and receivables. If the opinion is in any way qualified, the commissioner may require the company to take such action as he deems appropriate to permit the certified public accountant or the public accountant to remove the qualification from his opinion. Each company report shall contain a schedule showing the amount of loans and receivables classified according to their current and delinquent status in such form and detail as the commissioner may by regulations prescribe. Reserves for possible losses in collection shall be separately disclosed in the financial statements. The".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1639**

Senator Sutton moved that Senate Bill No. 1639 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

... ..

Source: *U.S. Census Bureau, 1980*. See also *U.S. Census Bureau, 1981* for the *Insurance* table, covering the National Life Insurance

*[Faint, illegible text]*

W. J. L. & J. L. L.

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1. The first part of the paper is devoted to the study of the properties of the function  $f(x)$  defined by the equation

This material printed and transmitted to Committee on Financial In-

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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*Senate Document No. 43, 75th Congress, 1st Session—Education in the Interior of the Great Continent and the Use of the Treaty and Indian Lands.*

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*Source:* File No. 172 - taken by Special Service 147 of the FBI, 1941.  
*Source:* FBI, 100-100725.

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W. J. L. & S. J. L.

These items were not included in the 1995-1996 listings.

A. M. J. J. J. J. J.

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1. 10. 1941

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4. 11. 1944

Y. K. Kozlov, *Academy of Sciences of the USSR, Moscow, U.S.S.R.* (Received 19 July 1983)

A. MATHIASSEN

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10. *Journal of the American Statistical Association*, 1990, 85, 1039-1042.

א. חזקיהו בן יחזקאל

11.  $\lim_{n \rightarrow \infty} \frac{1}{n} \sum_{k=1}^n \frac{1}{k} = \ln 2$  (see Problem 10, Vol. 1, Part 1).

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1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

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under the permit only in accordance with the terms of the permit. The permit, when issued, shall authorize the person to whom it is issued to capture one undomesticated burro within the period of six months after the date of the permit. The permit shall also provide that an undomesticated burro captured under the permit shall remain the property of the State of California until the expiration of three years after the date of the permit, that until the expiration of such period the person to whom the permit is issued shall not have nor exercise any rights to said burro except to possess it for use as a pet or as a beast of burden, and that if said burro is so possessed until the expiration of such period, the ownership of said burro shall vest in the person to whom the permit is issued. Not more than one such permit shall be issued to any one person during any one calendar year and the total number of such permits shall not exceed twelve in any one calendar year. Any wilful violation of the provisions of a permit issued under this section is unlawful."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### RECESS

At 3 p.m., on motion of Senator Desmond, the Senate recessed for the purpose of allowing Senator Desmond to introduce distinguished guests.

The President appointed Senator Desmond as a committee to escort Senator Harry D. Boivin and Representative Leon Davis of the State of Oregon to the rostrum.

Senator Desmond introduced Senator Boivin, who is in California studying the state program for aid to needy children. Senator Boivin addressed the Senate briefly.

#### REASSEMBLED

At 3.05 p.m., the Senate reconvened.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### CONSIDERATION OF DAILY FILE (RESUMED)

##### SECOND READING OF SENATE BILLS

**Senate Bill No. 1706**—An act to add Section 54906 to the Government Code, relating to county fire protection districts.

Bill read second time.

##### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 54906 to the Government Code, relating"; strike out line 2 of said title, and insert "validate and make legally effective any statements and maps or plats relating to the creation or boundaries of county fire protection districts, declaring the urgency thereof, to take effect immediately."

##### Amendment No. 2

On page 1, line 1, strike out "Section 54906 is added to the Government Code," and strike out line 2 thereof.

##### Amendment No. 3

On page 1, line 3, strike out "54906."

##### Amendment No. 3.5

On page 1, line 4, after "inclusive," insert "of the Government Code,".

##### Amendment No. 4

On page 1, line 5, strike out "March 1", and insert "April 15".



**Amendment No. 5**

On page 1, after line 7, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Because of unavoidable and unforeseen complications and delay in proceedings in the creating or changing of the boundaries of county fire protection districts, some of such districts were unable to comply with the requirements of law relating to the filing of statements and maps or plats with the county assessor and the State Board of Equalization as a condition to levying taxes for the Fiscal Year 1955-1956. Unless such failure is corrected in accordance with this act, the people in each area affected will be without essential fire protection services during the Fiscal Year 1955-1956; and in order to make such correction effective in time to be of any value for that year, it is necessary that this act take effect immediately."

**Amendments read, and adopted.**

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 338**—An act to add Section 1a to Chapter 9 of the Statutes of 1954, relating to the sale or transfer of the Napa State Farm.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "as he".

**Amendment No. 2**

On page 1, strike out all of line 6, and insert "which has not been authorized to be sold by this act or referred to in Section 2 as he determines should be so transferred".

**Amendments read, and adopted.**

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 696**—An act to add Section 13109.1 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 3 of the printed bill strike out "any other provision of law", and insert "Section 13109".

**Amendment read, and adopted.**

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**THIRD READING OF SENATE BILLS**

**Senate Concurrent Resolution No. 18**—Relative to the observance of Flag Day.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 481**—An act to amend Section 14370 of the Government Code, relating to state public works projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator Desmond Presiding**

At 3.14 p.m., Senator Earl D. Desmond of the Nineteenth District, presiding.

**Senate Bill No. 716**—An act to amend and renumber Section 11007.5 of the Government Code, as amended by Chapter 1307 of the Statutes of 1953, relating to state agencies insuring their officers and employees against flight injuries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 747**—An act to amend Sections 13551 and 13661 of the Government Code, relating to the distribution of state publications, declaring the urgency thereof, to take effect immediately.

**Motion to Re-refer Senate Bill No. 747**

Senator Hulse moved that Senate Bill No. 747 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 985**—An act appropriating to the Department of Finance supplies and equipment in the Service Revolving Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator Grunsky Presiding**

At 3.20 p.m., Senator Donald L. Grunsky of the Twenty-third District, presiding.

**Senate Bill No. 757**—An act to amend Section 11334 of the Government Code, relating to moneys collected for the sale of products by state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 816**—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 339**—An act to amend Section 29747 of the Government Code, relating to claims allowed by county auditor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 340**—An act to amend Section 29746 of the Government Code, relating to the transmittal of claims rejected by the auditor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Cobey, Collier, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 343**—An act to amend Section 29712 of the Government Code, relating to submission and payment of claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 659**—An act to amend Section 28134 of the Government Code, relating to compensation for public service in counties of the thirty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 801**—An act to add Chapter 7 to Title 6 of the Government Code, relating to districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 802**—An act to add Section 60230 to the Government Code, relating to community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1045**—An act to amend Section 54425 and 54515 of the Government Code, relating to revenue bonds, the apportionment of maintenance and operation costs from revenues, and the sufficiency of charges to pay required amounts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1135**—An act to amend Sections 60101, 60102, 60104, 60105, 60106, 60111, 60128, and 60141 of the Government Code, and to amend Sections 60120, 60122, 60123, 60124, 60125, and 60127 (all as added by Chapter 1711 of the Statutes of 1951) of the Government Code, relating to community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Ebert, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1196**—An act to amend Section 5402 of the Public Resources Code, relating to recreation, park, and parkway districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Ehardt, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Ehardt, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1705**—An act to amend Section 60240 of the Government Code, relating to community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Dorsey, Ehardt, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1746**—An act to amend Section 5658 of the Public Resources Code, relating to park, recreation and parkway districts.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Ehardt, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

**Motion to Amend Title**

Senator Byrne moved the adoption of the following amendment to the title of Senate Bill No. 1746.

**Amendment No. 1**

In line 2 of the title of the printed bill after the word "districts", strike out the period, and insert ", declaring the urgency thereof to take effect immediately."

Amendment read, and adopted.

Senate Bill No. 1746 ordered reprinted and transmitted to the Assembly.

**Senate Bill No. 345**—An act to amend Section 29323 of the Government Code, relating to revolving fund bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 344**—An act to amend Section 25350 of the Government Code, relating to the purchase of real property requiring the publication of a notice of intention.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 401**—An act to amend Section 624 of the Fish and Game Code, relating to shipment of trout from this State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1930**—An act to repeal Sections 142, 164, and 165 of the Fish and Game Code, relating to game refuges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 924**—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1668**—An act to repeal Section 734 of the Fish and Game Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 530**—An act to amend Sections 3013, 3014, and 3014.5 of the Civil Code, relating to trust receipts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 319**—An act to add Section 41.1 to the Probate Code, relating to testamentary dispositions by will to charity.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 320**—An act to amend Section 901 of the Probate Code, relating to compensation of executors and administrators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Regan, Richards, Short, Sutton, Ward, and Way—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 860**—An act to amend Section 948 of the Code of Civil Procedure, relating to undertakings on appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Sutton, Ward, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

### Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 275

Senate Bill No. 1310

Senate Bill No. 637

Senate Bill No. 1699

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 91

Senate Bill No. 96

Senate Bill No. 93

Senate Bill No. 97

Senate Bill No. 95

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 90

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 92

Senate Bill No. 98

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bills ordered to second reading.



## LETTER OF TRANSMITTAL

THE SENATE, SACRAMENTO, CALIFORNIA  
January, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Committee on California Indian Affairs, created by Senate Resolution No. 115 (Senate Journal, June 10, 1953, page 4125), presents herewith a progress report of its activities and results of its investigations, together with its recommendations.

Respectfully submitted,

FRED WEYBRET  
CHARLES BROWN  
A. W. WAY  
DALE C. WILLIAMS

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator Way moved that 5,000 additional copies of the report submitted by the Senate Interim Committee on California Indian Affairs, be printed for distribution.

Motion carried.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 629

Senator Miller moved that Senate Bill No. 629 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No 629**—An act to add Section 13775.4 to the Government Code, relating to agreements for the inclusion of teachers in the Old Age and Survivors Insurance System.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 13775.4 to the Government", and insert "Chapter 16, comprising Sections 14820 to 14840 inclusive, to Division 7 of the Education".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "agreements for the inclusion of teachers in the Old Age and Survivors Insurance System", and insert "Social Security coverage for employees of school districts, making an appropriation therefor and declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1 strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Chapter 16 is added to Division 7 of the Education Code, to read:

CHAPTER 16. AGREEMENTS FOR SOCIAL SECURITY COVERAGE OF CERTIFICATED  
AND NONCERTIFICATED SCHOOL DISTRICT EMPLOYEES

14820. As used in this chapter:

(a) "District" means school district of very kind or class.

(b) "Governing Board" means board of school trustees, and city, and city and county board of education.

(c) "Retirement System" includes the State Teachers' Retirement System and all local and district retirement systems.

(d) "Employee" includes both certificated and noncertificated employees.

(e) "Coverage Group" has the meaning given that term by the provisions of Section 218 of Title 2 of the Social Security Act as amended and applicable federal regulations adopted pursuant thereto.

(f) Each district and coverage group defined herein shall be deemed to be under a separate retirement system with respect to all other districts and coverage groups having positions covered by the same or any retirement system.

14821. The Director of Finance shall, upon application by any district, in accordance with the provisions of this chapter, execute on behalf of the State an agreement or modifications of such agreement, with the Secretary of Health, Education and Welfare, or successor in function, for the coverage of employees of such district, under the insurance system established by Title 2 of the Social Security Act in conformity with the provisions of Section 218 thereof as amended, and applicable federal regulations adopted pursuant thereto; provided, however, that before the director shall execute on behalf of the State an agreement or modifications of such agreement with the Secretary of Health, Education and Welfare, or successor in function, the district and the director shall enter into a written agreement, which shall include such provisions, not inconsistent with this part, which the director deems necessary in the administration of the said insurance system as it affects the State and the district and its employees.

14822. The protection afforded employees covered by a retirement system on the date an agreement under this chapter is made applicable to such employment, or receiving periodic benefits under such retirement system at such time, will not be impaired as a result of making the agreement or as a result of legislative enactments in anticipation or furtherance thereof.

14823. The agreement between the director and the Secretary of Health, Education and Welfare or successor in function shall include each coverage group as to which formal request for such inclusion is made by the governing board of the employing district pursuant to this section, prior to the effective date of the agreement, or any modification thereof.

14824. The governing board of any district having employees under no retirement system may make formal application to the director for inclusion of such employees of such district in the said agreement or any modification thereof.

14825. With respect to the employees of any district or coverage group as defined in this chapter, the Governor shall authorize a referendum upon request of the governing board of such district; and the referendum shall be conducted, and the Governor shall designate an agency or individual to supervise its conduct, in accordance with the requirements of Section 218 (d) (3) of the Social Security Act, on the question of whether service in positions covered by a retirement system should be excluded from, or included under, an agreement under this chapter and the Social Security Act. The notice of referendum required by Section 218 (d) (3) (C) of the Social Security Act to be given to employees shall contain or shall be accompanied by a statement, in such form and such detail as the agency or individual designated to supervise the referendum shall deem necessary and sufficient to inform the employees of the rights which will accrue to them and their dependents and survivors, and the liabilities to which they will be subject, if their services are included under an agreement under the Social Security Act.

14826. Upon receiving evidence satisfactory to him that with respect to any referendum conducted as specified in Section 14825, the conditions specified in Section 218 (d) (3) of the Social Security Act have been met, the Governor shall so certify to the Secretary of Health, Education and Welfare or successor in function.

14827. The director in concluding said agreement, as provided in Section 14821 hereof, or any modification of said agreement, may, if said agreement or modification thereof is executed prior to January 1, 1958, provide therein that it shall be effective with respect to services and employment performed after December 31, 1954, or after a later date specified in such agreement or modification thereof.

14828. Every district included in the agreement between the Director of Finance and the Secretary of Health, Education and Welfare, or successor in function, pursuant to the provisions of this chapter, shall be liable for the contributions required of an employer and the portion required to be withheld from the salaries and wages of the employees as required under the provisions of Section 3101 of the Internal Revenue Code of 1954.

14829. Every district included in the agreement between the Director of Finance and the Secretary of Health, Education and Welfare, or successor in function, may withhold from wages and salaries paid by them to employees covered by the said agreement that portion required to be withheld from the salaries and wages of employees under the provisions of the Internal Revenue Code, including contributions due on wages paid for services performed after the effective date of coverage, where retroactive coverage has been requested by the governing board of the district.

14830. The director shall promulgate regulations, not inconsistent with the provisions of this chapter, necessary to provide proper procedures to effectuate the provisions of this chapter in conformity with Section 218 of Title 2 of the Social Security Act as amended and federal regulations adopted pursuant thereto. Such regulations shall include procedures to determine the extent of coverage within

separate coverage groups, and shall prescribe the time, manner and method of filing reports and paying contributions required under the agreement between the director and the Secretary of Health, Education and Welfare, or successor in function. Such regulations shall set forth, in detail, the operations, method and procedure to be followed in the conduct of the retrograde provided for in Section 14825 of this code.

14831. The director may charge or assess each district, and each district shall reimburse the State at such times and in such amounts as the director may charge or assess, which amounts may differ from district to district, the district's proportionate share of any and all costs incurred by the State from and after the effective date of this chapter, as determined by the director, or amounts owing said old age and survivors insurance system as it affects the district and its employees. There shall be added to the amount of each assessment, determined 30 days after written demand, a penalty of 10 percent of the amount thereof, exclusive of interest and penalties.

14832. Every district included in the agreement between the director and the Secretary of Health, Education and Welfare, or successor in function, shall, upon demand of the director pay to the Treasurer of the State any and all sums of money that the State may be obligated to pay or forfeit to the Federal Government from and after the effective date of this chapter, by reason of any delinquency or default of any such district or districts in compliance with the Internal Revenue Code, Federal regulations adopted pursuant thereto, and any agreement or agreement.

14833. Notwithstanding any other provision of law, the director may authorize the payment of all costs incurred by the State in administering the provisions of this chapter from any appropriation available for the support of any state agency, state office, county or district which may be designated by the director to assist in the administration of the provisions of this chapter. Any such payments shall be returned to said fund or such appropriation as provided in Section 14836 of this code. Any state, county, or district agency designated by the director to assist in the administration of the provisions of this chapter shall submit to the director from time to time, for the approval of the director and the State Controller, a plan of financial settlement setting forth the costs incurred by such agency in connection with any duties or powers delegated to it as herein provided.

14834. For the purpose of providing funds which may be necessary to make the payments required of employers pursuant to the provision of Section 14828 of this code, a special district tax may be levied by the governing board and collected annually at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum tax rates for school district purposes.

14835. There is hereby appropriated from the General Fund in the State Treasury the sum of twenty thousand dollars (\$20,000), which shall be transferred to the School District Old Age and Survivors Insurance Revolving Fund, which is hereby created. All money in said revolving fund is appropriated without regard to fiscal years to the Director of Finance to carry out the provisions of this chapter. The director may authorize any state, county or district agency, which he may designate, to assist in the administration of the provisions of this chapter, and to make expenditures from the said School District Old Age and Survivors Insurance Revolving Fund to the same extent as the director is authorized to make expenditures from such fund.

14836. The said School District Old Age and Survivors Insurance Revolving Fund shall be used by the director, or by any state, county or district agency the director may designate, for the following purposes and for any other purposes necessary to carry out the provisions of this chapter:

(1) To reimburse any appropriation available for the support of any state office or other agency, state or local, designated by the director to assist in the administration of the provisions of this chapter for any payments made in accordance with Section 14833 of this code.

(2) To advance on behalf of any district or districts any part or all of the contributions required to be paid by them pursuant to Sections 14828, 14829 and 14832 of this code.

(3) To advance on behalf of any district or districts any sums of money the State may be obligated to pay or forfeit to the Federal Government from and after the effective date of this chapter, by reason of any default or delinquency of any such district or districts in paying the contributions, penalties or interest required by the Internal Revenue Code and Federal regulations adopted pursuant thereto, as well as pursuant to the said agreement between the director and the Secretary of Health, Education and Welfare, or successor in function.

(4) To make refunds to any district or districts of contributions, penalties, interest, reimbursements, or other amounts received from any such district or districts as overpayments or paid by them in error.

14837. Any district on whose behalf the director has made any advance of moneys as provided in Section 14833 of this code shall, upon receipt of written demand from the director, reimburse the State in the amount of any advances.



14838. All contributions, penalties, interest and reimbursements received by the State from any district or districts pursuant to this chapter shall be deposited in said School District Old Age and Survivors Insurance Revolving Fund.

14839. All employer and employee contributions, penalties, interest, and the districts' proportionate share of the cost to the State for administering said insurance system, as required of the districts to be paid by this chapter, shall be deposited in the said revolving fund, and the director, or any state, county or district agency authorized by him, may make all payments from the said revolving fund which the State may be required to pay to the Federal Government pursuant to the said agreement between the director and the Secretary of Health, Education and Welfare.

14840. Every district and coverage group, upon receipt of a written request from the director, or from such other state, county or district agency which he has designated to assist in the administration of the provisions of this chapter, shall submit all wage, contribution, and other reports required to fulfill the obligations of the State under the insurance system established by Title 2 of the Social Security Act. In the event of a failure or refusal to submit such report requested, the director and such designated agency, or either of them, may audit the books and records of such district or coverage group; and the cost of such audit shall be assessed against such district or group.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Sweeping changes have been made in the Social Security Act during 1954, providing, among other matters, that school districts and their employees, although already under retirement systems, may now be covered by the Old Age and Survivors Insurance program of the Federal Government, as well. Such districts cannot be so covered unless and until the Education Code of this State is changed as herein provided, to conform with such changes in federal law. These enactments are necessary to allow such districts to come under such federal program without making their participation retroactive, with all of the attending confusion which would ensue therefrom. Great hardship will result to individuals employed by districts under retirement systems if their contributions to the insurance program herein created are deducted retroactively over a period of several months, instead of currently, which immediate enactment and effect would provide."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was introduced, and read:

**Senate Joint Resolution No. 18:** By Senators Donnelly, Thompson, Parkman, Robert I. McCarthy, Cobey, Way, Short, Montgomery, Harold T. Johnson, John F. McCarthy, Kraft, Regan, Teale, Busch, Richards, Dorsey, Brown, Ward, J. Howard Williams, Breed, Hulse, Coombs, Ed. C. Johnson, Erhart, Gibson, Byrne, Murdy, Berry, Cunningham, and Burns—Relative to memorializing Congress to appropriate funds for the construction and improvement of highways necessary for civil defense purposes.

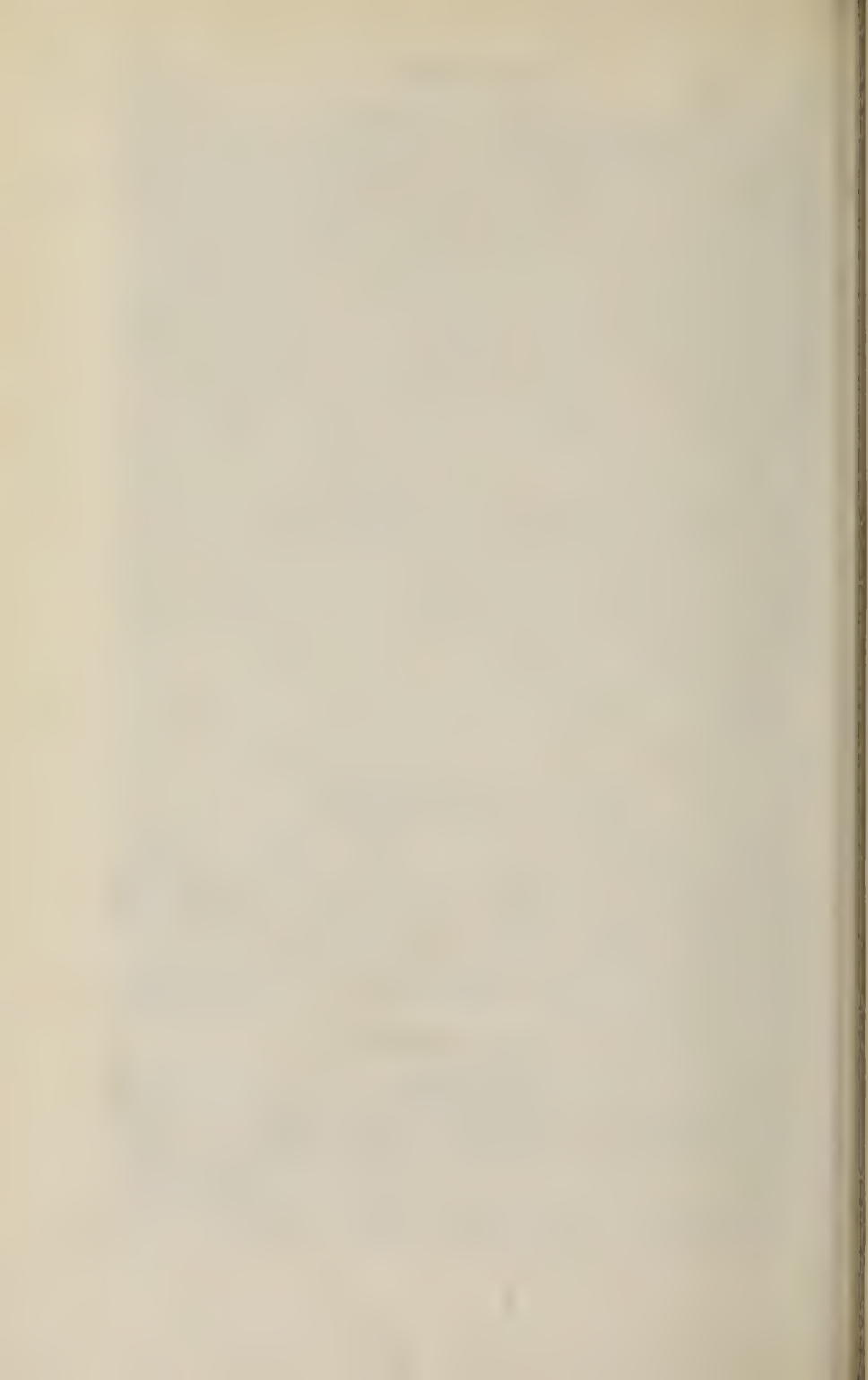
Referred to Committee on Transportation.

#### ADJOURNMENT

At 4.40 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Tuesday, March 15, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-SIXTH LEGISLATIVE DAY

THIRTY-FIFTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, March 15, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Sutton, on motion of Senator Breed, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Eugene W. Biscailuz, Sheriff of Los Angeles County.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harold Colburn, Mrs. Harold Colburn, and Henry F. Uhlinger, all of Ione.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James G. Fowler, County Recorder of Santa Barbara.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Toupin, Allyn Browne, Robert Birchenall, Bryant Zimmerman, and Robert Bonnell, all members of the San Francisco Junior Chamber of Commerce.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mr. Whalen, Mr. Bagnes, Mr. Anderson, Miss Foster, and the following students from the Bohannon School, San Lorenzo School District: Francis Bacon, Edwin Bauer, Edward Boland, Billy Brocco, Patricia Chison, David Comini, Robert Cox, Judith Erichsen, Francis Gary, Rosalie Goodrich, Lynn Gordon, Anne Gregory, Judith Henderson, Jo Anne Hutton, Carol Kinsey, Ronald Kress, Carolyn Lasseter, Clinton Lewis, Rosemary Mantinea, Robert Moreno, Fay O'Connor, Rae Jean Olson, George Otto, Ralph Peterson, Pamela Penningroth, Karen Pond, Gary Rose, Brenda Rosenkrans, Charles Scarno, Lucille Stevenson, Nancy Summerford, Carolyn Thornley, Michael Warden, Susan Weir, Wanda Adams, Margaret Joan Alford, Judith Bergman, Trina Britch, Diane Brizzolara, John Butler, Tommy Carter, Hazel Castro, Rita Crawford, Anthony Farmer, Joan Freais, Valeria Froisness, Duane Hemza, Esther Jancik, Larry Johnson, Linda Kreeck, Richard Locke, Beverly Lynch, Betty Morgan, Linda Ray, Alan Sherak, Joan Siegal, Lorna Smith, Neil Sorenson, Michael Souza, Jim Spaulding, Robert Souza, Susan Stein, Bill Tourtillot, John Van Winkle, Mona Williams, and Patricia Wright.

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert B. Finnegan, Philip A. Woodworth, and Francis L. Duke, all of Valley Springs.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mother Concepta, Sister Gertrude, and the following members of the seventh grade class of the St. Francis School, Sacramento: Raymond Bambery, Sandra Barbeau, Tom Bellue, Marilyn Bennett, Kathryn Corcoran, Marilee Cozart, Marion Decker, Arthur Donati, Marcella Duolos, Alan Felion, Clair Ann Pollett, Sharon Foster, Diane Freer, George Glass, Jo-Annette Giero, Jean Goodrich, Patty Green, Gertrude Grewe, Walter Howe, Rosemary La Forgia, Nancy Lawrence, Bonnie-Jo Le Masters, Susan Lewis, Carol Lewis, Joan Manning, Danny Martinez, Steven Middleton, Sheila Mullin, Janis Nelson, Bill Oates, Sharon O'Connell, Horace Oliphant, Terence Oliva, Richard Pawlaczky, Joyce Plona, Stephen Radman, Sharon Rakela, Judy Ramos, Anna Rendall, Michael Roy, Catherine Santilippa, Billy Schwab, Norman Schlumpf, Antoinette Silva, Gregory Walsh, Henry Streit, Anastasia Vidueich, Joe Westlake, Arlin Weinberger, Carole Witman, Kathy Wood, and Jane Yeagain.

On request of Senators Ed. C. Johnson and Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ruth Edmonds, consultant, Colusa County Schools; Eleanor S. Prime, principal, Johns School, Arbuckle; and the following pupils: Carol Stetson, Abie Hong, Gary Shamberger, Robert Marks, Stephen Mumma, and James Dysle.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Milliken, Mrs. Kerston, Mrs. Palmer, Mrs. Phillips, and Mrs. Ridgeway, of the San Rafael Council of the P. T. A.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 65

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 65**—Relative to diamond jubilee of California navel orange industry.

#### Request for Unanimous Consent

Senator Dilworth asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 65, at this time, for consideration.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 65

**Assembly Concurrent Resolution No. 65**—Relative to diamond jubilee of California navel orange industry.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Ward, Way, and J. Howard Williams—28.  
NOES—None.

Resolution ordered transmitted to the Assembly.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 172

Senate Bill No. 1746

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 338

Senate Bill No. 1706

And reports the same correctly engrossed.

WARD, Chairman



**Committee on Natural Resources**

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 1558

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 98**

Senator Parkman moved that Assembly Bill No. 98 be withdrawn from Committee on Transportation and re-referred to Committee on Governmental Efficiency.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1463**

Senator Thompson moved that Senate Bill No. 1463 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1463**—An act to amend Section 24862 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 24862 of", and insert "add Section 23045 to, to amend Sections 23009, 23042, 23043, 23044, 23100, 23101, 23102, 23103, 23104, 23104.3, 23104.4, 23105, 23106, 23107, 23108, 23109, 23320, 23321, 23322, 23323, 23324, 23326, 23327, 23328, 23329, 23330, 23331, 23332, 23372, 23377, 23378, 23381, 23383, 23384, 23386, 23387, 23389, 23390, 23391, 23392, 23430, 23452, 23455, 23660, 23666, 23667, 23668, 23669, 23778, 23779, 23787, 23789, 23792, 23820, 23821, 23822, 23823, 23850, 23951, 23952, 23957, 23958, 23985, 23986, 23987, 23988, 24010, 24011, 24012, 24013, 24014, 24015, 24016, 24041, 24042, 24043, 24045, 24046, 24047, 24048, 24049, 24050, 24070, 24072, 24073, 24074, 24076, 24200, 24200.5, 24201, 24202, 24203, 24204, 24300, 24301, 24756, 24757, 24857, 24869, 24873, 24874, 24875, 24876, 24878, 24880, 24881, 25000, 25001, 25005, 25006, 25010, 25174, 25201, 25203, 25236, 25350, 25352, 25354, 25355, 25356, 25357, 25358, 25359, 25368, 25372, 25500, 25370, 25371, 25601, 25606, 25607, 25612, 25616, 25750, 25751, 25752, 25753, 25754, 25755, 25756, 25757, 25758, 25759, and 25760 of, and to repeal Section 23961 of."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 23009 of the Business and Professions Code is amended to read:

23009. "Licensee" means any person holding a license issued by the [board] Department.

SEC. 2. Section 23042 of said code is amended to read:

23042. "Board" means the State Board of Equalization, *in the exercise of the powers and duties with respect to excise taxes reserved to it by Section 22 of Article XX of the Constitution.*

SEC. 3. Section 23043 of said code is amended to read:

23043. ["State Liquor Administrator" means the Chief of the Alcoholic Beverage Control Division, and he shall have the power and duties which this division provides shall be exercised by him and which may be assigned to him by the board.]

"Department" means the Department of Alcoholic Beverage Control, and "director" means the Director of Alcoholic Beverage Control.

SEC. 4. Section 23044 of said code is amended to read:

23044. "License" means a license authorized to be issued by the [board] department pursuant to this division.

SEC. 5. Section 23045 is added to said code, to read:

23045. "Appeals board" means the Alcoholic Beverage Control Appeals Board.

SEC. 6. Section 23100 of said code is amended to read:

23100. Any person in possession of a stock of lawfully acquired alcoholic beverages following the revocation or voluntary surrender of, or failure to renew, his license may sell the stock, under supervision of the [board] department in such manner as the [board] department by rule provides, to licensees authorized to sell the alcoholic beverages.

SEC. 7. Section 23101 of said code is amended to read:

23101. Any bank, trust company, or financial institution owning or possessing warehouse receipts for alcoholic beverages, which warehouse receipts were acquired by the bank, trust company, or financial institution as security for a loan, may, after permission has been given by the [board] department, sell the warehouse receipts to a licensee authorized to sell such alcoholic beverages or such warehouse receipts.

SEC. 8. Section 23102 of said code is amended to read:

23102. Any person acting as administrator, executor, or guardian of the estate of a retail licensee, as receiver for a retail licensee, as trustee of the bankrupt estate of a retail licensee, or as assignee for the benefit of creditors of a retail licensee, may, after receiving permission from the [board] department, sell and deal in alcoholic beverages under authority of the license issued to the retail licensee for a period not exceeding 45 days from the date of the appointment of the person as administrator, executor, guardian, receiver, trustee, or assignee for the benefit of creditors.

SEC. 9. Section 23103 of said code is amended to read:

23103. The administrator, executor, or guardian of the estate, or receiver, or assignee for the benefit of creditors, or trustee of the bankrupt estate of a licensee other than a retail licensee, may, after receiving the permission of the [board] department, on such terms and conditions as the [board] department prescribes, operate under the license issued to the licensee, pending transfer of the license to such person, for a period not exceeding 45 days. The terms and conditions prescribed by the [board] department shall include the filing of an appropriate bond under the applicable provisions of this division conditioned upon the payment of all excise taxes, penalties, and interest assessed against or imposed upon such persons in those cases in which such persons are liable for the payment of excise taxes, penalties, and interest under the provisions of this division.

SEC. 10. Section 23104 of said code is amended to read:

23104. Any insurance company may, or any common carrier acting as an insurer for losses to persons shipping alcoholic beverages may, after permission has been granted by the [State Liquor Administrator] department, take possession of and sell any alcoholic beverages the containers of which have been damaged by fire or otherwise to licensees authorized to sell the alcoholic beverages. Any licensee so qualified may purchase and accept delivery of the alcoholic beverages from the insurance company or common carrier so authorized to sell. This permission extends only to alcoholic beverages owned by a licensee and insured against loss or damage by the insurance company or common carrier applying for the permission.

SEC. 11. Section 23104.3 of said code is amended to read:

23104.3. A retail licensee may make a return of distilled spirits to the wholesaler, rectifier or manufacturer from whom he purchased the distilled spirits or to the successor of such wholesaler, rectifier or manufacturer, or in the event that such wholesaler, rectifier or manufacturer has ceased carrying on a business licensed under this division and there is no successor to such business, the return may be made to some other wholesaler, rectifier or manufacturer after the retail licensee has obtained from the [board] department approval to make such return. A retail licensee may exchange a package of distilled spirits for a similar package of the same brand with any manufacturer, rectifier or wholesaler whether or not the retail licensee had purchased the package from the manufacturer, rectifier or wholesaler with whom he is exchanging it for a similar package of the same brand.

SEC. 12. Section 23104.4 of said code is amended to read:

23104.4. An executor or administrator of the estate of a deceased person who was not a licensee at the time of his death but in whose estate there is included an

inventory of alcoholic beverages, or the guardian of the estate of an incompetent person in whose estate there is included an inventory of alcoholic beverages, is authorized to sell such alcoholic beverages to a licensee authorized to sell the same in accordance with regulations prescribed by the [board] department.

SEC. 13. Section 23105 of said code is amended to read:

23105. In accordance with rules prescribed by the [board] department, a warehouseman may sell alcoholic beverages to enforce the lien provided for by the Warehouse Receipts Act only to licensees authorized to sell the alcoholic beverages. Notice of the time and place of the sale shall be given to the [board] department prior to the sale.

SEC. 14. Section 23106 of said code is amended to read:

23106. (a) Wine stored in a winery, wine storeroom, or field warehouse bonded under the internal revenue laws of the United States and brandy in bulk stored in an internal revenue bonded warehouse may be stored by or for any licensee without the necessity of any license by the person furnishing or providing the storage space.

(b) Beer and wine upon which excise taxes have been paid to the State at the rate fixed under this division, may be stored by or for any licensee in any private or public warehouse or elsewhere in this State without the necessity of any license by the person furnishing or providing the storage space or any special additional license by the licensee.

(c) Any other alcoholic beverage may, without the necessity of any additional license, be stored by or for a licensee in private warehouses approved by the [board] department, if within the limits of the county in which the licensee's licensed premises are located, or in a public warehouse within that county, or may be stored in bond in a public warehouse outside that county if the public warehouse is also a United States customs bonded warehouse, a United States internal revenue bonded warehouse, or United States bonded storeroom.

SEC. 15. Section 23107 of said code is amended to read:

23107. Any person may, in accordance with rules and regulations to be prescribed by the [board] department, purchase and take delivery of alcoholic beverages within this State for delivery or use without the State and may, without obtaining any license in this State, export the same from this State within 90 days from the date of such purchase.

SEC. 16. Section 23108 of said code is amended to read:

23108. Licensees of other states may purchase bulk brandy produced in this State and stored in an internal revenue bonded warehouse in this State or may purchase warehouse receipts covering the brandy for storage in this State, and may subsequently, without obtaining any license therefor in this State, export the brandy in accordance with the rules prescribed by the [board] department. The sale of brandy or warehouse receipts pursuant to this section by a taxpayer to the purchasing licensee of another state shall be exempt from the excise tax levied by Section 24465.

SEC. 17. Section 23109 of said code is amended to read:

23109. Alcoholic beverages in continuous transit through this State are exempt from the provisions of this division only while in continuous transit through this State in the possession or custody of common carriers. The [board] department may require affidavits of any person on forms prescribed by the [board] department and may require any such shipments to be checked in and checked out at the boundaries of the State. Any person refusing to make the affidavits required or refusing to check in or check out the alcoholic beverages is guilty of a misdemeanor.

SEC. 18. Section 23320 of said code is amended to read:

23320. The following are the types of licenses to be issued under this division and the annual fees to be charged therefor:

(1) Beer manufacturer's license.....	\$825.00 per year
(2) Wine grower's license (to be computed only on the gallonage produced), 5,000 gallons or less.....	22.00 per year
Over 5,000 gallons to 20,000 gallons per year.....	44.00 per year
Over 20,000 to 100,000 gallons per year.....	82.50 per year
Over 100,000 to 200,000 gallons per year.....	110.00 per year
Over 200,000 gallons to 1,000,000 gallons a year.....	165.00 per year
For each 1,000,000 gallons or fraction thereof over 1,000,000 gallons an additional.....	110.00 per year
(3) Brandy manufacturer's license.....	165.00 per year
(4) Distilled spirits manufacturer's license.....	275.00 per year
(5) Distilled spirits manufacturer's agent's license.....	275.00 per year
(6) Still license.....	11.00 per year
(7) Rectifier's license.....	275.00 per year
(8) Wine rectifier's license.....	275.00 per year
(9) Beer bottling or packaging license.....	550.00 per year
(10) Beer and wine importer's license.....	No fee
(11) Brandy importer's license.....	No fee
(12) Distilled spirits importer's license.....	No fee



(13) Public warehouse license.....	\$11.00 per year
(14) Customs broker's license.....	55.00 per year
(15) Wine broker's license.....	55.00 per year
(16) Beer and wine wholesaler's license.....	55.00 per year
(17) Distilled spirits wholesaler's license.....	275.00 per year
(18) Industrial alcohol dealer's license.....	55.00 per year
(19) Retail package off-sale beer and wine license.....	11.00 per year
(20) Retail package off-sale general license for the first \$10,000 retail sales of distilled spirits per year.....	121.00 per year
For each \$1,000 or fraction thereof of retail sales of dis- tilled spirits over \$10,000 per year.....	11.00 per year
But not exceeding in all the maximum of.....	825.00 per year
(21) On-sale beer license.....	27.50 per year
(22) On-sale beer and wine license.....	82.50 per year
(23) On-sale beer and wine license for trains (per train).....	16.50 per year
(24) On-sale beer and wine license for boats (per boat).....	55.00 per year
(25) On-sale general license.....	82.50 per year
plus an additional fee as set by the [board] department for the distilled spirits privileges	
(26) On-sale general license for seasonal business.....	20.62 per quar- ter year
plus an additional fee as set by the [board] department for the distilled spirits privileges	

Every fee imposed with respect to a license by any other provision of this division shall be increased to an amount equal to ten percent (10%) of the amount of such fee.

The increase in fees made by this amendment shall not be affected by the limitation placed by Section 26004 upon the existence of the Alcoholic Rehabilitation Commission.

SEC. 19. Section 23321 of said code is amended to read:

23321. In fixing license fees for on-sale general licenses, the [board] department may place common carrier boats and trains in a separate classification or separate classifications, and fix different or lesser license fees for boats or for trains than those fixed for other on-sale general licenses, giving consideration to the limited number of possible customers on boats or on trains and the limited number of hours within which it is practicable to exercise the license on a boat or on a train.

SEC. 20. Section 23322 of said code is amended to read:

23322. The fees specified in Sections 23320 and 23321 shall be reduced 25 percent for each full quarter of a year elapsing between the first day of the year for which the license is issued and the date on which the application for the license is filed with the [board] department; except that when an application clearly indicates that the applicant does not desire to exercise the privileges granted by the license applied for until on or after the beginning of the quarterly period following the quarterly period in which the application is filed with the [board] department, such fees shall be reduced 25 percent for each full quarter of a year elapsing between the first day of the year for which the license is issued and the date so indicated in the application. In no event shall any license, other than a temporary on-sale beer or wine license, be issued for any period for a fee less than one-half of the annual license fee.

SEC. 21. Section 23323 of said code is amended to read:

The provisions of Section 23322 do not restrict the power of the [board] department to make the refunds authorized by Section 23960.

SEC. 22. Section 23324 of said code is amended to read:

23324. When the fee for any license is graduated according to the amount of alcoholic beverages sold under the license, and the license is applied for after the beginning of the license year, the amount of alcoholic beverage authorized to be sold under the license shall be reduced proportionately with the reduction in fee provided in Section 23322 in accordance with such rules and regulations as the [board] department may prescribe.

SEC. 23. Section 23326 of said code is amended to read:

23326. Off-sale general licensees shall report quarterly at such time and in such manner as the [board] department may prescribe the amount of distilled spirits sold during the preceding quarter. If any report shows that the total amount of distilled spirits sold during the year exceeds the amount permitted annually by the license fee already paid the [board] department, the licensee shall accompany the report with such additional license fee as may be unpaid in accordance with the schedule provided in Section 23320. If any off-sale general licensee for any reason quits business, he shall within 15 days after the date of quitting business make a final report and payment of any additional license fee disclosed by his report or by an investigation by the [board] department to be unpaid.

SEC. 24. Section 23327 of said code is amended to read:

23327. Persons holding wine growers' licenses shall report annually at the end of each fiscal year, at such time and in such manner as the [board] department may prescribe, the amount of wine produced by them during the fiscal year.



If the total amount of wine produced during the year exceeds the amount permitted annually by the license fee already paid the [board] department, the licensee shall pay such additional license fee as may be unpaid in accordance with the schedule provided in Section 23320.

SEC. 25. Section 23328 of said code is amended to read:

23328. If a licensee neglects or refuses to make a report as required by Sections 23326 and 23327, the [board] department shall make an estimate based upon any information in its possession, or that may come into its possession, of the amount of the retail sales of distilled spirits or of wine produced, as the case may be, of the delinquent licensee for the periods with respect to which he failed to make a report and, upon the basis of the estimated amount, compute and assess the additional license fees payable by the delinquent licensee. An assessment may be made of the amount of license fees due for more than one period. The [board] department shall give the delinquent licensee written notice of the estimated license fee.

SEC. 26. Section 23329 of said code is amended to read:

23329. If the [board] department is not satisfied with a report required to be filed by Sections 23326 and 23327, it may make an additional assessment of license fees due based upon the facts contained in the report or upon any information within its possession, or that comes into its possession. An additional assessment may be made of the license fees for more than one period. In making an additional assessment the [board] department may offset overpayments for periods against underpayments for other periods. The [board] department shall give the licensee written notice of the additional assessment.

SEC. 27. Section 23330 of said code is amended to read:

23330. Any licensee against whom an assessment is made by the [board] department pursuant to Section 23328 or 23329 may petition for reassessment within 15 days after service upon the licensee of notice of the assessment. If a petition for reassessment is not filed within the 15-day period, the amount of the assessment becomes final at the expiration thereof.

SEC. 28. Section 23331 of said code is amended to read:

23331. If a petition for reassessment is filed within 15 days, the [board] department shall reconsider the assessment and, if the licensee has so requested in his petition, shall grant the licensee an oral hearing and give the licensee 10 days' notice of the time and place of hearing. The [board] department may continue the hearing from time to time as may be necessary. The [board] department may decrease or increase the amount of the assessment. The amount of the assessment may be increased, however, only if a claim for the increase is asserted by the [board] department at or before the hearing.

SEC. 29. Section 23332 of said code is amended to read:

23332. The order or decision of the [board] department upon a petition for reassessment becomes final upon service upon the licensee of notice of the order or decision. All assessments made by the [board] department in regard to license fees become due and payable at the time they become final.

SEC. 30. Section 23372 of said code is amended to read:

23372. A wine rectifier's license authorizes the person to whom issued to cut, blend, rectify, mix, flavor, or color wine upon which the excise tax imposed by this division has been paid, and whether so cut, blended, rectified, mixed, flavored, or colored by him, or any other person, to package, label, export, and sell the products to persons holding licenses issued by the [board] department authorizing the sale of wine. The holder of a wine rectifier's license may apply for and hold a wine importer's license, a distilled spirits manufacturer's license, or a distilled spirits manufacturer's agent's license. A wine rectifier's license shall not be issued to or held by the holder of a retail off-sale or retail on-sale license.

SEC. 30.5. Section 23377 of said code is amended to read:

23377. A wine broker's license authorizes the person to whom issued to act as a wine broker, for a fee or commission, in the purchase of wine for or on behalf of a person within or without this State authorized to buy wine for purposes of resale and in the sale of wine for or on behalf of a person, other than a retail licensee, licensed to sell wine within the State. A wine broker shall not buy or sell any wine for his own account, take or deliver title to wine, or receive or store any wine in his own name in this State. A wine broker shall not offer to sell, agree to offer to sell, or sell any wine unless he first has a bona fide authorization to do so from a person, other than a retail licensee, licensed to sell wine in this State. A wine broker shall not offer to buy, agree to buy, agree to offer to buy, or buy any wine unless he first has a bona fide authorization to do so from a person within or without this State authorized to buy wine for purposes of resale. The exercise of the privileges granted by the wine broker's license are subject to such rules and conditions as the [board] department deems necessary and proper.

SEC. 31. Section 23378 of said code is amended to read:

23378. Any wholesaler's license authorizes the sale of the alcoholic beverage specified in the license only to persons holding licenses issued by the [board] department authorizing the sale of the alcoholic beverage, and authorizes the exportation of the alcoholic beverage.

SEC. 32. Section 23381 of said code is amended to read:

23381. Any manufacturer's, wine grower's, manufacturer's agent's, rectifier's or wholesaler's license authorizes the licensee to:

(a) Deal in warehouse receipts, for the kind of alcoholic beverages which the licensee is authorized to sell, with other licensed manufacturers, wine growers, distilled spirits manufacturer's agents, rectifiers, or wholesalers who are authorized to sell the kind of alcoholic beverages covered by the warehouse receipt.

(b) Sell warehouse receipts for brandy produced in this State to licensees of other states who are authorized to deal in brandy, for the purpose of storage of the brandy covered by the warehouse receipts in internal revenue bonded warehouses in this State for subsequent export to another state.

Nothing in this division prohibits the sale of a warehouse receipt for alcoholic beverages by any other person, in accordance with rules adopted by the [board] department, to manufacturers, wine growers, manufacturer's agents, rectifiers, and wholesalers licensed to sell the kind of alcoholic beverages covered by the warehouse receipt when the warehouse receipt was acquired by the person prior to May 1, 1941.

SEC. 33. Section 23383 of said code is amended to read:

23383. Any manufacturer's, wine grower's, manufacturer's agent's, importer's, rectifier's, or wholesaler's license also authorizes the transfer of title to the alcoholic beverages specified in the license to other licensed manufacturers, wine growers, manufacturer's agents, importers, rectifiers, and wholesalers when the alcoholic beverages are in storage in a licensed public warehouse, United States customs bonded warehouse, United States internal revenue bonded warehouse, or United States bonded storerooms located at any place within the State without any additional or other license therefor. Such licenses also authorize the sale of alcoholic beverages specified in the license to persons who, under such procedure as shall be established by the [board] department, take delivery of the alcoholic beverages in this State for delivery or use without the State.

SEC. 34. Section 23384 of said code is amended to read:

23384. Any licensed beer manufacturer, wine grower, brandy manufacturer, rectifier, or wholesaler may, in addition to the other privileges exercised under his license and in accordance with rules prescribed by the [board] department, sell tax-paid alcoholic beverages mentioned in the license of the licensee to nonlicensees having a fixed place of business or residence upon territory within this State which is maintained by the United States Government as a military or naval reservation or national park.

SEC. 35. Section 23386 of said code is amended to read:

23386. Any manufacturer's, wine grower's, manufacturer's agent's, rectifier's, importer's, or wholesaler's license also authorizes the giving away of samples of the alcoholic beverages which are authorized to be sold by the licensee under such rules as shall be prescribed by the [board] department. A retail license does not authorize the furnishing or giving away of any free samples of alcoholic beverages.

SEC. 36. Section 23387 of said code is amended to read:

23387. In addition to the other privileges exercised under a wholesaler's or rectifier's license, a wholesaler or rectifier may sell the alcoholic beverages mentioned in his license to persons who take delivery of such alcoholic beverages within this State for delivery or use without the State within 90 days from the date of such sale in accordance with rules and regulations prescribed by the [board] department.

SEC. 37. Section 23389 of said code is amended to read:

23389. A licensed beer manufacturer may sell and deliver beer from branch offices located away from his place of manufacture and exercise all his license privileges, other than manufacture, at or from the branch offices. The [board] department shall upon request issue to a beer manufacturer a duplicate of his original license which shall authorize the maintenance and operation of each branch declared and designated by him, upon the payment for each duplicate of an amount equal to the license fee payable for a like period for a wholesale beer and wine license.

SEC. 38. Section 23390 of said code is amended to read:

23390. A licensed wine grower or brandy manufacturer, in addition to exercising all the privileges of his license at his licensed premises, may exercise all his license privileges at or from branch offices or warehouses, or United States bonded storerooms located away from his place of production or manufacture, other than production or manufacture and the sale or delivery of wine to consumers in containers supplied, furnished, or sold by the consumer. The [board] department shall upon request issue to a wine grower or brandy manufacturer a duplicate of his original license for a location or locations other than his wine production or brandy manufacture premises. The duplicate license authorizes the maintenance and operation of each branch or warehouse or United States bonded storeroom declared and designated by the wine grower or brandy manufacturer at the location for which the duplicate license is issued. The fee for each duplicate wine grower's license is an amount equal to the license fee payable for a like period for a wholesale beer and wine license, and for each duplicate brandy manufacturer's license an amount equal to the fee paid for the original license.

SEC. 39. Section 23391 of said code is amended to read:

23391. If a violation of any provision of this division or of any rule of the [board] department is committed in the exercise of the license privileges authorized to be exercised at any branch office, and the violation becomes a matter of investigation, hearing, or decision by the [board] department with relation to the license of the licensee, the [board] department in making its ruling or decision, if the violation is found to be one committed in connection with the operation of the branch office and not a violation in connection with manufacturing or production or the manufacturing or production premises, shall not suspend, revoke, or interfere with the manufacturer's or wine grower's license privileges or license at his place of manufacture or production but shall limit the application of its decision, permissible under this division, to and in connection with the particular duplicate license and the premises in the operation of which the violation occurred.

SEC. 40. Section 23392 of said code is amended to read:

23392. If a violation of any provision of this division or of any rule of the [board] department is committed in connection with the premises where the act of manufacturing beer or producing wine is performed, the [board] department in making its ruling or decision in connection with the violation shall limit its decision, permissible under this division, to and in connection with the license upon the premises of manufacture or production and to the particular function exercised by the licensee wherein a violation occurred, such as manufacturing, production, importing, exporting, packaging, labeling, selling to wholesalers, or selling to retailers, and any existing duplicate license for any branch office, unless the branch office actually participated in the commission of the violation, shall not be affected or interfered with by the decision or by reason of the violation.

SEC. 41. Section 23430 of said code is amended to read:

23430. The [board] department may issue one club license to any club as defined in this article. The fee for a club license shall be seventy-five dollars (\$75) per year, plus an additional fee as set by the [board] department for the distilled spirits privileges of the license. The fee for a club license shall not exceed the fee for an on-sale general license in the locality where the club is maintained.

SEC. 42. Section 23452 of said code is amended to read:

23452. The [board] department may issue one veterans' club license to any post, chapter, camp or other local unit described in Section 23451 for the establishment, if otherwise satisfactory, where the post, chapter, camp, or other local unit maintains its club. The fee for a veterans' club license shall be in such amount as is set by the [board] department, not to exceed the fee for an on-sale general license in the locality where the club is maintained.

SEC. 43. Section 23455 of said code is amended to read:

The [board] department may revoke any license issued pursuant to this article whenever, in the judgment of the [board] department, the licensee ceases to operate as a bona fide club.

SEC. 44. Section 23660 of said code is amended to read:

23660. Postal authorities may refuse delivery of any shipment of alcoholic beverages originating outside this State. Postal authorities may turn alcoholic beverages over to the [board] department. The alcoholic beverage when received shall be forfeited to the State.

SEC. 45. Section 23666 of said code is amended to read:

23666. Alcoholic beverages imported into this State contrary to the provisions of Sections 23661 to 23665, inclusive, shall be seized by the [board] department.

SEC. 46. Section 23667 of said code is amended to read:

23667. Common carriers transporting alcoholic beverages into this State for delivery or use within this State or common carriers making delivery of alcoholic beverages so transported shall obtain from the licensed importer or customs broker a receipt on a form prescribed by the [board] department for the alcoholic beverages so transported and delivered. If the consignee refuses to give the receipt and show his license to the carrier, the carrier is relieved of all responsibility for delivery of the alcoholic beverages.

SEC. 47. Section 23668 of said code is amended to read:

23668. Subject to the provisions of Section 23662, whenever the consignee is not a licensed importer or customs broker or whenever the consignee refuses to give his receipt and show his license, the carrier shall immediately notify the [board] department at Sacramento giving full details as to the character of shipment, point of origin, destination, and address of the consignor and consignee, and within 10 days the alcoholic beverages shall be delivered to the [board] department and shall be forfeited to the State.

SEC. 48. Section 23669 of said code is amended to read:

23669. If any alcoholic beverage seized under Section 23666 or forfeited under Section 23668 are sold by or under the direction of the [board] department, the common carrier's unpaid freight and storage charges accruing on the shipments of the alcoholic beverages shall be satisfied out of the proceeds of any sale made by the State after deducting the cost of the sale and any excise taxes accruing thereon.



SEC. 49. Section 23778 of said code is amended to read:

23778. A distilled spirits wholesaler's license shall not be held by any person unless at all times throughout the license year he has on his wholesale premises a reasonable stock of distilled spirits, as determined by the [board] department, for which he has fully paid lawful money or its equivalent.

SEC. 50. Section 23779 of said code is amended to read:

23779. No wholesale license shall be issued to any person who does not in good faith actually carry on or intend to carry on a bona fide wholesale business by sale to retail licensees of the alcoholic beverage designated in the wholesale license, and the [board] department may revoke any wholesale license when the licensee fails for a period of 45 days actively and in good faith to engage in the wholesale business and shall revoke any distilled spirits wholesaler's license held by any person who fails to comply with applicable provisions of Sections 23378, 23379, 23776, 23777, and 23778. Sale by a wholesale licensee to himself as a retail licensee is not the transaction of a bona fide wholesale business.

SEC. 51. Section 23787 of said code is amended to read:

23787. The [board] department shall, before issuing any on-sale license for the sale of alcoholic beverages, other than beers, to be consumed or otherwise disposed of in any hotel, restaurant, cafe, cafeteria, or other public eating place, determine whether the hotel, restaurant, cafe, cafeteria, or other public eating place is equipped and maintained in good faith for sales to and consumption by the public of meals upon the premises.

SEC. 52. Section 23789 of said code is amended to read:

23789. The [board] department is specifically authorized to refuse the issuance of on-sale retail licenses for premises located within the immediate vicinity of churches, hospitals, schools, and children's public playgrounds.

SEC. 53. Section 23792 of said code is amended to read:

23792. No license, other than an on-sale beer license, shall be issued to any applicant for any premises situated more than one mile outside the limits of an incorporated city and within two miles of any camp or establishment of men, numbering 25 or more, engaged upon or in connection with the construction, repair, or operation of any work, improvement, or utility of a public or quasi-public character. This section does not apply to the renewal of any licenses for any premises which have been established and licensed under this division at least six months prior to the establishment of the camp or establishment of men, and such licenses, whether held by the original licensee to whom first issued or a subsequent holder thereof, shall be subject to transfer as to person and premises, or either, in the same manner as any other license of the same type and character issued by the [board] department.

SEC. 54. Section 23820 of said code is amended to read:

23820. The [board] department may make all rules consistent with the provisions of Section 22 of Article XX of the Constitution, or the provisions of this division, necessary to carry into effect the provisions of this article, and to restrict the issuance of alcoholic beverage licenses, including seasonal licenses, but not including beer, off-sale beer and wine, beer and wine wholesaler's, and wine grower's licenses, to such number in any county as the [board] department shall determine is in the interest of public welfare and morals, convenience, or necessity.

SEC. 55. Section 23821 of said code is amended to read:

23821. Whenever it is made to appear to the [board] department by satisfactory evidence that the population in any county has increased by more than 1,000 or multiples of 1,000 inhabitants since the most recent United States decennial or special census, and it appears to the [board] department that by reason thereof the inhabitants of the county are unjustly and unfairly discriminated against, and if the total number of licenses in such county do not then exceed the maximum specified in Section 23816 and 23817, the [board] department may issue not to exceed one on-sale general license and one off sale general license for each increase of 1,000 inhabitants in the county since the taking of the census. In all other respects the limitation hereinbefore provided for shall continue in effect.

SEC. 56. Section 23822 of said code is amended to read:

23822. Any person applying for an off-sale general license or on-sale general license on the ground of increased population shall set forth in his application and shall affirmatively show all of the following:

(a) That he is a qualified applicant and that his premises qualify under the law and rules of the [board] department.

(b) That the issuance of the license applied for would serve the public convenience or necessity.

(c) That the issuance of the license applied for would not be contrary to public welfare and morals.

(d) That inequality in the ratio of licenses exists between the community in which the applicant's premises are located and other communities in the State.

(e) That the population in the county for which the license is applied has increased to the extent and under the conditions mentioned in Section 23821.



SEC. 57. Section 23823 of said code is amended to read:

23823. When an application is filed with the [board] department pursuant to Section 23822, it shall [be referred to the State Liquor Administrator who shall] cause a full investigation to be made of all matters stated in and relating to the application [and report his findings to the board with his recommendations].

If a protest against the issuance of any license is filed with the [board] department, the hearing thereon shall be had and conducted as provided in this division.

SEC. 58. Section 23950 of said code is amended to read:

23950. Application for a license shall be made to the [board] department upon a form prescribed by the [board] department.

SEC. 59. Section 23951 of said code is amended to read:

23951. The application shall contain the following:

(a) The name of the applicant.

(b) In the case of a partnership, the names of the individual partners.

(c) In the case of a corporation, the principal officers and directors.

(d) The location of the premises for which the license is applied.

(e) Such other information as the [board] department may require to assist it in determining whether the applicant and the premises qualify for a license.

SEC. 60. Section 23952 of said code is amended to read:

23952. The application shall also contain a statement to the effect that the applicant has not been convicted of a felony and has not violated and will not violate or cause or permit to be violated any of the provisions of this division or any rule of the [board] department applicable to the applicant or pertaining to the manufacture, sale, or distribution of alcoholic beverages, particularly any of the provisions of Sections 25500 to 25504, inclusive, or Sections 25611 to 25615, inclusive. If the applicant cannot make this statement the application shall contain a statement of the violation, if any, or reasons which will prevent the applicant from being able to comply with the requirements with respect to the statement.

SEC. 61. Section 23957 of said code is amended to read:

23957. Applications for licenses for the retail sale of alcoholic beverages for premises which are to be constructed or which are in the process of construction shall contain the information required by this article and such other information concerning the proposed premises as the [board] department may require to assist it in determining whether the proposed premises will qualify for a license.

SEC. 62. Section 23958 of said code is amended to read:

23958. Upon receipt of an application for a license or for a transfer of a license and the [license] applicable fee, the [board] department shall make a thorough investigation to determine whether the applicant and the premises for which a license is applied qualify for a license and whether the provisions of this division have been complied with, and shall investigate all matters connected therewith which may affect the public welfare and morals. The [board] department shall deny an application for a license or for a transfer of a license if either the applicant or the premises for which a license is applied do not qualify for a license under this division.

SEC. 63. Section 23961 of said code is hereby repealed.

SEC. 64. Section 23985 of said code is amended to read:

23985. Before commencing to engage in the sale of any alcoholic beverage at any premises, notice of intention to so commence shall be posted in a conspicuous place at the entrance to the premises. Licenses shall not be issued for the premises until the notice has been so posted for 15 consecutive days immediately prior to the issuance of the licenses. The notice shall be in such form as the [board] department shall prescribe.

Notice of the application for a license pursuant to Section 24044 shall be posted on the premises for 15 days from the date of the application in the form and manner prescribed by the [board] department.

SEC. 65. Section 23986 of said code is amended to read:

23986. Any applicant for an on-sale license shall, within ten (10) days after filing his application with the [board] department, cause a notice of the application, giving the name or names of the applicant and the premises where the business is to be conducted, to be published once in a newspaper of general circulation in the city in which the premises are situated, or if the premises are not in a city the publication shall be made in a newspaper of general circulation nearest the premises where the business is to be conducted. The form of the notice shall be prescribed by the [board] department. Affidavit of publication shall be filed with the [board] department prior to the issuance of any license.

SEC. 66. Section 23987 of said code is amended to read:

23987. Upon the receipt by the [board] department of an original application for any license or an application for transfer of any license, written notice thereof, which shall consist of a copy of the application, shall immediately be mailed by the [board] department to the sheriff, chief of police, and district attorney of the locality in which the premises are situated, to the board of supervisors of the county

in which the premises are situated, if in unincorporated territory, and to the city council or other governing body of the city in which the premises are situated, if within an incorporated area.

No license shall be issued or transferred by the [board] *department* until at least 30 days after the mailing by the board of the notices required by this section.

SEC. 67. Section 23988 of said code is amended to read:

23988. Upon receipt of the [board] *department* within such 30 days of a protest by the governing body of the city or county to whom notice of a license issuance or transfer application has been mailed against the issuance or transfer of a license, the [board] *department* shall not issue or transfer the license until after a public hearing is held by the [board] *department* within the county or city affected. The proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the [board] *department* shall have all the powers granted therein.

SEC. 68. Section 24010 of said code is amended to read:

24010. A written report of [a member of the board] *any officer*, [or of an] employee, or agent of the [board] *department* engaged in the enforcement of this division disclosing that an applicant for a license or the premises for which a license is applied are not qualified for a license shall constitute grounds for the denial of an application for a license.

SEC. 69. Section 24011 of said code is amended to read:

24011. Immediately upon the denial of any application for a license, the [board] *department* shall notify the applicant in writing. Within 10 days after the [board] *department* mails the notice, the applicant may present his written petition for a license to the [board] *department*.

SEC. 70. Section 24012 of said code is amended to read:

24012. Upon receipt by the [board] *department* of a petition for a license in proper form, it shall be referred to a representative of the [board] *department* for hearing.

SEC. 71. Section 24013 of said code is amended to read:

24013. Protests may be made to the [board] *department* at any time prior to the original issuance of a license.

SEC. 72. Section 24014 of said code is amended to read:

24014. A protest made by any person other than an employee of the [board] *department* or a public officer shall be verified. Verification may be on information and belief.

SEC. 73. Section 24015 of said code is amended to read:

24015. If a license has been issued to the applicant before receipt of the protest by the [board] *department*, the protest shall be considered as an accusation against the licensee and a hearing had thereon as if an accusation had been filed.

SEC. 74. Section 24016 of said code is amended to read:

24016. The proceedings under this article shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the [board] *department* has all the powers granted therein.

SEC. 75. Section 24041 of said code is amended to read:

24041. Separate licenses shall be issued for each of the premises of any business establishment having more than one location, except as provided for in Sections 23388, 23389, and 23390, and except that the holder of a public warehouse license maintaining or operating more than one public warehouse in this State shall be required to obtain but one license for all of his public warehouse establishments. A copy of the original public warehouse license issued to a public warehouseman maintaining or operating more than one public warehouse in this State shall be posted in each of his public warehouse establishments. A charge of one dollar (\$1) shall be made by the [board] *department* for each copy of a public warehouse license issued to a public warehouseman.

SEC. 76. Section 24042 of said code is amended to read:

24042. Any licensee under an on-sale general license or an on-sale general license for seasonal business who maintains upon or within the premises for which the license is issued more than one room in which there is regularly maintained a fixed counter or service bar at which distilled spirits are served for consumption within the licensed premises shall obtain from the [board] *department*, and the [board] *department* shall upon request issue, a duplicate of his original license for each room, in excess of one, containing a fixed counter or service bar and shall post a duplicate of his original license in each such room. He shall pay to the [board] *department* at the time of application for each duplicate license an amount equal to the license fee payable for a like period for the distilled spirits privileges of the original on-sale general license or on-sale general license for seasonal business. Failure to obtain the duplicate licenses and to pay the fees and renewal fees therefor shall subject the licensee to the penalties imposed by this division for failure to obtain an original license or to pay the renewal fees therefor.

SEC. 77. Section 24043 of said code is amended to read:

24043. Licenses for trains and boats shall be based on the average number in actual operation during the license year of each class of operating units, namely,

trains and boats upon which the license privileges are exercised. The average number in actual operation shall be determined as the [board] department may prescribe.

SEC. 78. Section 24045 of said code is amended to read:

24045. All retailer's on-sale licenses, except on-sale general licenses for seasonal businesses, shall be issued on a calendar year basis, except that the [board] department may issue special licenses for the sale of beer or wine on a temporary basis for premises temporarily occupied by the licensee for a picnic, social gathering, or similar occasion at a fee of five dollars (\$5) per day. All other licenses shall be issued on the basis of a fiscal year, commencing July 1st and ending June 30th.

SEC. 79. Section 24046 of said code is amended to read:

24046. Upon receipt of any license, the licensee shall sign it and post it in a conspicuous place upon the licensed premises. Licenses issued for trains or boats may, in lieu of being posted upon the train or boat for which issued, be posted in such other place in this State as the [board] department shall designate.

SEC. 80. Section 24047 of said code is amended to read:

24047. Whenever a license certificate is in effect and is lost or destroyed, the [board] department shall issue a duplicate license upon the payment of a fee of five dollars (\$5).

SEC. 81. Section 24048 of said code is amended to read:

24048. Every license, other than a temporary license, is renewable unless the license has been revoked if the renewal application is made and the fee therefor is paid on or before the date on which payment thereof is due. If the fee for the renewal of any license is not so paid, the license is automatically suspended but may be reinstated by the [board] department within 31 days thereafter upon payment of the amount due. Unless the license is so reinstated, it is automatically revoked 31 days after the date upon which payment of the renewal fee is due, and no license shall be issued to the licensee except upon a new application for a license.

SEC. 82. Section 24049 of said code is amended to read:

24049. The [board] department may refuse the renewal of any license when the applicant is delinquent in the payment of any taxes due under this division or under the Sales and Use Tax Law.

SEC. 83. Section 24050 of said code is amended to read:

24050. Any individual who held a license on December 7, 1941, and whose license was thereafter revoked because of the Japanese ancestry of the licensee, or was surrendered or permitted to expire by the Japanese licensee, may at any time within six months after September 22, 1951, file an application for a similar license, and the [board] department shall issue the license upon the payment of the current fee therefor. The provisions of Article 2 of Chapter 5 of this division shall not apply to licenses issued to such persons. No license shall be issued pursuant to this section to a person who is not qualified to hold a license at the time of filing his application, and the issuance of the license shall be subject to the approval of the [board] department and other provisions of this division. The acceptance of a license issued pursuant to this section shall constitute a release of any and all claims for damages, if any there be, which the person to whom the license is issued may have against the State by reason of the revocation, cancellation, or expiration of any license previously issued to or held by such person. No license issued pursuant to this section or interest therein shall be subject to transfer by the person to whom issued to any other transferee for a period of one year and the license may thereafter be transferred only if the individual to whom it has been issued has during the year as sole owner conducted the business operated under the license and personally, unless prevented by causes beyond his control, worked in the actual operation of the business.

SEC. 84. Section 24070 of said code is amended to read:

24070. Each license is separate and distinct and is transferable from the licensee to another person upon approval of the [board] department as provided in this division and upon the payment of a transfer fee equal to the fee payable upon an original application for the license, except as provided in Section 24071.

SEC. 85. Section 24072 of said code is amended to read:

24072. Each license is transferable from the premises for which issued upon the approval of the [board] department, the payment of a transfer fee of twenty-five dollars (\$25), and compliance with the provisions of this division relating to the issuance of an original license.

SEC. 86. Section 24073 of said code is amended to read:

24073. No retail license limited in numbers shall be transferred unless before the filing of the transfer application with the [board] department the licensee or the intended transferee records in the office of the county recorder of the county or counties in which the premises to which the license has been issued are situated a notice of the intended transfer, stating all of the following:

- (a) The name and address of the licensee.
- (b) The name and address of the intended transferee.
- (c) The kind of license or licenses intended to be transferred.
- (d) The address or addresses of the premises to which the license or licenses have been issued.



(e) The date when, which shall be at least 10 days after the recordation of the notice, and the place where the purchase price or consideration for the transfer of the license or licenses, if any there be, is to be paid and the amount of the purchase price or consideration, if any there be.

(f) The name and address of the escrow holder referred to in Section 24074 of this division.

A copy of the notice of intended transfer, certified by the county recorder, shall be filed with the [board] department together with a transfer application.

SEC. 87. Section 24074 of said code is amended to read:

24074. Before the filing of such a transfer application with the [board] department, the licensee and the intended transferee shall establish an escrow with some person, corporation, or association not a party to the transfer acting as escrow holder, and the intended transferee shall deposit with the escrow holder the full amount of the purchase price or consideration, if any there be, to be paid in connection with the transfer. The licensee and intended transferee shall also enter into an agreement, which agreement shall be deposited with the escrow holder, directing the escrow holder, out of the purchase price or consideration, to pay the claims of the bona fide creditors of the licensee who file their claims with the escrow holder on or before the date when the purchase price or consideration is to be paid for the transfer of the license as fixed in the recorded notice of intended transfer, or if the purchase price or consideration is not sufficient to pay the claims in full, to distribute the consideration pro rata to the creditors of the licensee. The agreement shall also provide that the escrow holder shall make the payment or distribution within a reasonable time after the completion of the transfer of the license.

SEC. 88. Section 24076 of said code is amended to read:

24076. No licensee shall enter into any agreement wherein he pledges the transfer of his license as security for a loan or as security for the fulfillment of any agreement. Each application for the transfer of a license shall be accompanied by or contain a statement verified by both the transferor and transferee specifically stating that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the [board] department or to gain or establish a preference to or for any creditor of the transferor or to defraud or injure any creditor of the transferor. This statement shall become part of the transfer application, and any misrepresentation contained in the statement shall be considered the misrepresentation of a material fact.

SEC. 89. Section 24200 of said code is amended to read:

24200. The following are the grounds which constitute a basis for the suspension or the revocation of licenses:

(a) When the continuance of a license would be contrary to public welfare or morals; but proceedings under this section upon this ground are not a limitation upon the [board's] department's authority to proceed under Article XX, Section 22, of the Constitution.

(b) Except as limited by Chapters 11 and 12 of this division, the violation or the causing or the permitting of a violation by a licensee of this division, any rules of the board or the department adopted pursuant to the provisions of this division, or any other penal provisions of law of this State prohibiting or regulating the sale, exposing for sale, use, possession, giving away, adulteration, dilution, misbranding, or mislabeling of alcoholic beverages or intoxicating liquors.

(c) The misrepresentation of a material fact by any applicant in obtaining any license.

(d) The plea, verdict, or judgment of guilty to any public offense involving moral turpitude or under any federal law prohibiting or regulating the sale, exposing for sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors or prohibiting the refilling or reuse of distilled spirits containers charged against the licensee.

SEC. 90. Section 24200.5 of said code is amended to read:

24200.5. Notwithstanding the provisions of Section 24200, the [board] department shall revoke a license upon any of the following grounds:

(a) If a retail licensee has knowingly permitted the illegal sale of narcotics upon his licensed premises. Successive sales over any continuous period of time shall be deemed evidence of such permission.

(b) If the licensee has employed or permitted any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission, percentage, salary, or other profit-sharing plan, scheme, or conspiracy.

SEC. 91. Section 24201 of said code is amended to read:

24201. Accusations may be made to the [board] department by any person against any licensee. Accusations shall be in writing and shall state one or more grounds which would authorize the [board] department to suspend or revoke the license or licenses of the licensee against whom the accusation is made.

SEC. 92. Section 24202 of said code is amended to read:

24202. A written report of [a member of the board, an] any officer, employee, or agent of the [board] department engaged in the enforcement of this division, or a public officer disclosing one or more grounds for the suspension or revocation of



the license or licenses of any licensee shall be deemed an accusation against the licensee within the meaning of this division, even though not in the form of an accusation.

SEC. 93. Section 24203 of said code is amended to read:

24203. Accusations against any on-sale or off-sale licensee may be filed with the [board] department by the legislative body of any city in which the premises in question are located, or if the premises are in unincorporated territory, then by the board of supervisors of the county, requesting the suspension or revocation of any retail license. Upon the filing of the accusation, the [board] department shall provide for a public hearing thereon within the county in which the premises are located and determine whether or not the license should be revoked or suspended. Whenever the local legislative body certifies that the public safety, health, or welfare requires an immediate hearing of the accusation, the public hearing shall be held within five (5) days after the filing of the accusation with the [board] department.

SEC. 94. Section 24204 of said code is amended to read:

24204. The Chief of the Bureau of Food and Drug Inspection shall immediately notify the [State Liquor Administrator] department of the conviction of any licensee of any violation of the California Pure Foods Act in connection with alcoholic beverages [and shall send a copy of the notice to the chief liquor control officer of the district in which the premises of the licensee are situated]. The [respective officers] department shall promptly cause an investigation to be made [and shall report to the board their recommendations] as to whether grounds exist for suspension or revocation of the license of such licensee.

SEC. 95. Section 24300 of said code is amended to read:

24300. Any hearings held on a protest, accusation, or petition for a license shall be held at the county seat of the county in which the premises or licensee are located; provided, that hearings before the [board] department itself on reconsideration or under subdivision (c) of Section 11517 of the Government Code may be held in Sacramento or at any other place in the State where the [board] department is meeting. Except as provided in Section 24203 and in this section, the proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and in all cases the [board] department shall have all the powers granted therein.

SEC. 96. Section 24301 of said code is amended to read:

24301. Subject to the provisions of Section 22 of Article XX of the Constitution, any ruling, order, or decision of the [board] department is subject to review as provided by law in any court of competent jurisdiction in the county in which the person affected resides.

SEC. 97. Section 24756 of said code is amended to read:

24756. Every distilled spirits manufacturer, brandy manufacturer, rectifier, and wholesaler shall file and maintain with the [board] department a price list showing the prices at which distilled spirits are sold to retailers by the licensee. Sales of distilled spirits to retailers by each distilled spirits manufacturer, brandy manufacturer, rectifier, and wholesaler shall be made in compliance with the price list of the licensee on file with the [board] department.

SEC. 98. Section 24757 of said code is amended to read:

24757. The [board] department may adopt such rules as it determines to be necessary for the administration of Sections 24754 to 24756, inclusive.

SEC. 99. Section 24857 of said code is amended to read:

24857. "File" or "post" means to mail or deliver fair trade contracts, price schedules, or changes in either to the Sacramento office of the [board] department. If mailed, they shall be deemed to be filed on the dates prescribed in this chapter only if postmarked in California at least two days before the applicable prescribed date.

SEC. 100. Section 24869 of said code is amended to read:

24869. Each price schedule and fair trade contract, in addition to such other information, and on such form, as the [board] department may prescribe, shall contain all of the following:

(a) General information, including the name and address of the licensee filing, the name and address of the seller or brand owner without the State, if any, for whom the licensee is filing, the trading area or areas covered, and restrictions on distribution or resale, if any.

(b) Information identifying each different item of wine, including the brand name, secondary brand name, if any, form of label, if more than one form used, class and type of wine, vintage date, if shown on label, special or gift package, if any, number of bottles in case, and size of bottles.

(c) Information as to basic prices of each item, f.o.b. selling premises or delivered, or both, including, where applicable, basic case and bottle selling and resale prices to retailers and to consumers.

(d) Information as to discounts and additional charges, including quantity and prompt payment discounts and broken case charge to retailers, if any.

SEC. 101. Section 24873 of said code is amended to read:

24873. For the purpose of complying with the General Ceiling Price Regulation, Economic Stabilization Agency, or with any other applicable federal law, ruling, rule, or regulation respecting prices, or for the purpose of increasing a price or prices when an increase in ceiling price is authorized by any such law, ruling, rule, or regulation, price schedules and fair trade contracts, or changes therein, may be filed with the [board] department at any time and shall become effective immediately upon filing. If filed because of an authorized increase in ceiling price, the applicable price schedule and fair trade contract, or changes therein, shall be filed with the [board] department not later than the twentieth day of the month following the month in which the increase in ceiling price is first authorized.

Publication of the price schedules or changes therein shall be made as provided in Section 24875 on or before the first day of the month following the month in which the price schedules or changes therein are filed with the [board] department. The price schedules or changes therein shall contain the statement: "Filed to comply with federal pricing laws and regulations" or "Filed to increase prices as first authorized on (inserting the date)." Notwithstanding any other provision of this chapter, price schedules and fair trade contracts, or changes therein, made effective pursuant to this section shall remain in effect until changed pursuant to this chapter.

SEC. 102. Section 24874 of said code is amended to read:

24874. The [board] department shall make price schedules or changes therein, or a composite thereof, available for public inspection.

SEC. 103. Section 24875 of said code is amended to read:

24875. Except for wine growers selling only to consumers at their licensed premises, every person filing a price schedule or change therein shall, at least once on or before the first of the month in which effective, publish the price schedule or change in a trade journal or industry price book printed and published in this State and of general circulation among licensees affected in this State. In case of industry price books which are of general circulation among licensees in only some of the trading areas, the publication shall be in one industry price book of general circulation in each trading area.

Instead of publishing, the licensee may mail his price schedule or any changes therein to licensees affected. Schedules or supplemental schedules or changes therein shall be deposited in the United States Post Office before the date required for publication. If the affidavit prescribed herein is not filed before the date required for publication, the schedule, supplemental schedule, or changes therein are not effective until the affidavit is filed. A price filed after the twentieth and on or before the last day of any month becomes ineffective on the last day of the first month in which effective, and the applicable price shown on the last regular price schedule on file with the [board] department shall become re-effective unless the last regular price is changed pursuant to this chapter. Within five days after the mailing, the licensee shall file with the [board] department a list of names and addresses of the licensees to whom the price schedules or changes are mailed, together with an affidavit of the person who deposited the schedules in envelopes addressed to the licensees whose names and addresses are set forth in the list. The affidavit is prima facie evidence of the facts stated therein.

Wine growers selling only to consumers at their licensed premises need not publish or mail their price schedules but shall post the schedules in that portion of their premises where sales are made where they can be readily inspected by consumers.

SEC. 104. Section 24876 of said code is amended to read:

24876. No licensee shall make any close-out sale, or sale when the wine or container is damaged or deteriorated in quality, under the implied conditions set forth in Section 24751 except after receiving permission from the [board] department, which shall determine whether the proposed sale is bona fide.

A "close-out" sale within the meaning of this section means a bona fide close-out of a particular item of wine in the California market. Label changes which do not pertain to the class or type of wine, the vintage date, or the special or gift package, shall not be deemed to be "close-out."

Permission to make a close-out sale pursuant to Section 24751 shall be granted only if it appears that the stock of wine sought to be closed out has been on the market in this State for a period of not less than six months and was not brought into this State for the purpose of offering it, or any part of it, at a close-out sale.

Permission to make a sale of wine pursuant to Section 24751, when the wine or container is damaged or deteriorated in quality, shall be granted only if it appears that the facts of the case warrant the sale of the wine affected as damaged or deteriorated.

Petitions for permission to make close-out sales, or sales of damaged or deteriorated wine, shall state a full and complete description of the wine involved, in such detail as to distinguish the wine from all others, and shall include the federal serial numbers, if any, of the cases involved. The number of cases or bottles involved

shall also be stated. The petitioner shall agree not to sell or handle the item closed out for at least six months after the close-out.

SEC. 105. Section 24878 of said code is amended to read:

24878. Except as otherwise provided in this chapter, the giving of, or offering to give, any rebate, free goods, combination deal, premium, allowance, unauthorized discount, floor stocks adjustment, or any other thing or service of value, directly or indirectly, in connection with the sale of wine subject to this chapter, or, in any other way circumventing this chapter to effect a sale at a price other than the price shown in the applicable price schedule, is a violation of this chapter.

This section does not prohibit any cooperative buying group which on January 1, 1949, held a federal basic permit or was licensed by the [board] department from giving, or its members from receiving, dividends or other adjustments from the general fund of the cooperative buying group. This chapter does not prohibit the furnishing of samples, advertising matter, and other selling aids as authorized by this division and rules issued pursuant to this division.

SEC. 106. Section 24880 of said code is amended to read:

24880. For a violation of any of the provisions of this chapter or rules adopted pursuant to this chapter, the [board] department may suspend or revoke a license as follows:

(a) For a first offense, not exceeding 10 days' suspension.

(b) For a second offense, not exceeding 30 days' suspension.

(c) For a third offense, the [board] department may suspend or revoke a license.

SEC. 107. Section 24881 of said code is amended to read:

24881. The [board] department may adopt such rules as it determines to be necessary for the administration of this chapter.

SEC. 108. Section 25000 of said code is amended to read:

25000. Each manufacturer, importer, and wholesaler of beer shall file and thereafter maintain on file with the [board] department, in triplicate and in such form as the [board] department may provide, a written schedule of selling prices charged by the licensee for beer sold and distributed by him within the State for delivery and use therein.

SEC. 109. Section 25001 of said code is amended to read:

25001. The schedule of prices filed may be changed or modified from time to time by the licensee filing it by filing with the [board] department either a new and complete schedule of prices or an amendment thereto of changed or modified prices, as the [board] department may by rule require.

SEC. 110. Section 25005 of said code is amended to read:

25005. Any director, officer, agent, or employee of any licensee who knowingly assists or aids in the violation of this chapter or any effective posted price or any rule of the [board] department passed to carry out the provisions of the chapter is guilty of the violation equally with the licensee.

SEC. 111. Section 25006 of said code is amended to read:

25006. The [board] department may adopt such rules, including but not limited to rules respecting beer price posting, as will foster and encourage the orderly wholesale marketing and wholesale distribution of beer, but no such action shall be taken by the [board] department except after public hearing and ten (10) days notice to all licensed manufacturers of beer in California of the time and place of the hearing and of the character of the action intended to be taken by the [board] department.

SEC. 112. Section 25010 of said code is amended to read:

25010. The [board] department shall not suspend or revoke the license of any licensee for a violation of the provisions of this chapter or a rule adopted pursuant thereto unless he has committed, within a period of one year, at least three separate violations of the provisions of this chapter or of any rule adopted pursuant thereto, and the violations have been proved by any of the following methods:

(a) A conviction for misdemeanor.

(b) A judgment in a civil suit for injunction as provided in this chapter.

(c) A finding of the [board] department, if a hearing is held in accordance with Chapters 7 and 8 of this division.

SEC. 113. Section 25174 of said code is amended to read:

25174. The [board] department may seize any distilled spirits sold, served, removed, possessed, delivered, or held in any manner in violation of Sections 25170 to 25173, inclusive.

SEC. 114. Section 25201 of said code is amended to read:

25201. The provisions of Section 25200 with respect to corrugated paper cartons commonly known as single-trip cartons and used as a package for beer, shall apply during the continuation of hostilities in any wars in which the United States may become engaged, except during such time as the manufacturers representing the major part of the production of beer in California during the calendar years next preceding the filing of the petition file with the [board] department a petition stating a sufficient supply of such corrugated paper cartons is not available to the California brewing industry to permit compliance with Section 25200 in connection with such



containers or cartons, and the [board] department upon hearing finds the facts of the petition to be true and this finding remains standing and unrevoked. The [board] department shall record in its records its decision and conclusion on the petition.

SEC. 115. Section 25203 of said code is amended to read:

25203. Every manufacturer or bottler of beer in this State or elsewhere whose beer is sold within the State shall file with the [board] department the brand name or names under which he sells or labels his draught beer sold in the State.

SEC. 116. Section 25236 of said code is amended to read:

25236. Only dry wine produced entirely from grapes grown within the Counties of Sonoma, Napa, Mendocino, Lake, Santa Clara, Santa Cruz, Alameda, San Benito, Solano, San Luis Obispo, Contra Costa, Monterey, and Marin may be labeled with the words "California central coast counties dry wine." It is unlawful to label any other wine with a label containing the words "California central coast counties dry wine."

The [board] department may seize wine labeled in violation of this section, regardless of where found.

SEC. 117. Section 25350 of said code is amended to read:

25350. The [board] department may seize the following alcoholic beverages:

(a) Alcoholic beverages manufactured or produced in this State by any person other than a licensed manufacturer or wine grower, regardless of where found.

(b) Beer and wine upon the sale of which the excise tax imposed by this division has not been paid, regardless of where found.

(c) Distilled spirits except (1) distilled spirits located upon premises for which licenses authorizing the sale of the distilled spirits have been issued; (2) distilled spirits consigned to and in the course of transportation to a licensee holding licenses authorizing the sale of the distilled spirits or for delivery without this State; (3) distilled spirits upon the sale of which the excise tax imposed by this division has been paid; (4) alcohol or distilled spirits in the possession of a person who has lawfully purchased it for use in the trades, professions, or industries and not for beverage use.

(d) Any alcoholic beverage possessed, kept, stored, or owned with the intent to sell it without a license in violation of this division.

SEC. 118. Section 25352 of said code is amended to read:

25352. The [board] department or its employees may seize any unlicensed still, whether in actual operation or not and whether assembled for operation or dismantled, any parts of such stills, and any materials or supplies capable of being used for the manufacture of alcoholic beverages which are found on or about the premises where any unlicensed still or parts thereof are found. The [board] department or its employees may also seize any implements, instruments, vehicles, and personal property in the place or building, or within any yard or enclosure, where any unlicensed still or parts thereof are found.

SEC. 119. Section 25354 of said code is amended to read:

25354. Alcoholic beverages manufactured or produced in this State by any person other than a licensed manufacturer or wine grower, when seized for forfeiture under this division, may be disposed of by the [board] department, its officers, or employees by summary destruction.

SEC. 120. Section 25355 of said code is amended to read:

25355. Any alcoholic beverages or other property seized for forfeiture under this division, except automobiles or other vehicles, may be disposed of by the [board] department, its officers, or employees by destruction or otherwise as provided in this division, upon order of the [board] department made not less than 15 days after the date of seizure.

SEC. 121. Section 25356 of said code is amended to read:

25356. Any person whose alcoholic beverages or other property, except automobiles or other vehicles, have been seized for forfeiture under this division, may, within 10 days after such seizure, petition the [board] department to return the alcoholic beverages or other property upon the grounds that the alcoholic beverages or other property were illegally or erroneously seized.

SEC. 122. Section 25357 of said code is amended to read:

25357. Any petition filed pursuant to Section 25356 shall be considered by the [board] department within 60 days after filing, and an oral hearing shall be granted the petitioner if requested. The [board] department shall serve notice of its decision upon the petitioner.

SEC. 123. Section 25358 of said code is amended to read:

25358. The [board] department may order the alcoholic beverages or other property seized, disposed of, or returned to the petitioner if illegally or erroneously seized.

SEC. 124. Section 25359 of said code is amended to read:

25359. Any beverage or other property seized by the [board] department may be turned over to any state department or institution. The person in charge of any state department or institution may file with the [board] department a request that beverages or other property of a kind specified in the request be turned over to the



department or institution. No beverage or property for which a request has been made by a state department or institution shall be destroyed until all requests of state departments and institutions for the type or kind of beverage or property have been complied with.

SEC. 125. Section 25368 of said code is amended to read:

25368. If the lienholder, mortgagee, or vendor proves the facts set forth in Section 25367, the court shall order the alcoholic beverages or other property released to him if the amount due to him is equal to, or in excess of, the value of the alcoholic beverages or other property. If the amount due to him is less than the value of the alcoholic beverages or other property, the alcoholic beverages or other property shall be sold at public auction by the [board] department, and the remainder of the proceeds of the sale, after payment of the balance due on the purchase price, mortgage, or lien, shall be deposited in the State Treasury.

SEC. 126. Section 25370 of said code is amended to read:

25370. Upon a judgment in favor of the forfeiture, the alcoholic beverages or other property shall be ordered turned over to the Department of Finance for disposition as follows:

(a) Delivery to the [board] *Department of Alcoholic Beverage Control* for use in the needs of the [board] department as may be requested by it.

(b) Delivery to any other state department, board, commission, officer, hospital, or institution.

(c) Sale at public auction, and when alcoholic beverages are sold at public auction they shall be sold only to licensees authorized to sell them.

SEC. 127. Section 25371 of said code is amended to read:

25371. When alcoholic beverages or other property are seized under this division, a record of the seizure and disposition shall be kept by the [board] *Department of Alcoholic Beverage Control*.

SEC. 128. Section 25372 of said code is amended to read:

25372. Any [member of the board, or] officer, employee, or agent of the [board] *Department of Alcoholic Beverage Control* [.] who disposes of any alcoholic beverages or other property seized under this division in any manner other than as directed by order of the court or the provisions of this division is liable to the State in a civil action and is guilty of a felony.

SEC. 129. Section 25500 of said code is amended to read:

25500. No manufacturer, wine grower, manufacturer's agent, rectifier, distiller, bottler, importer, or wholesaler, or any officer, director, or agent of any such person shall:

(a) Hold the ownership, directly or indirectly, of any interest in any on-sale license.

(b) Furnish, give, or lend any money or other thing of value, directly or indirectly, to, or guarantee the repayment of any loan or the fulfillment of any financial obligation of, any person engaged in operating, owning, or maintaining any on-sale premises where alcoholic beverages are sold for consumption on the premises,

(c) Own any interest, directly or indirectly, in the business, furniture, fixtures, signs, except signs for interior use mentioned in subdivision (g) of Section 25503, refrigeration equipment, or lease in or of any premises operated or maintained under any on-sale license for the sale of alcoholic beverages for consumption on the premises where sold; or own any interest, directly or indirectly, in realty acquired after June 13, 1935, upon which on-sale premises are maintained unless the holding of the interest is permitted in accordance with rules of the [board] department.

SEC. 130. Section 25604 of said code is amended to read:

25604. It is a public nuisance for any person to maintain any club room in which any alcoholic beverage is received or kept, or to which any alcoholic beverage is brought, for consumption on the premises by members of the public or of any club, corporation, or association, unless the person and premises are licensed under this division. It is a public nuisance for any person to keep, maintain, operate or lease any premises for the purpose of providing therein for a consideration a place for the drinking of alcoholic beverages by members of the public or other persons, unless the person and premises are licensed under this division. As used herein "consideration" includes cover charge, the sale of food, ice, mixers or other liquids used with alcoholic beverage drinks, or the furnishing of glassware or other containers for use in the consumption of alcoholic beverage drinks.

The Attorney General or any district attorney may bring an action in the name of the people to abate the nuisance, and the Attorney General shall, upon request of the [board] department, bring the action.

SEC. 131. Section 25606 of said code is amended to read:

25606. It is unlawful for any person to use any automobile or other vehicle to conceal, convey, carry, or transport any alcoholic beverages which are subject to seizure under this division, or any still or parts thereof subject to seizure under this division, or any materials or supplies capable of and intended for use in the manufacture or production of alcoholic beverages with the design to evade the excise taxes or

license fees imposed by this division. This section does not apply to any person who uses an automobile or other vehicle to transport distilled spirits for lawful use in the trades, professions, or industries. Any person violating the provisions of this section is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

The [board] department may seize any automobile or other vehicle used contrary to the provisions of this section.

SEC. 132. Section 25607 of said code is amended to read:

25607. It is unlawful for any person or licensee to have upon any premises for which a license has been issued any alcoholic beverages other than the alcoholic beverage which the licensee is authorized to sell at the premises under his license. It shall be presumed that all alcoholic beverages found or located upon premises for which licenses have been issued belong to the person or persons to whom the licenses were issued. Every person violating the provisions of this section is guilty of a misdemeanor. The [board] department may seize any alcoholic beverages found in violation of this section.

SEC. 133. Section 25612 of said code is amended to read:

25612. Signs or other advertising matter used in connection with the licensed premises of any retailer of alcoholic beverages shall not be of any obnoxious, gaudy, blatant, or offensive nature and shall in no manner contrary to the rules of the [board] department obstruct the view of the interior of the premises from the street.

SEC. 134. Section 25616 of said code is amended to read:

25616. Any person who knowingly or wilfully files a false tax return with the board or a false license fee report with the [board] department, and any person who refuses to permit the board or the department or any of [its] their representatives to make any inspection or examination for which provision is made in this division, or who fails to keep books of account as prescribed by the board, or who fails to preserve such books for the inspection of the board for such time as the board deems necessary, or who alters, cancels, or obliterates entries in such books of account for the purpose of falsifying the records of sales of alcoholic beverages made under this division, is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not less than one month nor more than six months, or by both such fine and imprisonment.

SEC. 135. Section 25750 of said code is amended to read:

25750. The department and the board shall make and prescribe such reasonable rules as may be necessary or proper to carry out the purposes and intent of Section 22 of Article XX of the Constitution and to enable [it] them to exercise the powers and perform the duties conferred upon [it] them by that section or by this division, not inconsistent with any of the provisions of any statute of this State, including particularly the provisions of this division and the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code.

SEC. 136. Section 25751 of said code is amended to read:

25751. For the performance of [its] their duties the department and the board [has] have the power conferred by Sections 11180 to 11191, inclusive, of the Government Code.

SEC. 137. Section 25752 of said code is amended to read:

25752. In addition to any other reports required under this division, the department and the board may, by rule and otherwise, require additional, other, or supplemental reports from licensees, common and private carriers, and other persons and prescribe the form, including verification, of the information to be given on, and the times for filing of, such additional, other, or supplemental reports. The failure or refusal of any person to render the reports required under this section is a misdemeanor.

SEC. 138. Section 25753 of said code is amended to read:

25753. The department and the board may make any examination of the books and records of any licensee or other person and may visit and inspect the premises of any licensee [it] they may deem necessary to perform [its] their duties under this division.

SEC. 139. Section 25754 of said code is amended to read:

25754. The director [members of the board] and the persons employed by the department [board] for the administration and enforcement of the provisions of this division may administer and certify oaths in the administration and enforcement of this division.

SEC. 140. Section 25755 of said code is amended to read:

25755. The [members of the board] director and the persons employed by the [board] department for the administration and enforcement of this division have all the powers of peace officers in, and the power to serve all warrants relating to, the enforcement of the penal provisions of this division, the rules of the [board]

*department* adopted under the provisions of this division, and any other penal provisions of law of this State prohibiting or regulating the sale, exposing for sale, use, possession, giving away, adulteration, dilution, misbranding, or mislabeling of alcoholic beverages or intoxicating liquors.

SEC. 141. Section 25756 of said code is amended to read:

25756. Any motor vehicle as the [board] *department* shall determine, which is owned by the State and used by the [board] *department* in enforcing the provisions of this division, may be equipped with a siren and the red light visible from in front of the vehicle, but the siren or red light shall not be used except when the vehicle is operated in the immediate pursuit of an actual or suspected violator of this division.

SEC. 142. Section 25757 of said code is amended to read:

25757. The [board] *department* may authorize any of its executive officers to join or subscribe to any national association or service having as its purpose the gathering and supply of information relative to the technique of liquor regulation, control, or administration.

SEC. 143. Section 25758 of said code is amended to read:

25758. When a person attends as a witness in any criminal case in which a person is charged with a violation of any penal provisions of the law prohibiting or regulating the sale, exposing for sale, use, possession, giving away, adulteration, dilution, misbranding, or mislabeling of an alcoholic beverage or intoxicating liquor, and the court in the exercise of its discretion does not authorize the payment of the witness from county funds under Section 1329 of the Penal Code, the [board] *department* may expend any money available to it to pay him witness fees at the rate of three dollars (\$3) for each day's actual attendance and a reasonable sum for the necessary expenses of the witness, or, in the case of a witness attending from outside the State, to pay the witness the sum of ten cents (\$.10) for each mile and five dollars (\$5) for each day that he is required to travel and attend as a witness.

SEC. 144. Section 25759 of said code is amended to read:

25759. When tax reports or payments of excise taxes or license fees are required to be made on or by specified dates, they shall be deemed to have been made at the time they are filed with or paid to the board or *department* or other proper official or, if sent by mail, on the date shown by the United States postmark on the envelope containing the report or payment.

SEC. 145. Section 25760 of said code is amended to read:

25760. *Notice of any act of the department required by this division to be given may be signed and given by the director or an authorized employee of the department and may be made personally or by mail. Notice of any act of the board required by this division to be given may be signed and given by the board, its secretary, or an authorized employee of the board and may be made personally or by mail. If made by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure. In case of service by mail, the service is complete at the time of deposit in the United States Post Office.*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1771

Senator Richards moved that Senate Bill No. 1771 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1771**—An act to add Section 13777.1 to the Government Code, relating to agreements for social security coverage of public employees.

Bill read second time.



**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

In line 6 of the printed bill, after "patrolmen", insert ", all city police and city firemen,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 674**

Senator Erhart moved that Senate Bill No. 674 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 674**—An act to amend Section 17044 of the Business and Professions Code, relating to loss leaders in the Unfair Practices Act.

Bill read second time.

**Motion to Amend**

Senator Erhart moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after the word "chapter", insert "and such "loss leader" sale or use is such a violation without a purpose by vendor of injuring competitors or destroying competition".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1254**

Senator Robert I. McCarthy moved that Senate Bill No. 1254 be withdrawn from Committee on Transportation and re-referred to Committee on Judiciary.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 815**

Senator Richards moved that Senate Bill No. 815 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 815**—An act to add Sections 416.1, 416.2, and 416.3 to, and to amend Sections 442, 581a, 585, 586, and 1014 of, the Code of Civil Procedure, relating to motions.

Bill read second time.



**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

On page 5 of the printed bill, line 15, strike out "granted", and insert "sustained".

**Amendment No. 2**

On page 5, line 18, after "sought", insert "and notice thereof given".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 9**

Senator Thompson moved that Senate Bill No. 9 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 9**—An act to add Section 119.5 to the Streets and Highways Code, relating to a grant of excess lands in Santa Clara County to the Santa Clara Valley Water Conservation District.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "to add Section 119.5 to the Streets and Highways Code, relating to a grant of", and insert "to authorize the Department of Public Works to grant certain".

**Amendment No. 2**

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. The Department of Public Works is hereby authorized to grant and convey to the Santa Clara Valley Water Conservation District excess lands acquired by the department for the construction of State Highway Route 5 across a portion of said district's Lexington Reservoir, said excess lands consisting of seven parcels described as follows:

All that certain real property situate, lying and being in the County of Santa Clara, State of California, described as follows:

Parcel 1:

Commencing at a point on the westerly line of that certain parcel of land as described in the deed to the State of California recorded April 25, 1950, in Volume 1967 at Page 122, Official Records of Santa Clara County, said point being distant N. 0° 24' 13" W., 447.12 feet from the southwesterly corner of said parcel; thence along said westerly line N. 0° 24' 13" W., 394.72 feet to the southerly boundary line of the land as described in the Relinquishment of State Highway to the County of Santa Clara effective May 7, 1952; thence along said boundary line N. 62° 06' E., 92.00 feet; N. 44° 00' E., 198.00 feet; N. 65° 34' E., 232.00 feet; N. 33° 34' E., 126.00 feet and S. 66° 35' E., 183.10 feet; thence leaving said boundary line S. 41° 03' 47" W., 214.15 feet; thence S. 35° 20' 30" E., 537.45 feet to a point distant N. 79° 35' 15" W., 115.00 feet from Station 217+50 on the "C10" line of the Department of Public Works' survey for the State Freeway in Santa Clara County, Road IV-S(15 C); thence N. 79° 35' 15" W., 185.00 feet; thence S. 10° 24' 45" W., 130.00 feet; thence S. 79° 35' 15" E., 100.00 feet; thence S. 38° 49' 50" W., 211.52 feet; thence N. 60° 58' 13" W., 171.49 feet; thence N. 76° 19' 13" W., 155.35 feet; thence N. 54° 33' 13" W., 117.08 feet; thence N. 87° 09' 13" W., 126.35 feet; thence S. 70° 50' 47" W., 77.28 feet to the point of commencement.

Containing 10.093 acres, more or less.

Parcel 2:

Commencing at a point on the westerly line of that certain parcel of land described in the deed to the State of California recorded April 25, 1950, in Volume 1967 at Page 122, Official Records of Santa Clara County, distant thereon N. 0° 24'

13° W., 986.62 feet from the southwesterly corner, said point being also on the northerly boundary line of the land described in the Relinquishment of State Highway to the County of Santa Clara effective May 7, 1952; thence along said northerly boundary line the following courses: N. 36° 53' 20" E., 38.14 feet; N. 50° 49' 01" E., 160.00 feet; N. 83° 40' E., 197.00 feet; N. 42° 27' E., 191.00 feet; S. 86° 28' E., 131.00 feet; S. 48° 46' E., 61.00 feet; N. 60° 53' E., 71.00 feet; N. 3° 38' 50" E., 104.35 feet to a point distant S. 89° 56' W., 388.97 feet from Station 226 + 00.88 on the "C10" line of the Department of Public Works' survey for the State Freeway in Santa Clara County Road IV-SCL-5-C; thence N. 32° 23' 15" E., 104.63 feet; thence leaving said boundary line S. 79° 36' 05" W., 82.64 feet; thence S. 29° 10' 15" W., 67.63 feet; thence S. 78° 20' 15" W., 60.88 feet; thence N. 7° 53' 15" E., 61.37 feet; thence N. 15° 46' 15" E., 55.15 feet; thence N. 41° 14' 45" W., 40.27 feet; thence S. 28° 53' 05" W., 80.67 feet; thence S. 28° 14' 30" W., 81.91 feet; thence N. 89° 55' W., 173.05 feet; thence S. 15° 41' 47" W., 39.80 feet; thence S. 16° 21' 47" W., 24.54 feet; thence S. 36° 34' 13" E., 54.93 feet; thence S. 38° 20' 47" W., 63.34 feet; thence S. 52° 40' 47" W., 75.31 feet; thence S. 79° 22' 47" W., 49.00 feet; thence N. 80° 48' 13" W., 68.02 feet; thence S. 88° 27' 47" W., 85.74 feet; thence N. 81° 42' 13" W., 69.87 feet to the aforesaid westerly line; thence along last said line S. 0° 24' 13" E., 193.01 feet to the point of commencement.

Containing 1.963 acres, more or less.

Parcel 3:

Commencing at the most westerly corner of that certain parcel of land described in the deed to the State of California recorded May 19, 1950, in Volume 1981 at Page 562, Official Records of Santa Clara County, said corner being on the line common to the properties, now or formerly, of Art. E. Walton et al, and Malcolm J. Jewett et ux; thence along said common property line N. 70° 06' 50" E., 92.97 feet; thence S. 18° 25' 09" W., 109.73 feet to the southwesterly line of first said parcel; thence along last said line N. 38° 44' 15" W., 17.62 feet and N. 35° 23' 30" W., 72.05 feet to the point of commencement.

Containing 0.093 of an acre, more or less.

Parcel 4:

Commencing at the most easterly corner of Parcel 1 as described in the deed to the State of California recorded April 21, 1950, in Volume 1965 at Page 608, Official Records of Santa Clara County, said corner being on the line common to the properties, now or formerly, of the State of California and of Art. E. Walton et al; thence along said line S. 27° 09' 20" W., 45.35 feet; thence N. 38° 30' 21" W., 176.68 feet; thence N. 7° 21' 30" E., 86.30 feet to the line common to the properties, now or formerly, of State of California and of Mary Frank; thence along said line and its southeasterly prolongation S. 33° 06' 20" E., 219.05 feet to the point of commencement.

Containing 0.225 of an acre, more or less.

Parcel 5:

Commencing at the southeasterly corner of that certain parcel of land described in the deed to the State of California recorded April 25, 1950, in Volume 1967 at Page 122, Official Records of Santa Clara County; thence S. 81° 19' 10" W., 119.96 feet; thence N. 7° 21' 30" E., 6.95 feet; thence N. 66° 20' 06" E., 128.46 feet; thence S. 0° 03' 45" E., 40.35 feet to the point of commencement.

Containing 0.064 of an acre, more or less.

Parcel 6:

A portion of that certain 55-acre tract of land described in the deed from Garry Owen et ux to Eugene M. Prince recorded June 16, 1938, in Book 878 at page 453, Official Records of Santa Clara County, more particularly described as follows:

Commencing at the southeasterly corner of said 55-acre tract; thence along the southerly line of said tract S. 89° 53' W., 240 feet; thence N. 73° 55' E., 89.38 feet and N. 80° 31' E., 156.15 feet to the easterly line of said 55-acre tract; thence along the last mentioned line S. 0° 07' E., 50 feet to the point of commencement.

Containing 0.156 of an acre, more or less.

Parcel 7:

Commencing at the most northern corner of that certain 0.328-acre tract of land described in the indenture from San Jose Water Works, a corporation to the State of California recorded October 25, 1950, in Volume 2082, page 247 of Official Records of Santa Clara County; thence along the northwestern line of said tract S. 50° 35' W., 153.00 feet; thence N. 36° 53' 20" E., 196.21 feet; thence S. 0° 24' 13" E., 59.78 feet to the point of commencement.

Containing 0.082 of an acre, more or less."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 10**

Senator Thompson moved that Senate Bill No. 10 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 10**—An act to add Section 73.1 to the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to improvement district assessments, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert "Sec. 73.1. In the discretion of the board of directors in the construction of any work to be done or improvement made within an improvement district formed pursuant to Section 68 of this act and in the levying of assessments and reassessments and the issuing of bonds to pay for costs and expenses of the work and improvements done or to be done hereunder the board may use the Improvement Act of 1911, the Municipal Improvement Act of 1913, the Improvement Bond Act of 1915, the Street Opening Act of 1903, or the Street Improvement Act of 1913 and said acts are and each of them is applicable to districts; provided, however, that notwithstanding the provisions or limitations of any of said acts relating to the work authorized to be done or the improvements authorized to be made thereunder, a district created by this act shall have power to acquire or construct in any such improvement district by the procedures permitted by this section any improvements authorized by this act, and the improvements authorized to be constructed or acquired by the procedure permitted by this section are restricted to those permitted by this act to be constructed or acquired in any such improvement district. In the application of said acts to proceedings hereunder, the terms used in said acts shall have the following meanings:

- (a) "City council" and "council" mean board.
- (b) "City" and "municipality" mean district.
- (c) "Clerk" and "city clerk" mean secretary.
- (d) "Superintendent of streets" and "street superintendent" and "city engineer" mean the chief engineer of the district or any other person appointed to perform such duties.
- (e) "Tax collector" means county tax collector.
- (f) "Treasurer" and "city treasurer" mean the county treasurer who is the depository of the district.

(g) "Right of way" means any parcel of land through which a right of way has been granted to the district for the purpose of constructing or maintaining any work or improvements which the district is authorized to do.

The powers and duties conferred by said acts upon boards, officers and agents of cities shall be exercised by the board, officers and agents of the district, respectively.

No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of the assessment in the proceedings under any of said acts and the diagram attached to said assessment shall be recorded in the office of the county recorder of each county in which any part of the lands assessed are located and with the superintendent of streets of each city in which any part of said lands are located."

**Amendment No. 2**

On page 1, strike out lines 13 to 29, inclusive, and insert "Water is vital to the State of California and there is urgent necessity for its conservation. Water conservation districts in this state are unable to plan for new local projects in the most efficient and economical fashion under the present provisions relating to improvement districts and assessment proceedings therein. The immediate availability of this act will allow water conservation operations to proceed at maximum efficiency."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 11**

Senator Thompson moved that Senate Bill No. 11 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 11**—An act to amend Section 28 of the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to water district assessments, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 9, of the printed bill, strike out the second "the", and insert "such".

**Amendment No. 2**

On page 2, line 44, after "district", insert "; provided, however, that if the proceeds of bonds whether heretofore or hereafter voted for the acquisition of properties for, or the construction of, any works or projects of the district shall have been insufficient to pay the cost of such properties, works or projects, then in addition to the above mentioned assessments, an assessment may be levied not to exceed one (1) mill on each one hundred cents (100¢) of the assessed value of lands within the district for not to exceed five fiscal years, for the payment of the remaining cost of such properties, works or projects".

**Amendment No. 3**

On page 3, strike out lines 3 to 19, inclusive, and insert

"Water is all-important to the State of California, and there is urgent necessity for its conservation. The inability of Water Conservation Districts in this State to plan for new or pay for past projects in the most efficient and economical fashion hampers these districts in this vital field. Where increases in costs of the acquisition, construction or completion of district improvements have intervened subsequent to the dates of bond elections, or the dates of sale of bonds, the result has been that districts could not complete improvements already authorized and undertaken. The immediate availability of this act will allow water conservation operations to proceed at maximum efficiency."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 19**

Senator Cunningham moved that Senate Bill No. 19 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 19**—An act to repeal an act entitled "An act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897 as amended, thereby repealing all provisions, relating to the registration and recordation of land titles, deeds, and instruments affecting land titles and subjecting lands registered under said act to the general recording laws, to take effect upon



the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

#### Motion to Amend

Senator Cunningham moved the adoption of the following amendments:

#### Amendment No. 1

Strike out lines 4 to 12, inclusive, of the title of the printed bill as amended in Senate February 28, 1955, and insert "March 17, 1897, relating to the registration of land titles, deeds, and instruments affecting land titles, and all acts amending same; thereby repealing all provisions of law relating to the registration of land titles, deeds, and instruments affecting land titles, and making provision as to titles to land registered thereunder; declaring the urgency of this act, to take effect immediately."

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. An act entitled "An act for the certification of land titles and the simplification of the transfer of real estate", approved March 17, 1897, as amended, including an act to amend said act of March 17, 1897, approved by the electors November 3, 1914 (Statutes of 1915, page 1932), (herein collectively referred to as "said act"), is hereby repealed.

SEC. 2. Upon the effective date hereof, all registers of titles, all files and documents supporting same, and all indices and other books and records maintained under the provisions of said act shall become a part of the records of the office of the county recorder of the county in which the office of the registrar of titles has been maintained, for all purposes as fully (except as hereinafter provided) as though they had from their inception formed an integral part of the records of the office of such county recorder.

SEC. 3. After the effective date hereof, all instruments, documents, and papers affecting title to land which had been registered under the provisions of said act (other than all instruments, documents, and papers registered by the registrar of titles prior to the effective date hereof), shall be filed or recorded in the office of the county recorder of the county in which such land is situated in the same manner and with the same effect as though title to said land had never been registered.

SEC. 4. Nothing herein contained shall in any manner affect any determination made in connection with the original registration of title to any land or made in connection with the issuance of any certificate of title by the registrar of titles subsequent to the original registration. All instruments, documents, and papers registered by the registrar of titles and every entry and endorsement of any memorials upon any such certificate of title shall be considered to form part of the record chain of title to such land and afford constructive notice of their contents to the same extent as though they appeared of record in the office of the county recorder; provided, however, that no such instrument, document, paper, entry or endorsement shall have any greater or other effect after the effective date hereof, as constructive notice or otherwise, than it had or acquired at the time it was registered or made; and provided, further, that nothing herein contained shall be construed as giving any greater or other effect, as constructive notice or otherwise, to any instrument, document or paper recorded in the office of the recorder of any county prior to the effective date hereof, as to any lands the title to which had been registered than was provided by the laws of this state (including said acts) in effect at the time such instrument, document or paper was recorded. (Illustration: A recorded abstract of judgment is not a lien on registered land unless registered; and such abstract of judgment, recorded but not registered prior to the effective date hereof, will, under this section, not constitute a lien on registered land after said effective date until recorded anew.)

SEC. 5. Nothing herein contained shall terminate, diminish or impair any existing right in or pertaining to land, title to which had been registered under said act, or any existing right to resort to any fund created thereunder, but any such right may be asserted and enforced in the same manner, to the same extent, and subject to the same limitations provided in said act.

SEC. 6. This repeal of said act is made under authority of law, including the act to amend said act by adding thereto Section 116, adopted by the First Extraordinary Session of 1954, Chapter 58, and approved by the electors on November 2, 1954.

SEC. 7. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety, within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

To save the taxpayers of this State hundreds of thousands of dollars by making the repeal of said act effective on or before July 1, 1955, at which time budget and personnel requirements are fixed by the various county offices for the fiscal year.

The Land Title Law provides for a system of registration of land titles which has proved to be unsatisfactory, cumbersome and a costly expense to the general taxpayer. The "Assurance Fund" established by the act has been insolvent for years and serves only as a trap to the unwary. The matter of land titles is of extreme importance to the people of this State and particularly when the State is experiencing a great influx of population, the security in dealing with title to land is of paramount concern. The existence of a dual system of evidencing title to land is confusing and the Land Title Law needs to be correlated into the recording system to insure efficient and economical operation of our recording laws."

#### Amendment No. 3

On page 1, strike out lines 2 to 15, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 221

Senator Busch moved that Senate Bill No. 221 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 221**—An act to add Section 1110a of the Penal Code, relating to crimes involving stolen property.

Bill read second time.

#### Motion to Amend

Senator Busch moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 5, of the printed bill, strike out "shortly".

#### Amendment No. 2

On page 1, line 8, strike out "such proof together with", and insert "proof that the property was stolen, and was thereafter in the possession of defendant, together with proof of an admission or".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 504

Senator Dorsey moved that Senate Bill No. 504 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 504**—An act to amend Sections 21362, 21364, 21367, 21368, 21371, 21372, 21381, 21382, 21383, 21384, 21391, 21392, 21393, 21395, and 21396 of, to add Sections 21364.1 and 21385 to, and to add Article 5 to Chapter 8 of Division 10 to, the Education Code, relating to the residential schools known as the California Academies for dependent, neglected and homeless children.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, lines 29 and 30, of the printed bill as amended in Senate March 10, 1955, strike out "comparable to that received by physicians and surgeons in other state institutions."

**Amendment No. 2**

On page 3, line 49, before "superintendent", insert "district".

**Amendment No. 3**

On page 3, strike out line 50, and insert "schools, or principal of a school, may peti-".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 831**

Senator Cobey moved that Senate Bill No. 831 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 831**—An act to add Section 4319.5 to the Agricultural Code, relating to appointment of persons to administer sales stimulation and consumer educational programs on fluid milk and fluid cream.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "remaining members of the com-", strike out line 9; and on line 10, strike out "each such vacancy," and insert "director shall hold a public hearing for the purpose of receiving nominations,".

**Amendment No. 2**

On page 1, line 11, after the period, insert "The public hearing shall be held substantially as provided in Article 5 of this chapter except that the director may authorize nominations to be made by mail."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 919**

Senator Murdy moved that Senate Bill No. 919 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 919**—An act to add Article 7 to Chapter 3 of Part 2 of Division 6 of the Public Resources Code, relating to oil and gas leases on state-owned tide and submerged lands.

Bill read second time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 9, strike out "of the State lying within the County of Orange"; strike out lines 10 to 12, inclusive, and insert "described in this section would seriously impair and interfere with the developed shore line recreational areas and the residential areas bordering such tide or submerged lands. The purpose and intent of this section is to prevent such impairment and interference by withdrawing such lands from oil and gas development and prohibiting prospecting for or extraction of oil or gas in such lands.

The commission shall not lease for prospecting for or extraction of oil or gas any other tide or submerged lands described in this section, and prospecting for or extraction of oil and gas in such lands is prohibited.

This section applies only to the tide or submerged lands situate in the County of Orange, State of California, described as follows:

Beginning at a point on the line of mean high tide of the Pacific Ocean and the southeasterly boundary of the City of San Clemente, thence southwesterly along the extension of said southeasterly boundary of the City of San Clemente three (3) miles to a point in the Pacific Ocean; thence northwesterly along a line parallel with the mean high tide line of the Pacific Ocean, being approximately three (3) miles off shore, to its intersection with the southwesterly extension of the northwesterly line of Block 164 of Irvine Subdivision as per map recorded in Book 1, Page 88, of Miscellaneous Maps, Records of Orange County, California; thence northeasterly along said southwesterly extension to the line of mean high tide of the Pacific Ocean; thence southeasterly along the line of mean high tide to the point of beginning.

SEC. 2. Inasmuch as the provisions of this act are applicable only to the tide or submerged lands specifically described herein, it is the intent of the Legislature that the provisions hereof shall control over and supersede any inconsistent provisions of law heretofore or hereafter enacted."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 854**

Senator Teale moved that Senate Bill No. 854 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 854**—An act making an appropriation to the Youth Authority for the acquisition of necessary easements.

Bill read second time.

**Motion to Amend**

Senator Teale moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, before "the", insert "replacement of the existing ditch conveying water to the Fricot Ranch School for Boys, including".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. The unexpended balances of the appropriations heretofore made for replacement of ditch with pipeline, Fricot Ranch School for Boys, Youth Authority, by Item 289 of the Budget Act of 1951, Item 314 of the Budget Act of 1952 and Item 302 of the Budget 1953 are hereby reappropriated for the purposes specified in said appropriations and for the acquisition of easements required to replace said existing ditch conveying water to the Fricot Ranch School for Boys."



**Amendment No. 3**

On page 1, strike out lines 2 to 5, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 657**

Senator Cobey moved that Senate Bill No. 657 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 657**—An act to add Section 100.4 to the Streets and Highways Code, relating to state highways constructed as freeways.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 20 and 21, of the printed bill, strike out "if it determines to construct the proposed freeway through the city".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1679**

Senator Byrne moved that Senate Bill No. 1679 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1679**—An act to amend Section 25241 of the Water Code, relating to irrigation district revenue bonds.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 25241", and insert "Sections 24476 and 24955".

**Amendment No. 2**

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 24476 of the Water Code is amended to read:

24476. A district may provide for a reserve fund to be used for the payment of the interest or principal of any outstanding bonds. If the estimate referred to in Section 24955 and the order determining the amount of bonds provided for in Section 24962, provide for a revenue bond reserve fund in a specified amount to be set aside out of the proceeds of sale of revenue bonds, then the district may, upon the sale of any bonds payable solely from revenues, create such revenue bond reserve fund and set aside in such fund out of the proceeds of sale of such bonds a sum not exceeding such specified amount, such fund to be maintained from revenues and used and withdrawn solely for the purpose of paying the principal of and interest on such bonds in the event that no other funds are available therefor.

SEC. 2. Section 24955 of said code is amended to read:

24955. The estimate may include a sum sufficient to pay the interest on the proposed construction bonds for four years or less and, if the bonds are to be payable solely from revenues, the estimate may also include a sum for a revenue bond reserve fund to be set aside out of the proceeds of sale of revenue bonds to be maintained by revenues and used and withdrawn solely for the purpose of paying the principal of and interest on such bonds in the event that no other funds are available therefor."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### LETTER OF TRANSMITTAL

SACRAMENTO, CALIFORNIA, March 15, 1955

*Hon. Harold J. Powers*  
President of the Senate  
Senate Chamber

MR. PRESIDENT: Pursuant to Senate Resolution No. 162, adopted June 10, 1953, the Senate Interim Committee on Divorce was created, and the following Senators were appointed members thereof:

Fred H. Kraft  
Donald L. Grunsky  
Arthur W. Way

Your committee wishes to submit the following report which, in no wise, is to be regarded as more than an introduction to the problem. We have, in fact, confined our work to a study of the nature of the problem presented by divorce and to one aspect of it, the welfare of the children involved. We earnestly recommend that continuing and persistent studies be made in this field.

Respectfully submitted,

FRED H. KRAFT, Chairman  
ARTHUR W. WAY  
DONALD L. GRUNSKY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### MOTION TO PRINT REPORT

Senator Kraft moved that 500 additional copies of the report submitted by the Senate Interim Committee on Divorce be printed for distribution.

Motion carried.

#### LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE  
March 15, 1955

*Hon. Harold J. Powers*  
President of the Senate  
Senate Chambers, State Capitol  
Sacramento, California

MR. PRESIDENT: I am transmitting herewith the first Report of the Senate Committee on Labor, relating to problems within labor unions. This report is made as a Partial Report, in conformity with Senate Resolution No. 40 of the 1955 Session of the Legislature.

The Senate is requested to print this letter of transmittal in the Journal of the Senate for this day, and to print the report in the appendix to the Journal of the Senate.

Respectfully submitted,

F. PRESLEY ABshire, Chairman  
Senate Committee on Labor

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Abshire moved that 2,500 additional copies of the report submitted by the Senate Committee on Labor be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON FISH AND GAME

March 15, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Committee on Fish and Game, created by Senate Resolution No. 15 (Senate Journal 1953, page 4122), presents herewith a second progress report of its activities, and the results of its studies to date, together with its conclusions and recommendations.

Certain phases of study are still continuing and a report will be made on these subjects when they are brought to a completion.

Respectfully submitted by,

CHARLES BROWN  
STEPHEN P. TEALE  
A. W. WAY  
J. HOWARD WILLIAMS  
ED. C. JOHNSON, Chairman

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Ed. C. Johnson moved that 3,500 additional copies of the report submitted by the Senate Interim Committee on Fish and Game, be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SACRAMENTO, CALIFORNIA

March 15, 1955

*Hon. Harold J. Powers, Lieutenant Governor,  
State of California, State Capitol  
Sacramento, California*

DEAR MR. PRESIDENT: The report of the Interim Committee on Horse Racing, created under Senate Resolution No. 187 of the 1953 Session, is herewith submitted.

The committee respectfully requests that 150 copies of the report be printed for distribution.

Very truly yours,

HARRY L. PARKMAN, Chairman  
CLARENCE C. WARD  
HUGH M. BURNS  
JOHN F. THOMPSON  
DALE C. WILLIAMS

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Parkman moved that 150 additional copies of the report submitted by the Interim Committee on Horse Racing, be printed for distribution.

Motion carried.

## LETTER OF TRANSMITTAL

SENATE CHAMBER, STATE CAPITOL  
SACRAMENTO, March 15, 1955

*Hon. Harold J. Powers, President of the Senate; and  
Gentlemen of the Senate  
Senate Chamber, Sacramento, California*

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: Pursuant to Senate Resolution No. 127, which appears at page 3096 of the Senate Journal for May 25, 1953, the Senate Fact-finding Committee on Un-American Activities was created and the following Members of the Senate were appointed to said committee by the Senate Committee on Rules:

Senator Nathan F. Coombs  
Senator Earl D. Desmond  
Senator John F. McCarthy  
Senator John F. Thompson  
Senator Hugh M. Burns

The committee herewith submits a partial report of its investigations and findings.

Respectfully submitted,

HUGH M. BURNS, Chairman  
NATHAN F. COOMBS, Vice Chairman  
EARL D. DESMOND  
JOHN F. MCCARTHY  
JOHN F. THOMPSON

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

## LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE  
SACRAMENTO, CALIFORNIA, March 15, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

Your Interim Committee on Salt Water Conversion created pursuant to Senate Resolution No. 188 of the 1953 Session, submits herewith a partial report of its activities and result of its study.

Respectfully submitted,

CLARENCE C. WARD, Chairman  
A. A. ERHART  
FRED H. KRAFT

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator Kraft moved that 3,000 additional copies of the report submitted by the Interim Committee on Salt Water Conversion be printed for distribution.

Motion carried.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 87**—An act to amend Sections 3, 4, and 6 and to repeal Section 5 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of the 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read second time.

## Motion to Amend

Senator Gibson moved the adoption of the following amendments:

## Amendment No. 1

On page 1, line 9, of the printed bill as amended in Senate March 7, 1955, strike out “, two”, and insert “. Two”.



**Amendment No. 2**

On page 1, line 15, "after such", insert "a".

**Amendment No. 3**

On page 1, line 17, strike out "Said trustee", and insert "The trustees".

**Amendment No. 4**

On page 1, line 17, strike out the second "trustee", and insert "trustees".

**Amendment No. 5**

On page 2, line 20, strike out "approved and confirmed", and insert "subject to approval and confirmation".

**Amendment No. 6**

On page 2, line 24, strike out "shall".

**Amendment No. 7**

On page 2, line 25, before "continue", insert "shall".

**Amendment No. 8**

On page 2, line 34, strike out "trustees appointed as hereinbefore provided," and insert "ex officio trustees".

**Amendment No. 9**

On page 2, line 35, strike out "ex officio".

**Amendment No. 10**

On page 2, line 40, strike out "and".

**Amendment No. 11**

On page 3, line 26, strike out ", and be opened", and insert "and shall be open".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 61**—An act to amend Section 10500 of the Water Code, relating to appropriation of water.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 342**—An act to add Sections 26907 and 26908 to the Government Code, relating to the destruction of public records.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "any", and insert "the".

**Amendment No. 2**

On page 1, line 3, strike out "in", and insert "of Sections 26201, 26202, and 26205 of".

**Amendment No. 3**

On page 1, lines 3 and 4, strike out "to the contrary".

**Amendment No. 4**

On page 1, line 7, after "index", insert "or warrant register".

**Amendment No. 5**

On page 1, line 7, strike out "showing the", and insert a period.

**Amendment No. 6**

On page 1 strike out lines 8, 9, and 10.

**Amendment No. 7**

On page 1, line 11, after "index", insert "or warrant register".

**Amendment No. 8**

On page 1, line 12, after "index", insert "or warrant register."

**Amendment No. 9**

On page 1, strike out line 13.

**Amendment No. 10**

On page 1, lines 15 and 16, strike out "any provisions in this code to the contrary", and insert "the provisions of Sections 4104.3 and 4104.5 of the Revenue and Taxation Code".

**Amendment No. 11**

On page 1, line 17, after "may", insert ", upon order of the board of supervisors,"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 275**—An act to amend Sections 1800, 1801, 1803, 1804, 1805, 1807, 1809, 1810, and 12100 of, the Financial Code, relating to the transmission of money.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 637**—An act to amend Section 1542 of the Financial Code, relating to securities eligible for deposit with State Controller by trust companies.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill strike out "Controller", and insert "Treasurer".

**Amendment No. 2**

On page 1, line 20, strike out "2", and insert "11".

**Amendment No. 3**

On page 1, line 23, strike out "2", and insert "11".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1310**—An act to add Section 860 to the Financial Code, relating to bank deposits by public entities.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1699**—An act to amend Section 21201 of the Financial Code, relating to pawnbrokers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 91**—An act to add Section 12307.2 to the Financial Code, relating to check sellers and cashers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 93**—An act to amend Section 12004 of, and to add Section 12200.1 to, the Financial Code, relating to check sellers and cashers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 95**—An act to amend Section 17405 of, and to add Section 17405.1 to, the Financial Code, relating to examinations of escrow agents and the payment of the cost thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 96**—An act to amend Sections 17403, 17404, and 17609 of the Financial Code, relating to escrow agents.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 97**—An act to add Sections 22204.1 and 22204.2 to, and to amend Section 22208 of, the Financial Code, relating to bonds of personal property brokers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 90**—An act to amend Sections 12216, 12218, and 12303 of, and to add Section 12225 to, the Financial Code, relating to check sellers and cashers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 92**—An act to amend Section 12304 of the Financial Code, relating to reports by check sellers and cashers.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions.

#### **Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "acceptable to the commissioner".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 98**—An act to amend Section 22411 of the Financial Code, relating to personal property brokers.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

#### **Amendment No. 1**

In line 7 of the printed bill, after the word "division," insert "including the rates, terms or conditions for making or negotiating loans,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### **President pro Tempore of the Senate Presiding**

At 2.35 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

#### **MOTION TO RE-REFER SENATE BILLS. NOS. 91 AND 90**

Senator Hulse moved that Senate Bills Nos. 91 and 90 be re-referred to Committee on Finance.

Motion carried.

#### **MOTION TO RETAIN PLACE ON FILE**

Senator Desmond moved that Senate Bills Nos. 341, 335, 798 and 800 be passed on file and retain their places on file.

Motion carried.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 172**—An act to amend Section 1403 of the Fish and Game Code, relating to burros.

**Motion to Re-refer Senate Bill No. 172**

Senator Hulse moved that Senate Bill No. 172 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 626**—An act to amend Sections 1351 and 1352 of, and to add Article 6.5 to Chapter 3, Part 3 of Division 4 of, the Fish and Game Code, relating to frogs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 490**—An act to amend Section 403 of the Fish and Game Code, relating to licenses.

**Motion to Refer Bill to Inactive File**

Senator Teale moved that Senate Bill No. 490 be placed on the inactive file.

Motion carried.

**Senate Bill No. 491**—An act to amend Section 1047 of the Fish and Game Code, relating to private stocking of domestically reared fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1706**—An act to validate and make legally effective any statements and maps or plats relating to the creation or boundaries of county fire protection districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—32.

NOES—None.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 338**—An act to add Section 1a to Chapter 9 of the Statutes of 1954, relating to the sale or transfer of the Napa State Farm.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, and Way—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1598**—An act to add Section 16603 to the Business and Professions Code, relating to tie-in sales of horror comic books.

Bill read third time.

#### Motion to Amend

Senator Donnelly moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, as amended in Senate March 11, 1955, strike out lines 18 to 22, inclusive, and insert

"As used in this section "horror comic book" means any book or magazine in which an account of the commission or attempted commission of the crime of arson, assault with caustic chemicals, assault with a deadly weapon, burglary, kidnaping, mayhem, murder, rape, robbery, theft, or voluntary manslaughter is set forth by means of a series of five or more drawings or photographs in sequence, which are accompanied by either narrative writing or words represented as spoken by a pictured character, whether such narrative words appear in balloons, captions or on or immediately adjacent to the photograph or drawing."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### Motion to Print With Rush Order

Senator Donnelly moved that Senate Bill No. 1598 be sent to print with a rush order.

Motion carried.

#### MOTIONS TO RECONSIDER

**Senate Bill No. 885**—An act to amend Sections 1525, 1526, 1529, 1532, 1541, and 1542 of, and to add Sections 1529.1, 1532.1, 1532.2, 1542.1, and Article 2.1 to Chapter 8 of Part 2 of Division 2 of the Water Code, and to amend Section 6103.1 of the Government Code, relating to appropriation of water.

#### MOTION TO RECONSIDER WAIVED

Senator Desmond waiver his motion to reconsider the vote whereby Senate Bill No. 885 was passed.

Motion carried.

Senate Bill No. 885 ordered transmitted to the Assembly.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 89**—An act to amend Section 71343 of the Government Code, relating to jury trials in municipal courts, and declaring the urgency thereof.

Bill read third time, and presented by Senator Richards.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—30.  
**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—32.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

**Committee on Public Health and Safety**

SENATE CHAMBER, SACRAMENTO, March 14, 1955

**MR. PRESIDENT:** The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 6

Senate Bill No. 361

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 14, 1955

**MR. PRESIDENT:** The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 546

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended, and re-refer to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 14, 1955

**MR. PRESIDENT:** The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 547

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 548

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 3; absent 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 549

Senate Bill No. 916

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1322

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

## Committee on Transportation

## SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1292

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 722

Has had the same under consideration, and reports the same back with amendments, with the recommendation: Do pass as amended, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 574

Has had the same under consideration, and reports the same back with amendments, with the recommendation: Do pass as amended, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 135

Has had the same under consideration, and reports the same back with amendments, with the recommendation: Do pass as amended, and be re-referred to Committee on Transportation.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 26

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

MOTION TO RECONSIDER RULE 12, SECTION 5,  
OF THE STANDING RULES

Senator Regan moved that the Senate Rules Committee reconsider and re-examine Senate Rule No. 12, Section 5 of the Standing Rules of the Senate, in the light of the language that is used and the interpretation of the language by the Legislative Counsel.

Motion carried.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Parkman:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 39733 to, and to amend Section 43068 of, the Government Code, relating to the levy of taxes and the expenditure of funds by cities in aid of public transportation, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

SENATOR PARKMAN

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 15, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Local Government.

WARD, Chairman



The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

#### **INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time:

**Senate Bill No. 1979:** By Senator Parkman—An act to add Section 39733 to, and to amend Section 43068 of, the Government Code, relating to the levy of taxes and the expenditure of funds by cities in aid of public transportation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

#### **ADJOURNMENT**

At 3.15 p.m., on motion of Senator Breed, the President declared the Senate adjourned until 2 p.m., Wednesday, March 16, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-SEVENTH LEGISLATIVE DAY

THIRTY-SIXTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, March 16, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erbart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Cobey, on motion of Senator Robert I. McCarthy, due to legislative business.

Senator Collier, on motion of Senator Ward, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Ed. C. Johnson and Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Leslie Anderson of Suisun City.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Freda E. M. Riedeman and the following students from the Machado School in Morgan Hill: Barbara Adams, Ronald Conlin, Esther Herman, Donald Manka, Barbara Smith, Gloria Whitney, and parent, Mrs. John Adams.

On request of Senators Richards and Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Norman O. Lavet and Dr. Carl J. Wesley, both of Los Angeles.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Anne Richard, chaperones Mrs. T. McMorro, Mrs. G. Miller, Mrs. L. Murphy, Mrs. A. Pistochini, Mrs. L. Raymond, and the following students from St. Catherine's Parochial School, Martinez: Nicholas Becker, Eugene Brady, Paul Brusatory, Tony Calderon, Ronald Campagnoli, Carmelo Carone, Arthur Chavez, John DiMaggio, Donald Gott, Dennis Gray, Raynell Hudelson, Gary Marcos, Edward Murphy, Edward Pereira, Leon Raymond, Francis Rourk, Russell Salva, Anthony Sincich, Theodore Witting, Antoinette Balestrieri, Victoria Bodeman, Kathryn Borghesani, Paula Chantri, Anne Danno, Lila Fox, Elsie Hays, Janet Higby, Therese Keller, Patricia McIntyre, Jeanne McMorro, Laura Miller, Theresa Murphy, Carol Pistochini, Janet Pistochini, Irene Rangel, Kathleen Rice, Sharon Sacchi, and Nancy Woods.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chief Warrant Officer Paul L. Ludlow, United States Army.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. Murray Kemp of San Francisco.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Jack Lytton and the following senior students from Denair High School: Frank Brumley, Jim Chance, Delores Costa, Louis Domecq, Joyce Domecq, Rosalie Fletcher, Marlene Haile, Rita Harmon, Bob Kising, Betty Muller, Donald Nelson, and Pat Goolsby.

On request of Senators Hulse and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mame Beatty of Los Angeles and Evelyn Waterfield of El Centro.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John B. Melugin, member of the Board of Supervisors of Stanislaus County, Modesto.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don Martinson and Hans Doe, Vista Irrigation District directors.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ray Judah, former Senator from Santa Cruz.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Marie Watterbury and Jane Powers, daughter of Lieutenant Governor Powers, from St. Francis School, Sacramento.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. H. R. Keith of Ventura.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Christopher, Sister Philip and the following members of the

Optima Honor Society of the Dominican Convent of San Rafael: Lynn Applebaum, Sandra Barg, Lucy Beebe, Roxanna Brown, Betty Jo Charlton, Joan DeVor, Mary Griel, Phyllis Grissim, Lynn Lombardi, Shiela MacMillan, Margaret Malley, Suzanne Marrin, Marina Marsow, Molly Merrill, Barbara Meyer, Mary Elizabeth Murray, Elizabeth Olson, Mary Ann Peek, Joan Pfitzer, Patricia Price, Jackie Rampoldi, Katherine Rayburn, Sandra Sailer, Catherine Silcock, Shirley Swain, Mary Alice Thornton, and Judy Tobin.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. W. Hildebrandt, police department, San Bernardino.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Erna Pivetti, principal; Miss Eulah Fowles, instructor; and the following students from the R. O. Hardin School: Vincent Arroyo, Harry Chesnut, Paul Gonzales, Marvin Grimsley, Kenneth House, Richard Marquez, Alfonso Montoya, Henry Martinez, Joe Nichols, Frank Orabuena, Henry Ritchie, Gilbert Rojas, Brian Thompson, Jimmie Ray Thompson, Daniel Towle, Twyla Sue Anderson, Hene Chappell, Mary Helen Gonzales, Jane Hanna, Ruth Jaurique, Mary Ellen Medina, Margaret Morris, Carolyn Murphy, Patricia Nishimoto, Helen Paterson, Virginia Puentes, Roberta Rogers, Celia Ruiz, Kay Sanders, Mary Ruth Schmidt, Jan Stoker, Caroline Valdez, Marie Vallejo, Sylvia Weisinger, Janet Yocham, Celia Zuniga, Aurelia Garcia, Beatrice Freitas, O'Beddie Holfester, Jane Gutierrez, Abel Alvarez, Jesse De La Cruz, Dan Franco, Frank Franco, Josephine Yocham, Kathleen Yocham, Robert Acosta, Ramon Bettencourt, Peter Cottrell, William DeWitt, Charles Enlow, Karl Johnson, David E. Lopez, Ronald Low, Thomas McCoy, Byron McCulley, Russell Medina, Robert Pivetti, Gilbert Solano, Woodrow Summa, Scott Thorlin, Fred Valdez, Robert Ruvalcaba, Esther Alvarez, Margaret Amis, Nelda Barnes, Jerrie Bradley, Alberta Clark, Rosemary Casarez, Irene Garcia, Sandra Garner, Gloria Gonzales, Marellyn Johnson, Katherine Littlejohn, Charlotte Lloyd, Marilee McCoy, Joan Millares, Lily Morales, Sandra Nichols, Sandra Rashe, Elizabeth Severinsen, Gloria Solano, Joan Stoker, Linda Tabor, Marlene Tomasello, Katherine Young, and Lavinia Willingham.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Gerda Sterns, Robert Vejby, and the following students from Washington Manor School, San Lorenzo School District: Carl Agnews, Lisbeth Beckes, Richard Beesley, James Browne, Linda Crothers, Patsy Cusick, Rollin Edlund, Edward Ferreira, Rory Gibbons, Sandra Gosnell, Patricia Gurley, Judith Haegely, James Hammer, Michael Schneider, Frederic Krysiak, Jacqueline Lapioli, Carla Marr, James Mathews, Carolyn Metcalf, Frances Michaelson, Ann Mulvany, Linda Needles, Douglas O'Sullivan, Lynn Pirie, Jeanette Ponce, Camilla Quiel, Jack Rosselli, Hunter Schlessor, Rolane Sheets, Alvin Slack, John Stevens, Robert Strack, Richard Sylvester, Patricia Vilchek, Harry Ward, Fred Welch, Sally Woodside, and Warren Havercroft.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Michael Desmond, son of Senator Earl Desmond, of Sacramento.



On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. W. TeWinkle and A. C. Swartz of Costa Mesa and Robert G. Bulot of Monrovia.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph Johnston of New York City and Dwight Stephenson of Sacramento.

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 16, 1955

#### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

JAMES D. TANTE, a resident of Hollywood; veteran of World War II; received LL.B. from the College of Law at Loyola University; received a master's degree in law from the University of Southern California College of Law and a Certificate of Industrial Relations from the University of California at Los Angeles; is a licensed public accountant; has been a business representative for the Studio Electrical Technicians, Local 728 since 1949; from 1939 to 1943 was employed as a studio electrical technician in a Burbank motion picture studio; was in private law practice in Hollywood in 1948 and 1949;

to the Adult Authority, vice Charles W. Dullea, term expired, for the term prescribed by law, ending March 15, 1959.

WALTER A. GORDON, a resident of Berkeley; attorney at law; admitted to the State Bar in 1923; graduate of the University of California; a member of the Adult Authority since May, 1944;

to the Adult Authority, vice self, term expired, for the term prescribed by law, ending March 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 16, 1955

#### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

KARL HOLTON, a resident of Los Angeles; presently Probation Officer for the County of Los Angeles; former director and member of the Youth Authority; a member of the Board of Corrections since September 4, 1953;

to the Board of Corrections, vice self, term expired, for the term prescribed by law, ending March 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 1, 1955, appointing

GLENN BAKER, to the State Personnel Board, vice self, interim appointee for the term prescribed by law, ending January 15, 1965;

F. BRITTON MCCONNELL, as Insurance Commissioner, vice self, interim appointee, for the term prescribed by law, ending February 15, 1959;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

### CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

#### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Glenn Baker as a member of the State Personnel Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Glenn Baker as a member of the State Personnel Board?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, and Way—28.

NOES—None.

#### **Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Glenn Baker as a member of the State Personnel Board.

### **CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**

#### **Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of F. Britton McConnell as Insurance Commissioner.

The President put the question, "Will the Senate confirm and consent to the appointment of F. Britton McConnell as Insurance Commissioner?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, and Way—28.

NOES—None.

#### **Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of F. Britton McConnell as the Insurance Commissioner.

### **REPORTS OF STANDING COMMITTEES**

#### **Committee on Rules**

SENATE CHAMBER, SACRAMENTO, CALIFORNIA, March 16, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 3, 1955, appointing

GEORGE K. WYMAN, to Director of Department of Social Welfare, vice self, term expired, for the term prescribed by law, ending at the pleasure of the Governor;

RAY EDWARD UNTEREINER, to the State Public Utilities Commission, vice self, term expired, for the term prescribed by law, ending January 1, 1959;

REAR ADMIRAL SIGVAL B. JOHNSON, to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, vice self, term expired, for the term at the pleasure of the Governor, not to exceed four years from the date of confirmation;

JOHN H. KLINGER, as Warden, Medium Security Prison at San Luis Obispo, vice self, for the term prescribed by law, ending at the pleasure of the Director of the Department of Corrections;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

### **CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**

#### **Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of George K. Wyman as the Director of Department of Social Welfare.

The President put the question, "Will the Senate confirm and consent to the appointment of George K. Wyman as the Director of Department of Social Welfare?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

#### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of George K. Wyman as the Director of Department of Social Welfare.

### CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

#### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Ray Edward Untereiner as a member of the State Public Utilities Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Ray Edward Untereiner as a member of the State Public Utilities Commission?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

#### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Ray Edward Untereiner as a member of the State Public Utilities Commission.

### CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

#### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Rear Admiral Sigval B. Johnson as a member of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun.

The President put the question, "Will the Senate confirm and consent to the appointment of Rear Admiral Sigval B. Johnson as a member of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

#### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Rear Admiral Sigval B. Johnson as a member of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun.

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

## Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of John H. Klinger as Warden of the Medium Security Prison at San Luis Obispo.

The President put the question, "Will the Senate confirm and consent to the appointment of John H. Klinger as Warden of the Medium Security Prison at San Luis Obispo?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

## Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of John H. Klinger as Warden of the Medium Security Prison at San Luis Obispo.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Rules has appointed the following Senators chairmen and members of the various standing committees of the Senate:

Desmond to Chairmanship of Agriculture—

off Chairmanship of Business and Professions;

Kraft to Chairmanship of Business and Professions—

off Chairmanship of Public Health and Safety;

John F. McCarthy to Chairmanship of Public Health and Safety;

Burns to vacancy on Finance;

Montgomery to vacancy on Agriculture;

John F. McCarthy to vacancy on Social Welfare;

Grunsky to vacancy on Labor.

WARD, Chairman

## LETTER OF TRANSMITTAL

JOINT LEGISLATIVE COMMITTEE ON  
AGRICULTURAL AND LIVESTOCK PROBLEMS

March 16, 1955

*The President of the Senate*

*The Speaker of the Assembly*

*and other Members of the Senate and Assembly*

The Joint Interim Committee on Agricultural and Livestock Problems, created by Senate Concurrent Resolution No. 51 (Res. Ch. 141) Regular Session of 1945; continued by Senate Concurrent Resolution No. 4 (Res. Ch. 14) Regular Sessions of 1947; continued by Senate Concurrent Resolution No. 54 (Res. Ch. 193) Regular Session of 1949; continued by Senate Concurrent Resolution No. 69 (Res. Ch. 221) Regular Session of 1951; and continued by Senate Concurrent Resolution No. 63 (Res. Ch. 240) Regular Session of 1953, submits the following special report covering the committee's investigations on the subject of Khapra beetle.

Respectfully submitted,

SENATOR PAUL L. BYRNE, Chairman

SENATOR EARL D. DESMOND

SENATOR NELSON S. DILWORTH

SENATOR BEN HULSE

ASSEMBLYMAN J. WARD CASEY

ASSEMBLYMAN GEORGE A. CLARKE

ASSEMBLYMAN WILLIAM W. HANSEN

ASSEMBLYMAN LLOYD W. LOWREY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.



**MOTION TO PRINT REPORT**

Senator Byrne moved that 2,500 additional copies of the report submitted by the Joint Interim Committee on Agricultural and Livestock Problems be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON SAN FRANCISCO BAY AREA  
METROPOLITAN RAPID TRANSIT PROBLEMS  
SAN FRANCISCO, March 14, 1955

*Hon. Harold J. Powers, President of the Senate  
State Capitol, Sacramento, California*

DEAR SIR: The Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems submits herewith its report of a year and a half of study of the rapid transit needs in the nine counties surrounding San Francisco Bay.

The committee was organized pursuant to Senate Resolution No. 145. It has served as analyst, public hearing board and legislative investigator of a variety of facts and ideas relating to the solution of mass transportation problems in the San Francisco Bay area. A series of recommendations for legislative action toward solving those problems accompanies this report, which is

Respectfully submitted,

GERALD J. O'GARA, Chairman  
ARTHUR H. BREED, JR., Vice Chairman  
JOHN F. MCCARTHY  
GEORGE MILLER, JR.  
HARRY L. PARKMAN

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Breed moved that 1,500 additional copies of the report submitted by the Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems be printed for distribution.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 61  
Senate Bill No. 93  
Senate Bill No. 95  
Senate Bill No. 96

Senate Bill No. 97  
Senate Bill No. 275  
Senate Bill No. 1310  
Senate Bill No. 1699

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1598

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 87  
Senate Bill No. 92  
Senate Bill No. 98

Senate Bill No. 342  
Senate Bill No. 637

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Public Utilities**

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Public Utilities, to which was referred:

Senate Bill No. 1316

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 4; absent 3.

WAY, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 56

Assembly Concurrent Resolution No. 59

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1973

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; noes 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 45

Senate Bill No. 580

Senate Bill No. 227

Senate Bill No. 982

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 331

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 155

Senate Bill No. 1275

Senate Bill No. 1291

Senate Bill No. 1311

Senate Bill No. 1722

Senate Bill No. 1741

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 984

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 260

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Finance.

## Committee on Military and Veterans Affairs

## SENATE CHAMBER, SACRAMENTO, March 14, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 264

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 2; not voting 1.

SUTTON, Chairman

Above reported bill ordered to second reading.

## Committee on Governmental Efficiency

## SENATE CHAMBER, SACRAMENTO, March 9, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 768

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## Committee on Elections

## SENATE CHAMBER, SACRAMENTO, March 10, 1955

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 611

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bill ordered to second reading.

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 365

Assembly Bill No. 632

Senate Bill No. 1067

Assembly Bill No. 633

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 840

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 470

Senate Bill No. 472

Senate Bill No. 471

Senate Bill No. 841

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 628

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

DONNELLY, Chairman

Above reported bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS****Senate Bill No. 1558**—An act to add Article 8 to Chapter 1, Division 3 of the Public Resources Code, relating to oil and gas.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 6**—An act to add Section 26464 to the Health and Safety Code, relating to the sale of imported rabbits for food.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "rabbit", insert "or canned wild rabbit which does not indicate on the label of the container the words "wild rabbit" in lettering of not less than one-half the size of the largest printing appearing on the label,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 361**—An act to add Sections 26516.4, 26516.5, 26516.6, and 26516.7 to the Health and Safety Code, relating to the adulteration, misbranding, and advertising of meat.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1 of the printed bill strike out lines 22 to 25 inclusive, and insert "sale any meat of the ovine species that is two years old or over, as "yearling" or "lamb". Such meat must be clearly designated as "mutton"."

**Amendment No. 2**

On page 2 strike out lines 7 to 10 inclusive.

**Amendment No. 3**

On page 2, line 11, strike out the first letter "f", and insert the letter "e".

**Amendment No. 4**

On page 2, line 12, strike out the letter "g", and insert the letter "f".

**Amendment No. 5**

On page 2, line 22, before the word "meat", insert "canned".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 546**—An act to add Section 13105.5 to the Health and Safety Code, relating to the publication of laws relating to firemen and fire protection and control.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On line 4 of the printed bill, after the word "publish", insert the words "in loose leaf form".

**Amendment No. 2**

On line 5, after "control.", strike out the remainder of the line, together with lines 6 and 7.

**Amendment No. 3**

On line 5, after "control.", insert "Each legislative year, he shall publish amendments and additions thereto. Copies of the compilations and amendments shall be distributed at cost of printing in accordance with a procedure developed by him."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 548**—An act to amend Section 14075 of the Health and Safety Code, relating to ambulances of fire protection districts in unincorporated areas.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 549**—An act to amend Sections 14300 and 14314 of the Health and Safety Code, relating to fire protection districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 916**—An act to amend Section 20755 of the Health and Safety Code, relating to the sale of poison.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1322**—An act to add Section 8740.1 to the Health and Safety Code, relating to cemeteries.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

##### Amendment No. 1

In line 1 of the title of the printed bill strike out "Section 8740.1", and insert "Sections 9650.2 and 9717 to, and to amend Sections 9700.5 and 9766 of, the Business and Professions Code, and to add Sections 8732.1 and 8747.5".

##### Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive, and insert  
"SECTION 1. Section 9650.2 is added to the Business and Professions Code, to read:

9650.2. The report shall state the name of the trustee or trustees of the endowment care fund. Any change of trustee shall be reported to the board within a period of 30 days after the change is made.

SEC. 2. Section 9700.5 of said code is amended to read:

9700.5. The board shall not grant an original cemetery broker's license to any person who is not a citizen of the United States *and a resident of this State*.

This section shall not affect the right of a noncitizen now holding a cemetery broker's license to renewal or reinstatement of his license in accordance with the provisions of this section. *Loss of citizenship or change of residence to another state shall terminate the license.*

SEC. 3. Section 9717 is added to said code, to read:

9717. Upon receipt of an application for a certificate of authority, the board may cause an investigation to be made of the physical status, plans, specifications and financing of the proposed cemetery, the character of the applicant, including its officers, directors, shareholders, or members, and any other qualifications required of the applicant under this act, and for this purpose may subpoena witnesses, administer oaths, and take testimony.

At the time of the filing of the application required by this section, the applicant shall pay to the cemetery fund the sum of two hundred dollars (\$200) to defray the expenses of investigation. In the event the sum shall be insufficient to defray all of the expenses, the applicant shall within five days after request therefor deposit an additional sum sufficient to defray such expenses.

SEC. 4. Section 9766 of said code is amended to read:

9766. Upon payment of the charges set forth the board shall issue a *renewal of the certificate of authority to the cemetery authority*.

SEC. 5. Section 8732.1 is added to the Health and Safety Code, to read:

8732.1. Each individual trustee of an endowment care fund shall be a resident of this State, and a corporate trustee shall be qualified to do business in this State.

SEC. 6. Section 8747.5 is added to said code, to read:

8747.5. Each cemetery shall at all times maintain and keep within the State of California all books, accounts, records, cash and evidences of investments of its general and special care funds. They shall be readily available for inspection and examination by the State Cemetery Board in accordance with the provisions of the Business and Professions Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 1292**—An act to amend Section 44.8 of the Vehicle Code, relating to emergency vehicles.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 722**—An act providing funds for the completion of the lower level of the Richmond-San Rafael Bridge, and approaches to said bridge.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 2, line 20, of the printed bill as amended in Senate March 10, 1955, strike out “, or from any other special fund or funds in the State”; strike out line 21; and in line 22, strike out “to make investments”.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 574**—An act to add Section 687 to the Vehicle Code, relating to equipment of authorized emergency vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after the word “occupants”, insert “of the front seats”.

**Amendment No. 2**

On page 1, line 7, after the word “vehicles”, strike out the period, and insert “, with the exception of the tiller seat on ladder trucks of fire departments.”.

**Amendment No. 3**

On page 1, line 8, after the word “vehicles”, insert “, with the exception of motorcycles,”.

**Amendment No. 4**

On page 1, line 11, strike out the period, and add “, except the emergency vehicles leased, owned or used by public utilities defined in Section 216 of the Public Utilities Code”.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 144**—An act to repeal Sections 215, 216, and 217 of, amend Sections 210 and 214, and to add Division 2B and Sections 62.2, 215, 216, and 217 to, the Vehicle Code, relating to reciprocity.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendment:

**Amendment No. 1**

In line 3 of the title of the printed bill as amended in Senate March 10, 1955, before “217”, insert “Section”.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 135**—An act to add Chapter 5.5, comprising Sections 218.01 to 218.22, inclusive, to Division 3 of the Vehicle Code, relating to interstate highway user fee apportionment.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Chapter 5.5, comprising Sections 218.01 to 218.22, inclusive, to Division 3 of", and insert "Sections 62.2, 217, 218, 219, and Division 2b to, and to amend Sections 215 and 216 of,".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "interstate".

**Amendment No. 3**

In line 3 of the title, strike out "fee apportionment", and insert "taxes and fees, creating the Reciprocity Commission, and defining the powers thereof".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 4**

On page 1, strike out line 1, and insert

"SECTION 1. Section 62.2 is added to the Vehicle Code, to read:

62.2. "Reciprocity Commission." "Reciprocity Commission" is the commission empowered to enter into reciprocity agreements.

SEC. 2. Division 2b is added to said code, to read:

**DIVISION 2b. THE RECIPROCITY COMMISSION****CHAPTER 1. ADMINISTRATION**

139.75. Reciprocity Commission Created. The reciprocity commission shall be composed of the Director of Motor Vehicles, the Director of Public Works, and the State Controller.

139.76. Compensation. All of the members of the commission shall serve thereon without additional compensation, but they shall receive their necessary actual traveling expenses incurred in the discharge of their duties.

139.77. Majority May Act. A majority of the members of the commission may act for the commission.

139.78. Director of Motor Vehicles to Provide Assistance. The Director of Motor Vehicles shall provide such assistance to the commission as it may require.

**CHAPTER 2. POWERS AND DUTIES**

139.85. Commission to Enter Into Agreements. The commission is empowered to enter into formal agreements or arrangements as provided in Section 217 of this code.

139.86. Rules and Regulations. The commission may adopt such rules and regulations as may be necessary to effectuate the powers granted to it by this code.

SEC. 3. Section 215 of said code is amended to read:

215. [Registration of Foreign Commercial Vehicles. (a) A nonresident owner of a foreign vehicle of a type subject to registration hereunder used or maintained for the transportation of persons for hire, compensation, or profit, or designed, used or maintained primarily for the transportation of property which is operated or moved within this State, shall register each such vehicle in this State and pay the fees applicable thereto under this code, except as provided in subdivision (b) of this section, and except in the event any said vehicle is lawfully registered as a private passenger-carrying vehicle in the state, District of Columbia, territory, province or country in which the owner has his residence.] *Special Provisions Applicable to Commercial Vehicles.* (a) The provisions of this section and Sections 217 and 218 shall apply to vehicles of a type subject to registration hereunder used or maintained for the transportation of persons for hire, compensation, or profit, or designed, used or maintained primarily for the transportation of property. The above described vehicles are hereinafter referred to as commercial vehicles for the purposes of this section and Sections 217 and 218.

(b) A nonresident owner of any foreign commercial vehicle as hereinabove described shall register each such vehicle in this State and pay the fees applicable thereto under this code except as provided in subdivision (c) of this section or as otherwise provided in Sections 217 or 218 and except in the event any said vehicle is lawfully registered as a private passenger-carrying vehicle in the state, District of Columbia, territory, province or country in which the owner has his residence.



[(b)] (c) Notwithstanding the provisions of subdivision [(a)] (b) of this section, the nonresident owner of a foreign vehicle as described in subdivision (a) of this section shall be granted such privileges and freedom from registration and payment of fees imposed by this Vehicle Code or the Vehicle License Fee Law in this State as the home state, District of Columbia, territory, province or country in which such foreign vehicle is registered or licensed grants to like vehicles registered in California or as provided in agreements, arrangements or declarations made under the provisions of Section 217.

SEC. 4. Section 216 of said code is amended to read:

216. Registration of Nonresident Vehicles Leased for Use in This State. Any vehicle owned by a nonresident owner not registered in this State, which vehicle is leased or rented to a user having an established place of business or residence in California, for use on California highways, shall be subject to registration either by the owner or lessee of the vehicle unless such vehicle is [specifically] exempted from registration by the provisions of [Sections 210 through 215 inclusive of this code] *this chapter or under any agreement, arrangement, or declaration made pursuant to Section 217.*

SEC. 5. Section 217 is added to said code, to read:

217. Reciprocity Agreements, Arrangements, and Declarations. (a) The Reciprocity Commission shall have the power to enter into agreements or arrangements with duly authorized representatives of other states, the District of Columbia, territories or possessions of the United States and foreign states, provinces or countries granting exemption to owners or persons entitled to the possession of or right to operate vehicles of the type as described in subdivision (a) of Section 215 which are properly registered or licensed in such jurisdictions, and upon which evidence of registration is conspicuously displayed, from the payment, wholly or partially, of any vehicle license, registration, or weight fees imposed under the laws of this State. Such agreements or arrangements shall contain provisions by which owners or persons entitled to the possession of or right to operate any such vehicles registered or licensed in this State who operate vehicles of the same type upon the highways of such other states, the District of Columbia, territories or possessions of the United States and foreign states, provinces or countries may receive substantially equivalent exemptions, benefits and privileges, under terms and conditions which, in the commission's judgment, are best calculated to promote the interests of this State, as are extended to such persons or owners of vehicles of the same type from such jurisdictions in this State.

(b) Agreements or arrangements entered into under the authority herein granted may contain provisions authorizing an owner or owners or persons entitled to the possession of or right to operate vehicles of the type referred to in subdivision (a) of Section 215 who are residents of one of the states, district, territories or possession of the United States or foreign states, provinces or countries which is a party thereto to register or license such vehicles in another jurisdiction which is a party thereto. Vehicles registered or licensed in one of such jurisdictions under such provision shall be exempt from registration or licensing requirements in the other jurisdiction or jurisdictions which are parties thereto and shall be entitled to all exemptions, benefits and privileges granted with respect to other vehicles registered or licensed in such jurisdiction.

(c) Agreements or arrangements entered into under the authority herein granted may contain provisions denying the exemptions, benefits and privileges granted thereunder to any person who violates conditions stated therein or who violates rules and regulations for the administration of reciprocal exemptions, benefits and privileges issued by the Reciprocity Commission.

(d) The Reciprocity Commission is authorized to examine the legal requirements of motor vehicle registration, license and weight fee statutes of jurisdictions which grant reciprocal privileges to out-of-state owners or persons but which do not authorize negotiation or execution of agreements by administrative officials and it is authorized to determine, by such examination, and to declare the extent and nature of the reciprocal exemptions, benefits and privileges to which owners of vehicles of the type as described in subdivision (a) of Section 215 or other persons from such jurisdictions shall be entitled under the laws of this State.

(e) All agreements, arrangements, declarations and rules and regulations authorized by this act shall be in writing and shall be approved by endorsement by Attorney General as to legality only, at which time they will become effective. Original copies of such agreements, arrangements, declarations and rules and regulations shall be filed in the office of the Director of Motor Vehicles who shall make copies available to the public upon request.

SEC. 6. Section 218 is added to said code, to read:

218. Proportionate Registration and Licensing. (a) Any person engaged in operating fleets of three or more vehicles of the type as described in subdivision (a) of Section 215 in this State in interstate commerce, which for the purpose of this section means operation during each year in two or more states, districts, possessions, or territories of the United States, or foreign states, provinces, or countries, may, in lieu of registration of such vehicles under the general provisions of

Divisions 3 and 6 of this code and Division 2, Part 5, Revenue and Taxation Code, register and license each such fleet for operation in this State by filing a verified application with the department declaring the total mileage operated with each such fleet of vehicles in all such jurisdictions and the total mileage operated in this State during the preceding calendar year, or a preceding 12-month period as determined by the department, with each such fleet and describing and identifying each vehicle in each fleet to be operated in this State during the ensuing license year. Such application shall also designate a sufficient number of certain vehicles in each fleet to be registered and licensed under Divisions 3 and 6 of this code and Division 2, Part 5, Revenue and Taxation Code, to produce total fee payments not less than an amount obtained by applying the proportion of in-state fleet miles to total fleet miles, as defined in subdivision (b) hereof, as reported in said application, to the fees which would otherwise be required for complete licensing and registration of such fleet in this State. An application filed pursuant to this section with respect to fees due and payable on or before the next following fourth day of February may be filed with the department on or after November 1st. The department, notwithstanding the provisions of Section 143.5 of this code, shall register and issue a license plate or plates for such designated vehicles and shall issue distinctive stickers or other suitable devices for each other vehicle named in said application identifying it as an interstate fleet vehicle which shall be exempt from all further license, registration, and weight fee requirements of this State for any type of movement or operation; provided, that each of such vehicles is properly and duly licensed and registered in some other state, district, possession, or territory of the United States or some foreign province, state or country. A fee of two dollars (\$2) shall be paid for each such sticker or device issued. The proportional registration and licensing provisions of this section shall apply to vehicles added to said fleet and operated in this State during the license year. Nonresidents shall be entitled to proportional registration hereunder unless the terms and conditions of any reciprocity agreement, arrangement, or declaration filed in the office of the Director of Motor Vehicles under the provisions of Section 217 require otherwise.

(b) "Total fleet miles" for the purpose of proration under subdivision (a) includes total fleet miles in this State, in other jurisdictions having proportionate registration and licensing provisions, in jurisdictions with which this State has reciprocity, either under Section 215 or pursuant to a reciprocal agreement, arrangement, or declaration under Section 217, and in such other jurisdictions which the department determines should be included under the circumstances in order to protect or promote the interests of this State.

(c) Mileage proportions for such interstate fleets not operated in this State during the preceding year shall be determined by the department upon verified application on forms to be supplied by the department, upon request, which will show the operations of the preceding year in other jurisdictions and the estimated operation in this State. If no operations were conducted the previous year a full statement of the proposed method of operation shall accompany said application.

(d) Any penalties for delinquency in payment of fees under Section 378 of this code and Section 10854 of the Revenue and Taxation Code shall be computed with respect to the fees required to be paid pursuant to this section if the fleet operator elects to pay fees pursuant to this section.

(e) Any person complying with the provisions of this section shall preserve the records on which the application is based for a period of four full years following the year upon which said application is based and such applicant shall agree to make such records available to the department at its request and at its designated office for audit as to accuracy of computation and payments, or to pay the costs of an audit by the department or its duly appointed representative at the applicant's home office. If the department determines that the applicant should have registered more vehicles in this State under provisions of this section, the department may deny him the right of any further benefits by reason of any reciprocal agreement or declaration until the fees for such additional vehicle or vehicles which should have been registered have been paid. The fees determined to be due and owing under the provisions of this subdivision shall be a lien upon all vehicles of the applicant of a type subject to registration under this code and such lien shall attach at the time the audit report has been mailed to such applicant by the department and shall have the effect of an execution duly levied on such vehicles and shall so remain until said additional fees, so determined, are paid or a sufficient number of such vehicles sold for the payment thereof. At least 10 days prior to any such sale, notice thereof shall be given to any person appearing of record to have an interest in any such vehicle, by registered mail addressed to such person at his last known place of residence.

(f) Vehicles of the type as described in subdivision (a) of Section 215 of nonresidents subject to registration and not entitled to exemption from registration or licensing under any of the provisions of this code or any agreements, arrangements or declarations made under the provisions of Section 217 may, if properly registered in another state, District of Columbia, territory, country, or province, secure

a temporary permit to operate in this State for a period of not to exceed three months upon payment of one-tenth of the appropriate fees in Divisions 3 and 6 of this code and Division 2, Part 5, Revenue and Taxation Code applicable thereto for each month or fraction thereof that such vehicle is to be so operated in this State. Such permit shall be carried in such vehicle at all times while it is being operated in this State.

(g) This section shall become operative with respect to fees due and payable without regard to this section on and after January 1, 1956, but this shall not prevent the department from taking such administrative action prior to such operative date as will facilitate the operation of this section.

SEC. 7. Section 219 is added to said code, to read:

219. Declaration of Legislative Intent. The Legislature declares that in enacting Section 218, it adheres to the principle that each state should have the freedom to develop the kind of highway user tax structure that it determines to be most appropriate to itself, that the method of taxation of interstate vehicles should not be a determining factor in developing its user tax structure, and that annual taxes or other taxes of the fixed fee type which are not imposed on a basis that reflects the amount of highway use should be apportioned among the states, within limits of practicality, on the basis of vehicle miles traveled within each of the states."

#### Amendment No. 5

On page 1, strike out lines 2 to 27, inclusive, and strike out pages 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**Senate Bill No. 26**—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 1, of the printed bill, strike out "Chief", and insert "Commissioner".

#### Amendment No. 2

On page 2, line 14, strike out "Chief", and insert "Commissioner".

#### Amendment No. 3

On page 2, line 18, strike out "Chief", and insert "Commissioner".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

### THIRD READING OF SENATE BILLS

#### Motion to Retain Place on File

Senator Desmond moved that Senate Bills Nos. 341, 335, 798 and 800 be passed on file, and retain their places on file.

Motion carried.

**Senate Bill No. 1598**—An act to add Section 16603 to the Business and Professions Code, relating to tie-in sales of magazines and other publications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 684**—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens.

**Motion to Retain Place on File**

Senator J. Howard Williams moved that Senate Bill No. 684 be passed on file, and retain its place on file.

Motion carried.

**Senate Bill No. 526**—An act to amend Section 955.1 of the Civil Code, relating to the assignment of rights to payment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 531**—An act to amend Section 360 of the Code of Civil Procedure, relating to the statute of limitations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 524**—An act to amend Section 683 of the Civil Code, relating to joint tenancy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 558**—An act to add Section 1200.1 to the Probate Code, relating to administration of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 87**—An act to amend Sections 3, 4, and 6 and to repeal Section 5 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of the 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 61**—An act to amend Section 10500 of the Water Code, relating to appropriation of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 342**—An act to add Sections 26907 and 26908 to the Government Code, relating to the destruction of public records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 637**—An act to amend Section 1542 of the Financial Code, relating to securities eligible for deposit with State Controller by trust companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1310**—An act to add Section 860 to the Financial Code, relating to bank deposits by public entities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1699**—An act to amend Section 21201 of the Financial Code, relating to pawnbrokers.

Bill read third time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 2, of the printed bill as amended in Senate March 8, 1955, after "property", insert "subject to the provisions of this chapter".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 93**—An act to amend Section 12004 of, and to add Section 12200.1 to, the Financial Code, relating to check sellers and cashers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Murdy, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 95**—An act to amend Section 17405 of, and to add Section 17405.1 to, the Financial Code, relating to examinations of escrow agents and the payment of the cost thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 96**—An act to amend Sections 17403, 17404, and 17609 of the Financial Code, relating to escrow agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 97**—An act to add Sections 22204.1 and 22204.2 to, and to amend Section 22208 of, the Financial Code, relating to bonds of personal property brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 92**—An act to amend Section 12304 of the Financial Code, relating to reports by check sellers and cashers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Senate Bill No. 98**—An act to amend Section 22411 of the Financial Code, relating to personal property brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 44:** By Senator Grunsky—Relative to the creation of the Joint Interim Committee on Laws Relating to Employment of Women.

Referred to Committee on Rules.

#### LETTER OF TRANSMITTAL

THE SENATE, SACRAMENTO, March 14, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: Pursuant to Senate Resolution No. 178 of the 1953 General Session, your Interim Committee on Subdivision Development and Planning transmits herewith its report on its activities and conclusions.

Your committee was instructed to ascertain, study, and analyze all facts relating to subdivision development and planning, the regulation thereof and the enforcement of all laws relating thereto. In the past 10 years California has experienced



the greatest subdivision activity in history. This year it is estimated that more than 200,000 new homes will be built in California, the vast majority of which will be on newly divided lots. The value of new subdivisions processed by the Division of Real Estate approximates forty million dollars each week, or almost two billion dollars a year.

This unparalleled subdivision development in our State is a vital force in our tremendous era of growth and expansion. In 1900 California had a population of less than 1,500,000; today it has over 12,000,000. More than 19 percent of the Nation's recent growth in population has occurred in California. Our subdivision industry has had to meet this challenge: to provide homes for the greatest voluntary mass migration in our history. To take care of this influx, California has been building approximately 20 percent of all the new homes in the United States in recent years.

The postwar years have brought a great change in the nature of subdivision development. Prior to this time subdivision meant land subdivision and had reference to the sale of vacant lots. But now for some time tracts have been and are being developed by large scale builders with homes ready for sale. The land developers of the past to a large extent have emerged as the home builders of the present with their mass-produced homes.

Subdivision activity with its attendant home building has a tremendous effect on our economy. It is one of the vital and fundamental indices of business activity. Its impact on the business conditions of our State is felt far beyond the yearly two billion dollar value of such development because of the countless number of products required from industry in general for each new home and the resultant nourishment of employment in fields other than building.

This tremendous expansion in subdivision development has naturally created many problems. Your committee felt that no one would be better able to solve these problems than the people who have to face them every day in their business or public activity; that if any changes were to be made in the laws relating to subdivisions, people who had to live under these laws in their daily operations should have a part in such changes. Therefore, your committee called upon all organizations having any interest whatsoever in subdivision development to nominate representatives to an advisory committee which was thereafter created. The advisory committee was not exclusive, but welcomed the nominees of all organizations who were at all concerned with subdivision development and planning.

This advisory committee has at present 84 members representing every segment and interest in the subdivision field. This committee is a working committee, not merely advisory. It divided itself into nine subcommittees and immediately went to work in order to analyze the nature and extent of the problems and then consider possible solutions. Never before in the history of land development and building in our State have so many outstanding leaders from every segment of the industry gathered together to study and solve the problems relating to subdivision. The entire advisory committee held meetings totaling seven full days, while in addition the various subcommittees held numerous meetings in the North and South. The high percentage of attendance of the advisory committee members at our meetings was amazing in light of the voluntary nature of their service and the personal expenditures incurred. For example: at our meeting in Sacramento on February 9th and 10th, 1954, nearly 90 percent of the entire advisory committee attended this two-day working session.

Your committee invites your special attention to the outstanding work of these public-spirited citizens from every part of California. Taking time from their own private businesses or their activities in other public bodies, these advisory committee members gave freely of their effort, talent and vast experience to study, analyze and suggest possible solutions to the many subdivision problems. The committee wishes to pay tribute to these men and to express its appreciation for their service and devotion to the public good.

Your careful consideration is respectfully directed to the excellent and noteworthy report submitted to your committee by the chairman of the advisory committee, Harrison R. Baker, and to the excellent reports submitted by the nine subcommittees.

As a result of the intense study, discussion and deliberations of the nine subcommittees and the entire advisory committee, your committee has formulated its conclusions and recommendations and has classified them into three categories: legislative, administrative, and educational.

The recommended legislative changes relating to subdivision laws have been drafted into bills and are at present before the Legislature for its consideration.

The recommendations as to improvements, standardization, and coordination in administrative procedure in the handling, processing and control of subdivisions at the various levels of government should be encouraged and put into effect, thereby eliminating costly delays, confusion and overlapping jurisdictions.



In the pursuance of an educational program, the preparation of a manual of subdivision procedure designed to improve practices and aid all concerned with the processing and control of subdivisions in our State should be undertaken.

Respectfully submitted,

ARTHUR H. BREED, Chairman  
LUTHER E. GIBSON

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### MOTION TO PRINT REPORT

Senator Breed moved that 2,500 additional copies of the report submitted by the Senate Interim Committee on Subdivision Development and Planning be printed for distribution.

Motion carried.

#### WITHDRAWAL FROM COMMITTEE OF SENATE CONSTITUTIONAL AMENDMENT NO. 3

Senator Sutton moved that Senate Constitutional Amendment No. 3 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Constitutional Amendment No. 3**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Bill read second time.

#### Motion to Amend

Senator Sutton moved the adoption of the following amendment:

#### Amendment No. 1

On page 2 of the printed measure, strike out line 12, and insert "any place mentioned in the preceding paragraph."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1004

Senator Sutton moved that Senate Bill No. 1004 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1004**—An act relating to the voluntary adjustment of farm obligations; creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill strike out "creating", and insert "providing for the creation of".

**Amendment No. 2**

On page 1, line 1, strike out "A commission is hereby created," and insert "The Governor, on his own motion or upon receipt of a petition from interested persons may appoint a commission".

**Amendment No. 3**

On page 1, line 4, strike out "subject to confirmation by the Senate".

**Amendment No. 4**

On page 1, line 5, strike out "The action of the Senate" and strike out lines 6 to 8, inclusive.

**Amendment No. 5**

On page 1, line 11, after "meetings", insert "after the first 12 months".

**Amendment No. 6**

On page 1, line 20, after "county", insert "or in designated groups of counties".

**Amendment No. 7**

On page 2, strike out lines 17 to 20, inclusive, and insert "SEC. 3. The California Farm".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 62**

Senator Erhart moved that Senate Bill No. 62 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 62**—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Bill read second time.

**Motion to Amend**

Senator Erhart moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "and 242", and insert ". 242, and 242a".

**Amendment No. 2**

On page 1, line 7, after the period, insert "The order shall specify either that the grand jury shall consist wholly of persons who were not members of the immediately preceding grand jury or that the grand jury shall consist of seven persons who were members of the immediately preceding grand jury and 12 persons who were not such members.

If the order specifies that the grand jury shall consist wholly of persons who were not members of the immediately preceding grand jury, the order shall designate the number of such persons to be called which shall be not less than 25 nor more than 30.

If the order specifies that the grand jury shall consist of seven persons who were members of the immediately preceding grand jury and 12 additional persons who were not such members, the order shall designate the names of the members of the".

On page 1 strike out line 8.

#### Amendment No. 3

#### Amendment No. 4

On page 1, line 15, strike out "Section 242", and insert "Sections 242 and 242a".

#### Amendment No. 5

On page 1 strike out line 21, and insert

"242. When the order specifies that the grand jury shall consist of seven persons who were members of the immediately preceding grand jury and 12 additional persons who were not such members:

(a) When, of the members of the immediately pre-".

#### Amendment No. 6

On page 2, after line 13, insert

"SEC. 3. Section 242a is added to said code, to read:

242a. If the order specifies that the grand jury shall consist wholly of persons who were not members of the immediately preceding grand jury:

(a) When, of the persons summoned as grand jurors and not excused, 19 are present, they shall constitute the grand jury. If more than 19 of such persons are present, the clerk shall write their names on separate ballots, which he shall fold so that the names cannot be seen, place them in a box, and draw out 19 of them, and the persons whose names are on the ballots so drawn shall constitute the grand jury.

(b) If less than 19 of such persons are present, the panel shall be filled as provided in Section 226.

(c) Whenever, of the persons summoned to complete a grand jury, more attend than are required, the same proceedings shall be had as prescribed in subdivision (a)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 193

Senator Abshire moved that Senate Bill No. 193 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 193**—An act to amend Section 160.5 of the Agricultural Code, relating to the adoption of regulations governing the conduct of the business of pest control.

Bill read second time.

#### Motion to Amend

Senator Abshire moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 5, of the printed bill, strike out ", after publication in a manner"; and strike out lines 6 to 8, inclusive.

#### Amendment No. 2

On page 1, line 10, strike out the period, and insert ", after calling a public hearing, and publishing notice of the time, place, and purpose thereof in a newspaper of general circulation printed in the county. The notice shall be published at least 10 days in advance of the hearing. At least 10 days prior to the hearing the commissioner shall mail a copy of the notice to every person who has registered with the commissioner in the manner required by Section 160.3 of this code, and to any other interested person who may file with the commissioner a request to receive a notice or notices of like proceedings. On the date and at the time and place designated in the notice, the commissioner shall afford any interested person or his duly authorized representative, or both, the opportunity to present statements, arguments, or contentions in writing, with or without opportunity to present the same orally. The commissioner shall consider all relevant matter presented to him before adopting, amending, or repealing any regulation. In any hearing conducted under this section,

the commissioner or his duly authorized representative shall have authority to administer oaths or affirmations, and may continue or postpone such hearing from time to time to such time and at such place as he shall determine."

**Amendment No. 3**

On page 1, line 14, strike out "90", and insert "30".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
CONSTITUTIONAL AMENDMENT NO. 1**

Senator Erhart moved that Senate Constitutional Amendment No. 1 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to grand juries.

Bill read second time.

**Motion to Amend**

Senator Erhart moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 22, of the printed measure, strike out "which", and insert "When the superior court of a county orders a grand jury to be drawn, it shall specify that the grand jury shall consist wholly of persons who were not members of the immediately preceding grand jury or it shall specify that the grand jury".

**Amendment No. 2**

On page 2, line 30, after "operation", insert "including legislation prescribing the number of members of an immediately preceding grand jury which may be members of a grand jury".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 849**

Senator Murdy moved that Senate Bill No. 849 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 849**—An act to amend Sections 1300.12, 1300.15, 1300.16, 1300.18, 1300.19, 1300.20, and 1300.28 of the Agricultural Code, relating to the administration and enforcement of the California Marketing Act of 1937, as amended, and marketing orders and marketing agreements issued and made effective thereunder.

Bill read second time.



**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

On page 10, line 24, of the printed bill, after "canning", insert "or freezing".

**Amendment No. 2**

On page 14, strike out all of lines 20 to 26, inclusive, and insert "the same are effective. Any such action must be commenced within sixty (60) days after the effective date of such procedural actions. If no such action is commenced within said period the procedural actions taken shall remain in effect until modified, suspended or terminated in the manner provided by this act or until expiration in accordance with the provisions of said marketing order, marketing agreement, amendment or the provisions of such procedural actions."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
JOINT RESOLUTION NO. 8**

Senator Desmond moved that Senate Joint Resolution No. 8 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Joint Resolution No. 8** Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States with respect to income, death, and gift taxes.

Resolution read.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed measure, strike out "call a convention for the purpose of considering", and insert "have drafted and to submit to the legislatures of the several states".

**Amendment No. 2**

On page 1, strike out lines 2 and 3; and in line 4 strike out "vention", and insert "States provides the method".

**Amendment No. 3**

On page 1, strike out lines 5 and 6 and insert "United States; and".

**Amendment No. 4**

On page 1, line 14, strike out "does make", and strike out lines 15 and 16, and insert "petition the Congress of the United States to have drafted and submit to the legislatures of the several states, an amendment to the Sixteenth Amend-".

**Amendment No. 5**

On page 1, line 18, strike out "on incomes, gifts, and the"; and strike out line 19.

**Amendment No. 6**

On page 2, strike out lines 4 to 12, inclusive.

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Revenue and Taxation.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 8**

Senator Kraft moved that Assembly Bill No. 8 be withdrawn from Committee on Public Health and Safety and re-referred to Committee on Business and Professions.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2302

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bill was read the first time:

**Assembly Bill No. 2302**—An act to add Section 6412 to the Financial Code, relating to gifts and premiums by savings and loan associations.  
Referred to Committee on Financial Institutions.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 60

Assembly Concurrent Resolution No. 61

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were read:

**Assembly Concurrent Resolution No. 60**—Relative to the Standard Hour.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 61**—Relative to the Hearst Expedition to Russia.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 400

Assembly Bill No. 640

Assembly Bill No. 1970

Assembly Bill No. 1134

Assembly Bill No. 2357

Assembly Bill No. 1496

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 400**—An act to add Chapter 1.9, comprising Sections 5120 to 5128, inclusive, to Division 3 of the Education Code, relating to property valuations for the purpose of allocating money to

school districts, and the adjustment of school district tax rates as a result thereof.

Referred to Committee on Education.

**Assembly Bill No. 640**—An act to amend Section 1956 of the Government Code, relating to insurance against the liability of public officers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1134**—An act to amend Section 7714.1 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Assembly Bill No. 1496**—An act to amend Section 6604 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1970**—An act to amend Sections 803, 803.5, 806, 828.15, 828.25, 828.4, and 829.2 of the Agricultural Code, relating to standard containers for fruit, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

**Assembly Bill No. 2357**—An act to add Section 25351.2 to the Government Code, relating to art institutes.

Referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 23	Assembly Bill No. 850
Assembly Bill No. 69	Assembly Bill No. 851
Assembly Bill No. 144	Assembly Bill No. 1213
Assembly Bill No. 170	Assembly Bill No. 1349
Assembly Bill No. 213	Assembly Bill No. 1417
Assembly Bill No. 215	Assembly Bill No. 1475
Assembly Bill No. 242	Assembly Bill No. 1969
Assembly Bill No. 248	Assembly Bill No. 1982
Assembly Bill No. 251	Assembly Bill No. 2125
Assembly Bill No. 254	Assembly Bill No. 2152
Assembly Bill No. 289	Assembly Bill No. 2214
Assembly Bill No. 522	Assembly Bill No. 2224
Assembly Bill No. 523	Assembly Bill No. 2227
Assembly Bill No. 668	Assembly Bill No. 2228
Assembly Bill No. 766	Assembly Bill No. 2573

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 23**—An act to add Section 1340.8 to the Fish and Game Code, relating to bears.

Referred to Committee on Fish and Game.

**Assembly Bill No. 69**—An act to add Section 8159.2 to the Education Code, relating to the maintenance of automobile driver training classes.

Referred to Committee on Education.

**Assembly Bill No. 144**—An act to add Section 860 to the Financial Code, relating to statements rendered by banks to depositors.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 170**—An act to amend Section 631.3 of the Code of Civil Procedure, relating to refund of jury fees.

Referred to Committee on Judiciary

**Assembly Bill No. 213**—An act to add Section 370.1 to the Elections Code, relating to indices of registration.

Referred to Committee on Elections.

**Assembly Bill No. 215**—An act to amend Section 571.5 of the Elections Code, relating to precincts with more than 400 registered electors.

Referred to Committee on Elections.

**Assembly Bill No. 242**—An act to add Section 5755 to the Elections Code, relating to ballots.

Referred to Committee on Elections.

**Assembly Bill No. 248**—An act to amend Section 1 of Chapter 12 of the 1950 Third Extraordinary Session, relating to war voter provisions of the Elections Code.

Referred to Committee on Elections.

**Assembly Bill No. 251**—An act to amend Section 21680 and repeal Section 21689 of the Water Code, relating to voting.

Referred to Committee on Elections.

**Assembly Bill No. 254**—An act to amend Section 4.1 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), relating to municipal water districts.

Referred to Committee on Elections.

**Assembly Bill No. 289**—An act to amend Sections 1001 and 1003 of the Elections Code, relating to election proclamations.

Referred to Committee on Elections.

**Assembly Bill No. 522**—An act to add Chapter 5 to Part 3 of Division 16 of the Water Code, relating to waterworks districts.

Referred to Committee on Water Resources.

**Assembly Bill No. 523**—An act to add Sections 23010.5 and 23010.6 to the Government Code, relating to the loaning of money by counties to districts in order to enable districts to buy necessary equipment and to construct capital improvements.

Referred to Committee on Local Government.

**Assembly Bill No. 668**—An act to amend Section 14401 of the Health and Safety Code and to add Section 14451.1 to the Health and Safety Code, relating to the inclusion of cities or portions thereof in fire protection districts and permitting the change of status of city fire personnel to fire protection district employees without prejudice to their civil service status.

Referred to Committee on Local Government.



**Assembly Bill No. 766**—An act to amend Section 5847 of, and to add Section 5835.3 to, the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Local Government.

**Assembly Bill No. 850**—An act to amend Section 19611 of the Education Code, relating to retirement status of child care center employees.

Referred to Committee on Education.

**Assembly Bill No. 851**—An act to amend Section 14725 of the Education Code, relating to taxes levied for membership in a local retirement system.

Referred to Committee on Education.

**Assembly Bill No. 1213**—An act to amend Section 25615 of the Business and Professions Code, relating to the alcoholic content of beer.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1349**—An act to amend Sections 290, 647, and 647a of the Penal Code, relating to the offense of loitering.

Referred to Committee on Judiciary.

**Assembly Bill No. 1417**—An act to add Section 207 to the Education Code, relating to surplus educational property and creating a revolving fund.

Referred to Committee on Education.

**Assembly Bill No. 1475**—An act to amend Sections 14453, 20904, 20921, 20922, 20924, 20942, 20943, 20944, 20945, 20946, and 20947 of the Education Code, relating to the California School for the Blind.

Referred to Committee on Education.

**Assembly Bill No. 1969**—An act to amend Sections 799, 802, and 802.3 of the Agricultural Code, relating to grapes.

Referred to Committee on Agriculture.

**Assembly Bill No. 1982**—An act to amend Sections 16430 and 16431 of the Education Code, relating to supervision and control of school safety patrols.

Referred to Committee on Education.

**Assembly Bill No. 2125**—An act to amend Section 952 of the Agricultural Code, relating to cotton industry and the products thereof.

Referred to Committee on Agriculture.

**Assembly Bill No. 2152**—An act to add Section 7707.1 to the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections.

**Assembly Bill No. 2214**—An act to amend Section 6564 of the Health and Safety Code, relating to sanitary district elections.

Referred to Committee on Local Government.

**Assembly Bill No. 2224**—An act to amend Section 73e of the Code of Civil Procedure, relating to sessions of the superior court in a judicial district where the juvenile hall is located.

Referred to Committee on Judiciary.

**Assembly Bill No. 2227**—An act to add Section 1203.45 to the Penal Code, relating to the destruction of court records.

Referred to Committee on Judiciary.

**Assembly Bill No. 2228**—An act to add Section 751 to the Welfare and Institutions Code, relating to destruction of juvenile court records.

Referred to Committee on Judiciary.

**Assembly Bill No. 2573**—An act to amend Section 17702 of the Health and Safety Code, relating to housing.

Referred to Committee on Public Health and Safety.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Teale moved that Senate Bill No. 490 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Education

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 438

Assembly Bill No. 616

Senate Bill No. 1554

Assembly Bill No. 617

Assembly Bill No. 615

Assembly Bill No. 618

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 364

Senate Bill No. 370

Senate Bill No. 366

Assembly Bill No. 1656

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Assembly Bill No. 629

Assembly Bill No. 630

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bills ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 981

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill ordered to second reading.

**MOTION TO PRINT PARTIAL REPORT OF UN-AMERICAN  
ACTIVITIES COMMITTEE**

Senator Burns moved that the partial report of the Un-American Activities Committee which was presented to the Senate Tuesday, March 15, 1955, and the Letter of Transmittal which appears on page 993 of the Journal of March 15, 1955, be printed in the Senate Journal of this legislative day.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE CHAMBER, STATE CAPITOL

SACRAMENTO, March 15, 1955

HON. HAROLD J. POWERS

*President of the Senate; and Gentlemen of the Senate*

*Senate Chamber, Sacramento, California*

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: Pursuant to Senate Resolution No. 127, which appears at page 3096 of the Senate Journal for May 25, 1953, the Senate Fact-Finding Committee on Un-American Activities was created and the following Members of the Senate were appointed to said committee by the Senate Committee on Rules:

Senator Nathan F. Coombs

Senator Earl D. Desmond

Senator John F. McCarthy

Senator John F. Thompson

Senator Hugh M. Burns

The committee herewith submits a partial report of its investigations and findings.

Respectfully submitted,

HUGH M. BURNS, *Chairman*

NATHAN F. COOMBS, *Vice Chairman*

EARL D. DESMOND

JOHN F. MCCARTHY

JOHN F. THOMPSON

**PARTIAL REPORT OF THE SENATE FACT-FINDING  
COMMITTEE ON UN-AMERICAN ACTIVITIES**

**WESTMINSTER SCHOOL IMPROVEMENT ASSOCIATION**

**INTRODUCTION**

The committee's attention was first directed to alleged subversive elements in the City of Westminster, California, when certain school officials contacted representatives of the committee in Sacramento, expressing suspicion that subversive influences were interfering with the educational system. This was during the latter part of 1953. Thereafter, the committee addressed a letter to some of the complainants informing them that " \* \* \* If investigation discloses that the activity is of a local political character, we would be without jurisdiction. If, on the other hand, some subversive elements are discovered, we will take such action as the facts may warrant."

Accordingly, the committee was sent various newspaper clippings and other documentary material indicating that there was some basis for the suspicion and that further investigation should be made.

On April 24, 1954, additional detailed data was received—followed by documents which indicated that the charges and countercharges in Westminster and the adjacent vicinity had grown to such proportions that there was a real necessity to settle the matter, if possible. Aside from the matter of running the suspicions and rumors to the ground and determining whether or not they were based on fact, there now appeared to be such an atmosphere of confusion, suspicion and community tension in the City of Westminster that the committee was urged by several of its citizens to provide a forum whereby the matter could be thoroughly aired and settled once and for all. Certainly, by mid-April, 1954, the situation in Westminster was such that the school system was unquestionably affected.

Prime mover in the effort to uncover these alleged subversive influences in the schools was Mr. Lloyd W. Thomas, editor of a weekly paper, *The Westminster Herald*. His interest as a newspaper man was first aroused when the local school board fired one of its principals for indecent conduct. A petition by citizens prompted the board to investigate the conduct of its employee in the first instance, and in March, 1953, it held a hearing, received evidence and made the order which terminated his services. The individual thus discharged was supported and defended by persons suspected by Mr. Thomas of being subversive. After the case had terminated, this little group attacked the school board and sought to have them defeated at the election held in May, 1953. Unsuccessful in this attempt, they then formed an organization known as *The Tri-City Advisory Committee* (comprising the cities of Westminster, Midwest City and Barber City) with a membership of eleven persons.

In January, 1954, Mr. Thomas got word that another organization, known as *The School Improvement Association*, had been launched. When he discovered that a meeting was to be held at the home of a Mr. Lyle Richards, he decided to attend and find out for himself what



the movement was about and what the organization intended to accomplish. Not being accorded a very warm reception and feeling that he was being sidetracked, Thomas realized that apparently the new organization was not anxious to get any publicity in his paper. This served only to whet his curiosity and convince him that the organization had something it wished to conceal from public scrutiny. Persistence is a characteristic with which Mr. Thomas is abundantly endowed. Furthermore, it is almost an axiom that if one wants to arouse the zeal and curiosity of a newspaper man, the surest means is to convince him that he is being sidetracked from a newsworthy target.

As he delved deeper into the new organization, Thomas became interested in its dominant members. One of them had taken some part in the matter involving the discharged school principal, had played a part in the school board election, and appeared to be one of the principal figures in the newly-formed School Improvement Association. This was Mr. Albin Czerniawski.

Thomas looked up Czerniawski's background and discovered that he had been a member of the *Independent Progressive Party* in California. This prompted him to make inquiries of Czerniawski's friends, neighbors, business associates, and his colleagues in the *School Improvement Association*. Czerniawski, when he first learned that Thomas was engaged in probing into his past, became resentful and soon the affair had developed to a point where the supporters of Thomas, on the one hand, and the supporters of Czerniawski, on the other, gave rise to an almost unbelievable atmosphere of suspicion and hostility.

This was not abated when Mr. Thomas, in the issue of his paper for May 21, 1954, printed a photostatic reproduction of Czerniawski's registration in the *Independent Progressive Party*, together with a quotation from the fourth report of this committee to the effect that the *Independent Progressive Party* in this State was Communist dominated. In that connection it should be noted that Mr. Hugh Bryson, former state head of the *Independent Progressive Party*, was recently charged with having lied when he stated under oath that he was not a Communist, and ordered to stand trial for perjury.

The article from the *Westminster Herald* is as follows:

#### "BARE AFFILIATION OF IMPROVEMENT MAN

##### "Threats, Dares and Punch to Editor Leads to Disclosure

"A slip backwards towards violence and secrecy took place last week at Paysen's Sundries where Albin Czerniawski came into the business place and caused a public disturbance, threatening the *Herald* editor with murder if the *Westminster Herald* continued to look into past possible activities of Czerniawski.

"With the death threat, Czerniawski without warning landed a blow to the jaw of the *Herald* editor. Printed alongside this article is a voter's affidavit of registration by Czerniawski into the *Independent Progressive Party*.

"The *Herald* takes the dare this week to print some inside information about this improvement association official who for some reason will provoke violence if an inquiry is made about him. Mr. Czerniawski opened himself to inquiry when he took an active part

in the school affairs of this community; when he told the improvement association that 'we have got to meet secretly or the opposition will disrupt our meeting'; when he warned a free American newspaper of the results if there was any further investigating. Does that warning apply also to any other citizens of the community who dare question this man in the improvement association? Czerniawski holds position of assistant membership chairman of the improvement association.

"We are printing this above editor's note and the following data on the Independent Progressive Party, of which Czerniawski was a member as we would if we found strange affiliations with any public official.

"We believe that the schoolroom is a sensitive area wherein the minds are shaped toward the society in which we live. There is vital concern here, for we must preserve the integrity of the schools.

"The teachers and the officials maintain this integrity and the fact that they are entrusted with this duty gives a very proper right of inquiry into the organizations and persons with whom they associate.

"Likewise, citizenry who organize to 'advise' our schools, no doubt existing pressure here and there, should also submit to inquiry as to associations of its members. From time immemorial, one's reputation has been determined in part by the company he keeps.

"Many good Americans have lost sight of vitally important questions in today's election. This has been brought about in agitations that have in all too many cases greatly confused persons unwary of deceit, either knowingly or unknowingly.

"We do not know what the present political affiliations of this person are. We are not making any insinuations that he is of any particular belief but only presenting evidence and presenting comments of the State Committee on Un-American Activities in reference to the *Independent Progressive Party*. A. Czerniawski registered in 1948 into the Independent Progressive Party and following is the report of that committee on the IPP.

"The Un-American Activities Committee made the following statement of fact concerning un-American organizations including the *Independent Progressive Party*. This data is taken from the Fourth Report of the Un-American Activities in California, page 62.

" 'Communists have no more use for parliamentary government than they have for capitalism. They seek to destroy both. The one basic goal of Communism is to eliminate capitalism and its parliamentary government, and replace them with a brutal, totalitarian police state under the dictatorship of the proletariat.

" 'Wherever Red Fascism has snuffed out liberty and freedom, the first things to go were civil rights, capitalism and parliamentary government. Just as the Communists in America sneeringly and cynically take advantage of our freedoms and liberties, so do they pervert and corrupt our political and legislative process wherever possible.

“ ‘The committee (on Un-American Activities in California) has discovered and reported repeatedly, that the Communists work incessantly to pervert and destroy every institution that does not fit into their pattern of revolutionary conspiracy. Nowhere has this Communist strategy been pursued more consistently and relentlessly than in the fields of politics and legislation.

“ ‘The most recent consolidation of this Communist program of legislative and political activity through front organizations, has been the recent coalition of a series of Communist front organizations under the banner of the Third Party Movement to elect Henry Wallace President of the United States.

“ ‘In California, the basic Communist front organizations in this coalition are the Progressive Citizens of America, Independent Progressive Party, California Legislative Conference, Communist-controlled Trade Unions in the C. I. O., the “Wallace Democrats” Caucus in the Democratic Party, Progressive A. F. of L. and a student movement for Wallace, sponsored by American Youth for Democracy.

“ ‘Behind a facade of specious promises of “peace, progress and prosperity,” the Third Party movement has proceeded with mechanical precision, following every twist and turn of the Communist Party line on foreign affairs and domestic issues.

“ ‘It has conducted its activities in such a manner as to stamp itself as an American tool of the international Communist conspiracy. Its policies, tactics and appeals fit the specifications for every type of Communist front organization described and classified in the entire report of this committee, and it follows the party “line” meticulously.

“ ‘The Third Party movement to elect Henry Wallace is the creature of the Communist Party. Its policies, programs, organization, structure, public relations, personnel and directing leadership have all followed and now follow the Communist Party pattern with unbroken monotony. Its key personnel are known Communists, fellow-travelers and veteran apologists for Soviet Russia and American Communism.

“ ‘Hugh Bryson, state chairman of the Independent Progressive Party in California, is a Communist and a veteran of Communist conspiratorial activity in the Marine Cooks and Stewards Union, C. I. O.’ ”

Elsewhere in the same issue of the newspaper, this item appeared:

“ ‘An altercation last week between Albin Czerniawski and L. W. Thomas, *Herald* editor, has called for a clarification of the affair.

“ ‘Czerniawski came upon the *Herald* editor in Paysan’s Sundries, voiced his objections of the *Herald* investigating his past. Czerniawski, who is proprietor of the A-C Hardware, told the newsman that he felt mad enough to kill him and without warning landed a blow to the publisher’s jaw. Czerniawski then stepped back and threatened to kill the editor if the investigation was continued.

“ ‘The *Herald*, this week, is printing on page 3 a certain amount of information relative to subversive organizations. Also a photostatic copy of a document signed by Czerniawski.



"Even though there are some papers which consider it bad taste to mention the word Communist Party, we are carrying on page 3 of this issue comments of a state senatorial committee.

"Mr. Czerniawski's murder threat to the *Herald* editor is added reason to shed a little light on the subject in order to prove the integrity of the paper which Czerniawski may have placed in question.

"This paper has its choice of either knuckling down under this influential Improvement Association member, or take the challenge. The *Westminster Herald* does not compromise with threats.

"This paper has before been under attack for its freedom of the press by Czerniawski and his improvement association, who have attempted to stifle the press in such manner as to try to bring suit, force arrest of reporters for so-called covering 'public' meetings and has tried to confiscate film and records, without success.

"Czerniawski is assistant membership chairman of the School Improvement Association according to the West Orange County News and his membership headquarters is in his store."

Photostatic document reprinted in the *Westminster Herald*, which also carried the articles above quoted, was executed in Orange County on September 13, 1948, signed by Albin Czerniawski, 14151 Locust Street, Westminster, and was numbered 278328. He switched his political affiliation to the Democratic Party on September 7, 1950. As will be seen, there was some confusion concerning the exact language exchanged between the two men in the Westminster pharmacy immediately preceding the event described by Mr. Thomas. There is no question about his being struck in the face by Czerniawski, but here, too, the record becomes somewhat cloudy; Thomas describes the blow as "a punch in the jaw," and Czerniawski as "a slap in the face."

These matters are mentioned and the articles are cited to indicate the feeling that existed between the two principals. As local partisans took sides, the feeling naturally increased and since the population of Westminster is only about 1500, the newspaper publicity and the close personal contact between the inhabitants in this community resulted in a situation whereby almost everyone had become interested in the matter in one way or another by the time our public hearing opened on July 28, 1954.

The committee had been requested to hold an open hearing in April or May, but discovered that a local school board election had been set for May 21st. and, therefore, refused to hold any hearing or issue any statement until after the election had been held. We quote liberally from the transcript of the public hearing, together with documents submitted by the respective parties, in the hope that the situation will thereby be settled and the local tensions relaxed.

### **PUBLIC HEARING, LOS ANGELES, CALIFORNIA JULY 28, 1954**

Several days prior to the beginning of the committee's inquiry into the Westminster matter, it had been listening to witnesses in a public hearing held in Room 115, California State Building, Los Angeles, California. At the conclusion of the other matters on the committee's



program, it concluded by taking testimony from the witnesses from Westminster, and in that connection the following introductory statement was made.

"Mr. Combs: The next matter on the agenda, Mr. Chairman, is the Westminster matter, which is in an entirely separate category from the evidence which has been adduced before the committee up to this point. There were two or three witnesses that we expected to be here yesterday, but who were unable to attend, one by reason of illness and two by reason of the fact that they were not in the city. This last phase of the hearing will deal solely with the Westminster situation. As the chairman is aware, the committee began three or four or five months ago to receive letters and telephone calls from people residing in the Westminster area, charging that there were subversive influences that were having an adverse effect on the educational system and on the general community atmosphere in the Westminster area and immediate vicinity. The committee intended to go into the matter at an earlier date, but discovered that there was some kind of a local election in the city of Westminster, or in the school district, I am not clear which, and followed its consistent policy of staying out of any community political matters and therefore deferred the hearing until this time so that we would not intrude in the local political matters. An election was held in May, and while this subject is a little out of context of the hearing that has been conducted up to this point—I have talked to the people that I consider to be the principal witnesses on either side and told them if they preferred to have this hearing in executive session the committee would be happy to accommodate them. They both expressed a desire to have the committee hear the entire matter in open session. I wish to make it very clear to everyone here that the committee regards this as an exploratory hearing. It has sent no investigators into the Westminster area. The committee believed it would be most helpful if the leading actors on both sides came before the committee and testified under oath, and perhaps no further action will have to be taken. The committee's only jurisdiction is in connection with the alleged subversive matters. It has no jurisdiction to go into local political matters, or in the way the schools are conducted or with regard to the personalities on the school board, unless some subversive element is involved.

"With that, Mr. Chairman, I would like to call to the stand Mr. Albin Czerniawski."

Mr. Czerniawski testified that he resided at 7181 Westminster Avenue, in Westminster, California, and had resided in that city continuously since 1947. He stated that he was born in Canada and came to the United States by way of Detroit, Michigan, in 1924, and became a naturalized American citizen in February, 1930. He had resided in Long Beach during part of 1947 at 2316 Caspian Avenue, and in 1950 had resided at 1451 Locust Street in the city of Westminster.

Regarding his affiliation in a Communist front organization known as *The International Workers Order*, Mr. Czerniawski testified as follows:

"Q. Question by Mr. Combs: Mr. Czerniawski, did you ever hear of an organization known as *The International Workers Order*?

"A. Answer: Yes, sir.

"Q. Were you ever affiliated with that organization?

"A. Yes, sir.

"Q. Or any of its branches?

"A. Yes, sir.

"Q. At what period of time?

"A. From 1936, right after the depression. I was out of work for a long time. As soon as I got back to work—during the depression I had lost all of my insurance. I didn't carry any insurance for myself or the family. Our insurance agent came to the door and solicited insurance. He told me what the rates were. It sounded very reasonable so I signed up. It was the *International Workers Order*. It was the Polish branch of the *International Workers Order*.

"Q. As a matter of fact, the *International Workers Order* is composed of what they call lodges, isn't it?

"A. That is right. It is a fraternal order.

"Q. It is composed of a group of various racial lodges?

"A. That is right.

"Q. Including of course Americans?

"A. That is right.

"Q. They have units of their organization all over the United States?

"A. That is right.

"Q. Go ahead.

"A. After I became a member I attended meetings maybe two or three times a year.

"Q. Where were the meetings held?

"A. At individual homes of the members.

"Q. At residences?

"A. At residences, that is right.

"Q. These meetings that were held at the residences were in the immediate vicinity of the area where you lived?

"A. That is right.

"Q. So that it was convenient to attend?

"A. That is right.

"Q. These people were friends of yours?

"A. No, not particularly. They were no friends of mine.

"Q. Did they become friends of yours as a result of attending the meetings?

"A. Acquaintances.

"Q. All right.

"A. I can truthfully say that at no time during any of those meetings was anything said against our Country, anything derogatory against our Country. After the second World War, our main purpose was to raise funds to help the orphans and widows in

Poland because Poland was destroyed. The biggest percent of Poland was destroyed.

“Q. Do you have any relatives presently residing in Poland?

“A. I don't know of any, but I probably have because my folks came from there. In fact, they raised funds to buy farm machinery, farm tools, horses, and so forth. In fact I donated a hundred dollars toward the purchase of a horse in this Country, to ship a work horse to Poland.

“Q. When was that?

“A. That was four or five years ago.

“Q. Four or five years ago?

“A. Right after this World War, right after the war, about 1948.

“Q. About 1948?

“A. Something like that.

“Q. All right.

“A. Now I understand that organization is nonexistent.

“Q. That is, the *International Workers Order*?

“A. That is right. It is nonexistent. The New York State Insurance Board has taken it over.

“Q. The New York State Insurance Board has taken it over?

“A. That is right. It has disbanded.

“Q. How did you gain that information, Mr. Czerniawski?

“A. Well, I was sent that information from New York. Now I pay my insurance to the State of New York.

“Q. You pay your I. W. O. insurance premiums to the State of New York?

“A. That is right.

“Q. To the Insurance Commissioner in New York?

“A. Something like that.

“Q. He is the custodian of the I. W. O. in New York?

“A. I guess that is it. I don't know too much about it.

“Q. The head office of the International Workers Order was in New York, wasn't it?

“A. Yes.

“Q. So it would have jurisdiction over all of the subordinate units of the organizations throughout the Country?

“A. I suppose it would.

“Q. You don't know that?

“A. No.

“Q. You affiliated with that organization how long ago?

“A. 1936.

“Q. Your membership actually continues until the present time?

“A. That is right, sir.

“Q. With the exception that you just pay your premiums to the New York Insurance Commissioner?

“A. That is right. He sent me a bill and I sent a check.

“Q. But you never resigned from it or anything like that?

“A. No, I haven't.

“Q. You have never been expelled?

“A. No.

“Q. Do you still attend any meetings of the organization?

“A. Never.

"Q. Do you still maintain social contacts with the persons who were members and at whose homes you attended meetings?

"A. No, sir. For that matter I haven't seen any of the members for years, several years.

"Q. So you don't know whether they still belong or whether they are in the same category as you are or not?

"A. That is right. However I could name several other organizations I belonged to also.

"Q. Let me ask a few more questions and after I have finished you can give us any organizational data you wish.

"A. Fine.

"Q. Were you affiliated from 1947 until 1952 or thereabouts with an organization known as the *American Polish Society*?

"A. No. I never heard of that organization.

"Q. You don't know anything about that at all?

"A. Not that society.

"Q. Do you know of a publication called *The Daily People's World*?

"A. I have heard of it, yes.

"Q. Did you ever subscribe to it?

"A. *The Daily People's World*—I think I did for a six-month period in 1946, I believe.

"Q. In 1946?

"A. Yes, sir.

"Q. For six months?

"A. Yes. It was a dollar. They asked for a dollar and they sent the publication for six months.

"Q. Did you subscribe to that through your contacts with the *International Workers Order*?

"A. No. Someone in the particular neighborhood came up to my place of business and asked me.

"Q. That was when you were residing where?

"A. One of my customers in Long Beach.

"Q. Did you yourself ever sell any subscriptions to the paper or persuade anyone to subscribe to it?

"A. Never.

"Q. You never did?

"A. Never.

"Q. You took it you say for six months?

"A. Yes.

"Q. Why did you cease taking it?

"A. I wasn't interested. There was nothing in it to interest me.

"Q. Did you know anything about its political character?

"A. What is that?

"Q. The political nature of the *Daily People's World*?

"A. Yes. I don't know that I can define it properly. It—

"Q. Was it an anti-Communist paper?

"A. No, I wouldn't say that.

"Q. Was it opposed to Communism?

"A. No, I wouldn't say it was opposed to Communism.

"Q. In other words, it seemed like there was nothing derogatory against our country there?

"A. No.



"Q. It was just a run-of-the-mill paper?

"A. That's the way I took it.

"Q. Did it seem to you to be fair and objective in its reporting?

"A. Well, I didn't study it enough.

"Q. You did not read it very closely?

"A. No, sir. I was busy many times it came in and it wound up in the wastebasket.

"Q. You threw it in the wastebasket?

"A. That's right.

"Q. But you did read it enough to form an opinion that it apparently was a run-of-the-mill newspaper?

"A. Well, I read the headlines in it, but that is about as far as it went.

"Q. You just read the headlines?

"A. Yes.

"Q. I think you could probably form a pretty good opinion from reading the headlines.

"A. Yes, I could.

"Q. And you did?

"A. Well, like I told you, there was nothing there that would interest me.

"Q. But you also testified I think that you found nothing derogatory in it.

"A. That's right, as much as I read.

"Q. Did you ever notice any mention in the paper of the Soviet Union or the countries behind the Iron Curtain, including Poland?

"A. I don't believe I did.

"Q. You don't believe you ever saw any mention of them?

"A. No.

"Q. Did you ever hear of a publication called *In Fact*, a magazine?

"A. Yes.

"Q. And did you ever subscribe to that?

"A. I did, sir.

"Q. Where were you living then?

"A. I lived in Westminster.

"Q. So that would be after 1947?

"A. That's right.

"Q. How did you happen to subscribe to that, Mr. Czerniawski?

"A. Some party asked me to donate a dollar to subscribe to the publication.

"Q. Do you remember who that person was?

"A. I don't believe I do.

"Q. Was it a neighbor of yours?

"A. No, it was not a neighbor. It was a party who lived, I believe, in Huntington Beach somewhere.

"Q. Someone who lived in Huntington Beach?

"A. That's right, when I joined the Progressive Party.

"Q. The *Independent Progressive Party*?

"A. The *Independent Progressive Party*. That was when they contacted me.

"Q. When did you join the Independent Progressive Party?

"A. Well, when Henry Wallace was running for President, I guess.

"Q. You were living where then?

"A. Westminster.

"Q. After you joined did somebody come to see you who was a member of the *Independent Progressive Party*?

"A. I suppose so.

"Q. And asked you to subscribe to *In Fact*?

"A. Yes, sir.

"Q. Which you did for a dollar?

"A. Yes, sir.

"Q. Who was the editor of that publication, if you know?

"A. I don't remember.

"Q. Was it a man named Seldes?

"A. That sounds familiar.

"Q. George Seldes?

"A. It sounds familiar, but I am not quite sure.

"Q. Did you read that magazine at all?

"A. Very seldom. I threw it in the wastebasket.

"Q. You threw it in the wastebasket, too?

"A. That is right. The reason I subscribed to these different ones, since I am in business I thought it would be advantageous as far as advertising is concerned, you know.

"Q. Advertising in the magazine do you mean?

"A. No. It would be good business when a customer asked me to donate or subscribe to something I generally did.

"Q. Was the person who asked you to subscribe to the *People's World* one of your customers?

"A. Yes.

"Q. The person who asked you to subscribe to *In Fact* was one of your customers?

"A. That is right.

"Q. Had you known either of them in the *International Workers Order*?

"A. No.

"Q. But the second one you believed you had some contact with through the *Independent Progressive Party*?

"A. It must have been because they got my name from the list somehow, from the registration list.

"Q. I show you a photostatic copy of a document which purports to be an affidavit of registration and ask you if that is a correct facsimile of your signature, Mr. Czerniawski?

"A. It is, sir. I have seen it before.

"Q. Of course, you signed the original, did you not?

"A. That is right.

"Q. Mr. Czerniawski, did anybody ever solicit you to become a member of the Communist Party, ask you to join at any time?

"A. No, sir. I never would join.

"Q. You never joined the Communist Party?

"A. No, and I would never have joined if they asked me.

"Q. You never did join?

"A. I never did join.

"Q. Have you ever been a member of the Communist Political Association?

"A. I should say not.

"Q. Which was another name for the Communist Party. Have you ever been a member of any Communist front organization?

"A. Not that I know of.

"Q. Not that you know of?

"A. No, sir.

"Q. Did you know that the *International Workers Order* was designated by the United States Department of Justice as a Communist front?

"A. No, sir, I didn't.

"Q. Did you know that the Insurance Commissioner in the State of New York brought a lawsuit to prevent the organization from doing business on the ground that it was a Communist front and that the courts held that it was a Communist front?

"A. That I didn't know. I was not posted on it and I was not interested. I was busy working.

"Q. Did you know that the publication *In Fact* had been characterized as a pro-Communist publication and is now no longer published?

"A. That I didn't know either.

"Q. Did you know that the *Daily People's World* is the propaganda organ for the Communist Party of California?

"A. It probably is, but I am not too well informed on that, either.

"Q. When you say 'probably,' what do you mean?

"A. Well, as you have mentioned, that it is—it probably is. I don't know.

"Q. How long did your affiliation with the *Independent Progressive Party* continue?

"A. Just for that one election.

"Q. It ceased thereafter?

"A. That's right. I am a Democrat. I always have been, and I went back to the Democratic Party, but I felt at that particular time that Wallace would have been a better man.

"Q. The only reason we asked about the *Independent Progressive Party* is that it has been characterized not as being a Communist organization, but as being dominated by Communists at the top.

"A. I see.

"Q. There is some evidence, some of it before this committee, that the head of it in California, Hugh Bryson, chairman of the Marine Cooks and Stewards Union in San Francisco, is a Communist Party member. Obviously the committee is interested in that, while it is not interested in the other political parties toward which no such accusation has been mentioned to my knowledge.

"A. That is the reason I joined the Independent Progressive Party.

"Q. Mr. Czerniawski, will you please describe the organization in Westminster if you know anything about it? By the way, do you still reside there?

"A. Yes, I do.

"Q. You are in the paint business there?

"A. I am in the hardware business.

"Q. Do you know of an organization known as the *Tri-City Advisory Committee*, are you familiar with that at all?

"A. No, sir, I am not.

"Q. You know nothing about it whatsoever?

"A. No, sir, not a thing.

"Q. Do you know anything about an organization known as the *School Improvement Association*?

"A. Yes, I do.

"Q. Would you mind describing in your own way to the committee what that is and how it started?

"A. I will give you what I know about it. I will tell you what I know about it. When the organization was formed I was asked to join. They told me what it was for. The school board at that time was going to float a big State loan.

"Q. It was interested in school matters?

"A. It was interested in school matters, that is right. They were going to float a big bond issue for new schools. We didn't need them at the present time. It would have affected our tax rates. I am a taxpayer, therefore I joined.

"Q. The organization was already in operation when you were asked to join it?

"A. That is right.

"Q. Do you know who was instrumental in starting it, or how long it had been in existence?

"A. I am not quite sure. Mr. Leonard Fry was the chairman of the organization. He asked me to join.

"Q. Is he here today?

"A. No. He had to work.

"Q. That was the *School Improvement Association*, was it?

"A. That is right.

"Q. Do you know a man by the name of Lyle Richards?

"A. Yes, sir.

"Q. Is he here today?

"A. No, sir.

"Q. Does the *School Improvement Association* still exist?

"A. Yes, sir, as far as I know it does.

"Q. Of what does its membership consist? Is it limited to the City of Westminster or is it spread over a larger area?

"A. It is limited to the Westminster School District.

"Q. Westminster is in Orange County?

"A. Yes, sir.

"Q. Where is it located with reference to the county seat?

"A. Santa Ana I understand is the county seat.

"Q. Yes.

"A. It is west of Santa Ana.



"Q. How far?

"A. About seven or eight miles.

"Q. You say the membership comprises people extending how far?

"A. The Westminster School District.

"Q. Does that include other cities in addition to Westminster?

"A. I don't believe so.

"Q. You don't believe so?

"A. No.

"Q. Did you attend meetings of this organization?

"A. You said other cities?

"Q. Yes.

"A. I don't know how you would define it. I said Westminster School District. It comprises Westminster, Barber City, Midway City and Sun Gardens, which are little county communities, but they are in the Westminster School District.

"Q. That explains it. In connection with your membership and participation in this organization, the School Improvement Association, have you been accused of being a Communist or belonging to a subversive organization?

"A. I have, sir.

"Q. When did that sort of activity originate?

"A. Well, it originated four or five years ago, but I tried to run it down. I have tried every possible way to run it down. However, I could not. It was one of these whispering campaigns.

"Q. Had you had similar experience before that time?

"A. No, sir.

"Q. While you were a member of the International Workers Order?

"A. No, sir.

"Q. Did anyone accuse you of belonging to a Communist dominated organization?

"A. No, sir. Then I went to the FBI in Santa Ana and told them that I was in business in Westminster, that I was businessman there, that there was a rumor going around, a whispering campaign, that I was a Communist.

"Q. About when did you do this?

"A. About four years ago.

"Q. All right.

"A. I told them that if I was a Communist they would know about it, and I knew I wasn't, therefore I would like to have them give me a clearance of some kind that would show I was not a Communist.

"They said, 'Mr. Czerniawski, we are not authorized to give anyone clearance. If you were a Communist it would be none of our affair. If you were able to find out who started this rumor then they would be subject to civil suit; you could take them to a civil court.' I could not get any help there, and I started asking people about it.

"Q. You could not get any help for the reasons they explained to you?

"A. That is right.

"Q. They said they were not permitted by law to issue clearance?"

"A. I don't know what the law was. I just went there.

"Q. I understand, but it was the natural thing to do.

"A. I asked the people in town where did they get the information. They all just clammed up and wouldn't tell me the start of it or what. So it went on.

"Q. What is the population of Westminster, roughly?"

"A. I believe about 1,200, somewhere around there.

"Q. Proceed.

"A. It went on for years that way until this thing came up. I have a statement here from a party which I would like to show to you, saying that I was called a Communist by a certain party (handing document to counsel).

"Mr. Combs: Let the record show that the witness has handed to the committee a hand written document consisting of one page, written in ink, dated the 26th of July, 1954.

"The Witness: This incident happened on July 10th.

"Mr. Combs: Do you wish us to read this into the record?"

"The Witness: Yes, sir.

"Mr. Combs: You do?"

"The Witness: Yes, sir.

"Mr. Combs: It reads as follows: 'To Whom it May Concern: This is to certify that on May 10, 1954 I was in Paysan's Drug Store in Westminster and heard a man call Mr. Czerniawski a Communist. Mr. Czerniawski slapped him. This fellow left and Mr. Czerniawski apologized to Mrs. Paysan. F. A. Wood, 7/26/54, 12362 Stanton Avenue, Garden Grove.'

"The Witness: Here is another one.

"Mr. Combs: Let the record show the witness handed to the committee a hand written document consisting of a folded sheet of about a page and three-quarters which contains handwriting in ink and in pencil. It is signed by Mrs. Mary Cleo Hyans of 2533 Jackson Street, Dominguez, Long Beach 10, California. It is dated May 11, 1954. Do you wish us to read this into the record also?"

"The Witness: Yes, sir.

"Mr. Combs: It reads as follows: 'To whom it May Concern: On April 30, 1954, Mr. Lloyd Thomas and Mr. Edwards called on me and led me to believe that they were from some type of law enforcement and asked me about Mr. Albin Czerniawski's political standing. Also asked me if they ever had meetings in their home or ever had company and what they talked about. Also asked me about a locksmith who came to the store to see Mr. Czerniawski. I worked for Mr. Czerniawski from 1940 to 1941, about 18 months. I want to say I never worked for anyone as nice and thoughtful as Mr. and Mrs. Czerniawski, and never knew anyone more loyal to the U. S. A. than the Czerniawski family. I never heard them ever say anything against our government at any time. Mr. Thomas also asked me about their social life here in Dominguez.'

"It is signed by Mrs. Mary Cleo Hyans, 2533 Jackson Street, Dominguez, Long Beach 10, California.

"How many more do you have?"

"The Witness: There aren't very many more, sir.

"Mr. Combs: Let the record show the witness has handed to the committee a single paged handwritten document in pencil, dated May 11, 1954, signed H. Taylor, addressed To Whom it May Concern.

"Mr. Lloyd Thomas and his partner called at our place of business and questioned us about the background of one Albin Czerniawski, as to who his friends were etc. We could not give them very much information concerning Mr. Czerniawski as we knew nothing derogatory to his character, either political or otherwise. They went through all of the motions of taking a picture of our store.'

"It is signed by H. Taylor, 2652 Monroe Street, Dominguez.

"The Witness: Here is another one.

"Mr. Combs: The witness submits a typed document dated May 13, 1954. A single sheet of paper addressed to Mr. Albin Czerniawski, Westminster, California. It reads as follows:

"Dear Mr. Czerniawski: On April 30 inst. I was contacted by two gentlemen who tried to give the impression they were some type of law officials. On asking for identification I was handed a business card with the name of Lloyd Thomas of the *Westminster Herald*.

"At this time I told them that from 1939 to 1942 you and your family had been residents of this community; conducted a general merchandise business here, and to the best of my knowledge there had been no question as to your character and loyalty.

"Both my wife and I felt that you and Mrs. Czerniawski were hard working and energetic people who were community and civic minded.

"Sincerely, (signed) Walter K. Luck, 2672 Jackson, Long Beach 10, California.'

"The Witness: Now, here is one from a local man where I live in Westminster. It is more a letter of what my character is.

"Mr. Combs: The witness has handed the committee a document consisting of a single page which he says contains a statement as to his character certification. Is that right?

"The Witness: Yes, sir.

"Mr. Combs: Do you wish me to read it into the record?

"The Witness: Yes, sir.

"Mr. Combs: It reads as follows:

"1392 Cedar Street, Westminster, California, Tuesday, July 27, 1954.

"To Whom it May Concern:

"I welcome this opportunity to make a very definite statement regarding the character and behavior of my friend and close neighbor, Albin Czerniawski.

"During the past eight years there have been but few days in which I have not met, talked, associated and done business with him. I can truthfully say that on each and every occasion he has conducted himself and his business in a clean, public

spirited manner. The fact that he registered and voted the Independent Progressive ticket in a recent election now seems to denote a subversive character by a certain newspaper publisher.

"I learned today that my friend has been called to answer a charge that he is subversive. I am happy that we live in a country where such accusations may be made and where the accused is given the privilege of answering the charges. I trust his answers will fully exonerate him of the accusation.

"Free elections (the true basis of our democracy) very correctly air the character of the candidates for election. The will of the majority should be accepted by the minority. The very fact that we have elections whereby we elect national, state, county, city—yes, even school trustees, is an acknowledgment that our present laws and officials are not perfect. Otherwise we would write the word *finis* on the last page of our law books and the officials would be elected for life terms. If the minority in some of our school elections were able to carry their defeat to their desired ends I am afraid the county would soon become engaged in countless little civil wars and rebellions.

"Walter R. Pope."

"Q. Now, Mr. Czerniawski, is that the extent of the documents you wanted to read?

"A. Except for derogatory statements in the newspapers, but they are quite lengthy."

"Q. Obviously we cannot read all these things into the record. If you wish to submit them to us we will be happy to attach them to your testimony. If you want to submit them for the record, you may do so.

"A. Yes, I will do that, too.

"Mr. Combs: Let the record show the witness has handed to the committee a folder containing newspaper tear sheets and clippings, all of which will be received and will be attached to the record in connection with the testimony of the witness.

"Q. Mr. Czerniawski, do you belong to any other organization in Westminster similar in character to this School Improvement Association?

"A. No, sir.

"Q. That is the only one you have ever been affiliated with in Westminster?

"A. No, sir, I belong to the Odd Fellows.

"Q. No, I didn't mean that. I mean similar to this citizens organization.

"A. No, sir. I belong to the *Independent Order of Foresters*—the Independent Order of Foresters.

"Q. I don't believe anybody has ever called that a front organization.

"A. I belonged to the Moose Lodge, and for several years I belonged to the St. Nipomatz Church Society.

"Q. You appreciate, Mr. Czerniawski, that there is a great difference between the organizations you have mentioned and organizations like the International Workers Order which has been characterized as a Communist organization over and over again?



"A. At the time I joined it it was not characterized as that.

"Q. When was it so characterized?

"A. I have no idea when it was. At that time it was an organization I joined for the insurance benefit. It did not have any insurance at that time. I had three little children, my wife and three little children. I thought if something happened to me that would be the best thing to do, to take out insurance, which in my estimation was very reasonable at that time and I could afford to carry it.

"I would like to also state that I have a son who was in service in World War II and in the Korean war. He received honorable discharges from both services. Now he is employed as an accountant.

"Q. I neglected to ask you in connection with your membership in the International Workers Order whether or not you received a publication of any kind, such as a paper or circular or anything from that organization?

"A. No, sir.

"Q. They published nothing to your knowledge?

"A. No, sir, not to my knowledge.

"Q. Of course the fact that the *Daily People's World* is a propaganda medium for the Communist Party of California would indicate that it had been subject to scrutiny and suspicion by a great many official agencies. Is that right?

"A. I suppose it would, but I would never subscribe to anything like that. This was the first time I was interested and I wanted to know what it was about. That is not the only paper I subscribed to. I subscribed to the *Press-Telegram*, a Long Beach paper, and I have for many years, and then the *Los Angeles Examiner*.

"Q. What about the *Westminster Herald*?

"A. I am sorry. I have not subscribed to that paper. However, I gave the *Westminster Herald* plenty of my business as far as printing goes, and I have ads in their paper.

"Mr. Combs: Unless you have something else to add, that is all. If you can think of anything else you want to testify about, you may do so.

"The Witness: I don't believe so."

#### TESTIMONY OF LLOYD W. THOMAS

Mr. Thomas was the next witness called to the stand and testified as follows:

"Question by Mr. Combs: Will you state your full name please?

"A. Lloyd W. Thomas.

"Q. Where do you reside?

"A. 8701 20th Street, Westminster.

"Q. How long have you resided at that address?

"A. Six years.

"Q. Your business is what?

"A. Newspaper publishing and printing.

"Q. What is the name of the newspaper?

"A. *Westminster Herald*.

"Q. And how long have you been publisher of that newspaper?

"A. I have been publisher with my father about two years. The paper has been in the family about nine and a half years.

"Q. Are you acquainted with the witness who preceded you, Mr. Czerniawski?

"A. Yes, sir.

"Q. How long have you known him?

"A. Since about 1947.

"Q. As a newspaper man, as a citizen, or in any other capacity for that matter, did you conduct any inquiry into the origin and nature of the School Improvement Association in Westminster?

"A. Yes, sir.

"Q. Did you endeavor to ascertain anything about the political affiliations and beliefs of Mr. Czerniawski?

"A. Yes.

"Q. How did you happen to do that?

"A. Having knowledge of his party membership, the *Independent Progressive Party*, and his affiliation with the *School Improvement Association*, I thought I should make some inquiry.

"Q. Was he then active in the organization to which I have referred, the *School Improvement Association*?

"A. Yes, sir.

"Q. He was?

"A. Yes.

"Q. Before you started this investigation did you know anything about his affiliation with the *International Workers Order*?

"A. No, sir.

"Q. Did you know anything about the fact that he had been a subscriber for a period of six months to the *Daily People's World*?

"A. Not before the investigation.

"Q. Did you ever independently develop that information, I mean on your own? Did you discover those facts?

"A. The information on the *Daily People's World* came from a former resident who came into my office and notified me of that fact.

"Q. About when did this occur?

"A. About three months ago.

"Q. Did you ascertain that he had belonged to the *International Workers Order*?

"A. I have heard reference to that, but I had no proof.

"Q. Before, during or after the period of your investigation?

"A. During my inquiry.

"Q. Your inquiry commenced about when, how long ago was it?

"A. I became the most curious beginning January 11, 1954.

"Q. Would you tell as briefly as you can, without omitting anything pertinent, the circumstances that led to your interest in Mr. Czerniawski and this organization?

"A. I had learned of a supposedly open and civic meeting to take place the night of January 11th at the home of Lyle Richards. I called Mr. Richards at 7.30 and told him I would like to attend.

"Q. Is Mr. Richards a resident of Westminster?

"A. Yes, sir. Mr. Richards is treasurer of the *Tri-City Improvement Association*, I believe.

"A voice: Not the Tri-City.

"The Witness: Or the School Improvement Association, excuse me. Upon arrival at Mr. Richards' house at 7.50 p.m. he informed me that the meeting had been called off. However, later in the evening, about 9 o'clock, Mr. Edwards and I came across what we believed to be the same meeting in another person's house, in the home of Leonard Fry, later to be known as Chairman of the Improvement Association.

"Q. He is a resident of Westminster, and was at that time?

"A. Yes, Mr. Fry denied any knowledge of the meeting, of an organization, of any minutes or any officers or name of an organization when I inquired as to whether or not a meeting had transpired. Mr. Czerniawski was present at this meeting I mentioned.

"Q. Did you see him?

"A. Yes, sir. Later I inquired from Mr. Fry if the meetings were to continue and were they to be open to the public and the press. He said no. Having some knowledge of Mr. Czerniawski's past affiliation with the Independent Progressive Party, and that possibly he was now interested in the Improvement Association and in our local school affairs, and because the meeting was closed to the public and the press, Mr. Edwards and I took the liberty of listening in on the meeting from the attic of the Odd Fellows hall, inasmuch as we were barred from the meeting itself, although other reporters were allowed in.

"Q. Your effort to go to that meeting, the one you described as being held at the home of Mr. Fry, occurred when?

"A. The same night.

"Q. What was the date of the meeting at the other place?

"A. January 25th, I believe.

"Q. You say that that was open to other newspaper reporters?

"A. Yes, sir.

"Q. Was it open to the public?

"A. I had been told previously that it was closed to the public and to the press.

"Q. But members of the press were there?

"A. Yes, sir.

"Q. Did you see them?

"A. Yes, sir.

"Q. Who were they?

"A. The reporter of the *West County News*, a branch paper of the *Garden Grove News*.

"Q. Were there any other reporters present that you recognized?

"A. At later meetings Mr. Elmer Wells of the *Santa Ana Register* was present.

"Q. You saw those other newspaper representatives other than your own present at that meeting?

"A. Yes, sir.

"Q. Where were you all this time?

"A. I was in the attic, sir.

"Q. How did you manage to get into that location?

"A. Through the use of a key we entered the hall previous to the meeting.

"Q. How long previous to the meeting?

"A. At 6.30. The business took up about 8 o'clock.

"Q. You were there about an hour and a half before the meeting started?

"A. Yes, sir.

"Q. Who was with you, if anyone?

"A. Mr. Edwards and another chap named Merton Fugler.

"Q. He lives in Westminster, too?

"A. Yes, sir.

"Q. You went up to the attic for the purpose of ascertaining what went on at the meeting at which other reporters were present and at which you would not be admitted?

"A. That is right.

"Q. Were you there when the people began to come into the hall?

"A. Yes, sir.

"Q. Was there any physical facility in the ceiling of the building which enabled you to observe what transpired?

"A. I found a ventilating grill in the center of the ceiling.

"Q. Did you hear what went on?

"A. Very well.

"Q. Were you there during the entire time that the meeting lasted?

"A. Yes, sir.

"Q. Did you remain there until the last participant in the meeting had left the building?

"A. Yes, sir.

"Q. You then emerged from your place of concealment and left the premises, I take it?

"A. That is right.

"Q. Did you keep any written record or notes of what you saw and heard?

"A. Yes, we kept a running record of the meeting.

"Q. There were three of you there?

"A. Yes, sir.

"Q. It was a little uncomfortable, wasn't it?

"A. Yes.

"Q. How long did the meeting last?

"A. The meeting began at 8 o'clock and adjourned at 10, 11 and 11.30.

"Q. Mr. Thomas, did you attend subsequent meetings of this character?

"A. Yes, sir.

"Q. In the same way?

"A. In the same way.

"Q. With the same people?

"A. Yes, sir.

"Q. At the same place?

"A. Yes, sir.

"Q. In the same attic?

"A. Yes, sir.



"Q. Did you take notes on those subsequent occasions?

"A. That is right.

"Q. Are you able to tell us approximately when those subsequent meetings took place?

"A. February 8th, February 22d.

"Q. All of this year?

"A. Yes, sir; and I believe March 22d.

"Q. Four meetings in all?

"A. Yes, sir.

"Q. Were other meetings held there after that time, after you attended the last one?

"A. Yes, sir.

"Q. Why didn't you attend those?

"A. We went in, sir, on two or three occasions, myself or Mr. or Mrs. Edwards who occasionally writes for our paper. On entering, the meetings were immediately adjourned.

"Q. You say you attended four of these attic meetings. You also testified that other meetings were held thereafter in the same place?

"A. Yes, sir, in the same place.

"Q. But you did not go up to the attic any more?

"A. No, sir.

"Q. Why not?

"A. We had been discovered, I believe around the fourth time, as being in the attic.

"Q. How did that occur?

"A. Through the dropping of a camera cable through the ventilator grill.

"Q. Were you taking pictures?

"A. Yes, sir.

"Q. What kind of equipment did you have?

"A. We had infrared, sir.

"Q. Did you develop the negatives?

"A. Yes, sir.

"Q. Were they clear?

"A. Fairly much.

"Q. What did you do with the developed negatives?

"A. They haven't been put to any use, sir.

"Q. Do you have them in your possession?

"A. Not with me, sir.

"Q. If the committee should require you to do so, or request you to do so, would you make them available to the committee?

"A. Absolutely.

"Q. To go on with this incident. You were discovered. You emerged from the attic. Then what happened?

"A. We were discovered in the attic. Mr. Czerniawski, I believe followed by Mr. Lyle Richards—Mr. Richards I believe was the first one up the ladder and broke through.

"Q. Up the ladder?

"A. Yes, sir. There is a ladder from the second floor to the attic. Mr. Richards was the first one to come through, breaking open the drop door, I believe with his head or shoulders. Two men

were standing on the door. I believe he was followed by Mr. Czerniawski, who himself went through the attic with a large board in his hand. At that time I was endeavoring to put the cameras and film and such under the eaves, thinking they would be safer there. The police were summoned.

"Q. By whom.

"A. The Orange County Sheriff's office by a member of their organization.

"Q. By that you mean a member of the organization meeting there?

"A. Yes, sir, the Improvement Association.

"Q. All right.

"A. They requested the Orange County Sheriffs to come to the meeting and place Mr. Edwards and I under arrest. Mr. Czerniawski also requested that the films and notes be confiscated, the films and notes that we took of a supposedly public meeting.

"Q. Were other newspaper reporters present at all of these meetings?

"A. Yes, I think reporters were present at all meetings, although occasionally they came in late.

"Q. You observed this yourself?

"A. Yes, sir.

"Q. Were you arrested?

"A. No, sir.

"Q. By the Sheriff's office?

"A. No, sir.

"Q. Were the notes and photographic equipment and the negatives confiscated by anyone?

"A. The sheriff's officers offered to take our films into custody. They were released to me two days later.

"Q. Was any criminal charge filed against you by anyone to your knowledge?

"A. No criminal charge and no attempt was made.

"Q. Was any civil suit filed to your knowledge?

"A. No, sir.

"Q. Were you ever placed under arrest?

"A. No, sir.

"Q. Was your equipment all returned to you, and your notes returned to you?

"A. Yes, sir.

"Q. Did you make any further attempts to conceal yourself in the attic to observe what happened at their meetings which were held in the same locale?

"A. No, sir.

"Q. Were other meetings held there?

"A. Yes, sir.

"Q. Were you told on subsequent occasions by anyone connected with the Improvement Association that you would not be admitted to these meetings, or any of them?

"A. Yes, sir. It became general knowledge.

"Q. The other members of the press would be admitted, but you were not welcome?

"A. That is right.

"Q. Was it put to you that you were not welcome or that you would not be permitted to attend?

"A. It was put that I could attend, but would not be welcome.

"Q. Do you have your notes with you, Mr. Thomas, that you took on any of those occasions?

"A. I have typewritten copies of the notes.

"Q. Do you have them with you presently?

"A. Yes, sir.

"Q. Will you submit them at this time to the committee?

"A. Yes, sir.

"Mr. Combs: Let the record show that the witness has handed to the committee a series of typewritten sheets ten and a half typewritten sheets, which have been identified by the witness as typed copies of the notes that were taken on the occasions that he attended these meetings at the times and places and in the manner heretofore described.

"Q. Mr. Thomas, do you desire to have these returned to you or may we keep them?

"A. The committee may keep them.

"Q. Thank you. Did you continue to investigate the personnel and the activities of the Improvement Association?

"A. Yes, sir.

"Q. You did that for the reason you have heretofore described, that you suspected it was engaged in some sort of a subversive activity, or had been infiltrated or was led by people with subversive records?

"A. Yes. I became interested and pressed the inquiry because of Mr. Czerniawski. He was assistant membership chairman and I presume now a membership chairman with headquarters at his store.

"Q. For this association?

"A. Yes, sir, and he is influential in the association. I had some knowledge of his past affiliations and I pressed the inquiry to determine the extent of possible subversive character existing in the membership.

"Q. As a newspaper man you were interested not only in the *Improvement Association*, but having discovered the *Independent Progressive Party* affiliation, the *People's Daily World* subscription and the *International Workers Order* affiliation in the process of your work, it led you to suspect that the organization might have some kind of ulterior purpose, is that true?

"A. Either the organization or some of its membership who may have motives that would be beneficial to other organizations that they might be on too.

"Q. Did you investigate any other members or leaders of the organization except Mr. Czerniawski?

"A. To some extent, but not as fully.

"Q. What did you find in that connection?

"A. I believe a few minor details which cropped up, volunteered by people. We have not pressed them to the fullest extent though. What little we do have we have submitted to the committee.

"Q. You will make available this information on request, will you?"

"A. Yes, sir.

"Q. What was the net result of your investigation and work, Mr. Thomas, to what conclusion did you come, if any?"

"A. I believe that an organization representing itself to be a civic group attempting to work for the betterment of our schools and community should not have in it personnel or officers who are members or have had membership in organizations that are not akin to our American way of life. I believe that any trustees that have been sponsored by such an organization, that its membership should give this very serious consideration inasmuch as this group has membership in it that is affiliated with possible front organizations and has sought to gain control of the school board successfully.

"Q. Is there anything else you care to add, Mr. Thomas?"

"A. My reasons for bringing this to the committee were first to present evidence of material given to our office, to bring to light any possible subversive character that existed in the committee, if such existed.

"Q. Do you mean the *Improvement Association*?"

"A. That is right. Reference was made earlier today of our investigation in the Long Beach, Dominguez area. On one occasion Mr. Czerniawski said that we were claiming to have connections with the police force, or something.

"Q. Those statements were contained in the letters he submitted.

"A. On all occasions we submitted business cards, and on one or two occasions we were asked what would happen to the material if it came our way. We said it would be turned in to a government agency, but we were newspaper men.

"Q. You never identified yourselves or made an effort to represent yourselves, directly or indirectly, as having any official investigative capacity?"

"A. No, sir. We were only interested where it would benefit the community.

"Q. You always submitted your business card on each and every occasion, which gave your occupation as a newspaper man?"

"A. Yes, sir.

"Q. Do you have anything further to offer?"

"A. I believe that is all I have.

"Mr. Combs: Thank you."

Mr. Ralph R. Edwards was called to the stand and stated that he resided at 14242 South Golden West Street in Westminster, had accompanied Mr. Thomas on the expeditions into the Odd Fellows Hall attic, and corroborated his testimony concerning the meetings held there in every respect.

Mr. Czerniawski was then recalled to the stand, briefly described the encounter in the Westminster drug store and was then questioned further concerning the *School Improvement Association* as follows:

"Question by Mr. Combs: Senator Burns inquired of another witness whether or not the Improvement Association was still functioning and holding meetings. Is it, to your knowledge?"



"A. So far I think I did attend meetings.

"Q. I don't mean you, but does the organization still exist?

"A. As far as I know it does.

"Q. Are you still connected with it?

"A. Well, I haven't paid any dues for quite some time. I don't know whether I am or not.

"Q. Did you hold an office in the organization?

"A. I was elected at one of the meetings for membership chairman, but I told them I could not accept. I said I could not accept that position because I was busy in my store and could not devote the time. I said I would help in any way I could, but I would not take the office or job.

"Q. Were the meetings in the Odd Fellows Hall open or closed to the press?

"A. They were open to the public and the press.

"Q. They were open to the public and the press?

"A. That is right, sir, as far as I know.

"Q. Was it made clear to Mr. Thomas and Mr. Edwards that they were not welcome at the meeting?

"A. It was never mentioned to Mr. Thomas or Mr. Edwards as far as I know.

"Q. Could it have been mentioned to them without your knowledge?

"A. It probably could because we are not taking a very active part in the organization because I have my business to attend to. The only active part I took in the organization was to pay dues as a dues paying member.

"Q. The paper that was published by Mr. Thomas was not exactly friendly toward the improvement society, was it?

"A. No, it was not, sir. It was very biased.

"Q. So it would not be beyond the realm of logic or reason to say that the people representing that paper would be perhaps a little less welcome at your affairs than papers that were friendly toward your association?

"A. That is true enough. However, they were not excluded. They were welcome if they wanted to come, but they knew that we weren't very friendly toward them on this biased attitude.

"Q. They were not friendly toward you and you were not friendly toward them?

"A. That is right.

"Question by Chairman Burns: Mr. Czerniawski, in these notes I see a statement by member Fry in which he says, 'I agree and think that we should plan a constructive program keeping in mind our one aim, that of three men from our group elected to the board.'

"Was that the main reason why this organization was formed, this Improvement Association, to secure three members on the school board?

"A. As far as I know, our aim in organizing was to clean up the school district in that area. It wasn't run right.

"Q. According to your plan you intended to elect a majority of the members of the board?

"A. That is right.

"Q. Of the school board, is that right?

"A. That is right.

"Q. Your meeting was held January 25th. The election was held subsequently. What happened at the election. Did you secure three places on the board?

"A. Yes, by a great majority, a landslide you might say.

"Q. In other words, the main aim and objective of the organization was accomplished?

"A. That is right. We based our ideals on the truth. That is why the organization was successful in the election, because we based our aims on the truth only.

"Q. Did you promulgate your propaganda and information as you saw it?

"A. Yes.

"Q. What changes were made in the school administration since the election? Has any radical change been made? Have you changed principals or superintendents? What has happened?

"A. I think the school board could best answer that.

"Q. Is there a member of the school board here?

"A. Yes, sir.

"Q. Would he be willing to tell us something about it?

"A. I guess he would. We have Mr. LeRoy King and Mr. Schulzstad.

"Chairman Burns: That is all, Mr. Czerniawski."

Mr. LeRoy Carlin King was questioned and testified that he resided at 7742 Westminister Avenue in the city of Westminister, and testified as follows:

"Question by Chairman Burns: You are a member of the school board of the Westminister School District?

"A. That is right, sir.

"Q. You were elected at a special election, were you not?

"A. No. It was a regular election on the 21st of May.

"Q. You participated in the formation and activities of the *Tri-City Improvement Association*, did you not?

"A. I cannot say that I participated too much in the formation, but I did become a member of the organization, and I was sponsored by that organization.

"Q. In your judgment and in your opinion do you believe from what you know of the course of the organization and its works, that it was in any way subversive?

"A. I cannot by any stretch of the imagination picture any such thing.

"Q. You know of no Communist influence in its operation or in the conduct of its meetings?

"A. Not in any manner.

"Q. Will you briefly tell us what changes the school board has made since the new regime took over.

"A. As for changes I cannot think of any material ones. As a new member I was elected to the chairmanship of the board. One of my member candidates, Mrs. Genevieve Nashburn, was elected as clerk of the present board, the three of us being elected to complete it as a five-man board, according to past legislation, raising it from a three-man board to a five-man board.

"Q. It is a five-man board now?

"A. That is right.

"Q. Do you still have the same district superintendent?

"A. We still have the same district superintendent. We have the same assistant to the superintendent. We have the same principals in so far as I know. To the best of my knowledge we have about the same teaching staff with the possible exception of the usual, customary turnover. We have advocated no drastic changes or policies whatever as of the present time.

"Q. Has the district at the present time filed a request for state funds for any purposes?

"A. I cannot exactly tell you how that works. I know the program of the previous board in the election was an \$80,000 bond issue. There was a state loan of some \$625,000,000, I believe, which was on the ballot at the last election. Both issues were defeated.

"Q. At the present time probably there is no application for state funds for building purposes?

"A. Not to the best of my knowledge, no, sir.

"Chairman Burns: Do you have any questions, Mr. Combs?

"Mr. Combs: No, I have no questions.

"Chairman Burns: Thank you, Mr. King, unless you want to add something.

"The Witness: May I address a question to you, sir?

"Chairman Burns: Certainly.

"The Witness: On behalf of the school board, the present school board and the school district, it came to my attention some few days ago that an official or officials of the school district had requested this investigation also, and as chairman of the board am I entitled to know if some of my officials have questions?

"Chairman Burns: You want to know the individuals who requested that the committee investigate this matter?

"The Witness: Only insofar as it concerns the administration.

"Chairman Burns: For your information, Mr. King, the request came before you were a member of the board.

"The Witness: I see.

"Chairman Burns: I don't believe there would be any hesitancy on the part of the people who asked for the investigation to have their names disclosed, but I believe at this time for the benefit of all concerned I would withhold that information. I would advise you of this. There was no question about you or the other new members of the board from a personal standpoint, to the best of my recollection.

"Mr. Combs: There was none.

"Chairman Burns: It was a long time before the election, as Mr. Combs has said. The question why we delayed doing anything about it at all was not to interfere with a local election of any kind. That has been the policy of this committee, not only as far as school boards are concerned, but in all elections. We don't want to step into a local political situation.

"The Witness: Thank you, sir.

"Chairman Burns: You are entirely welcome, and thank you.

"Does anyone else desire to be heard in this matter relating to Westminster?

"Mr. Reid: I do, sir."

The committee, pursuant to his request, agreed to hear the testimony of W. L. Reid, who took the stand and stated that he resided at 7851 10th Street in Westminster, was a sales representative, had lived in Westminster for three years and prior to that time resided in Garden Grove for approximately the same period of time. Mr. Reid further stated that he was one of the founders of the *School Improvement Association* and that Mr. Czerniawski became a member of it some time later.

He said, in response to an inquiry concerning the founders of the association, that it was founded by Leonard Fry and himself. He then testified as follows:

"Q. Did you hold any official position in the organization?

"A. No, I have not, other than just errand boy.

"Q. Did Mr. Fry?

"A. Yes. Mr. Fry was chairman of our *School Improvement Association*.

"Q. Actually when was it formed?

"A. I am not too good on dates.

"Q. Approximately as near as you can fix it?

"A. I could attach it to other happenings there and arrive at a fair date. I would say roughly six or eight months ago.

"Q. At whose residence was the organization meeting held?

"A. The first meeting was held at Mr. Fry's residence.

"Q. That was on what date?

"A. The organizational date.

"Q. Was that the date Mr. Thomas and Mr. Edwards came and inquired about attending the meeting?

"A. Mr. Thomas and Mr. Edwards came into the meeting right at the end of the meeting. We were serving refreshments.

"Q. This was the organizational meeting?

"A. Yes, sir.

"Q. Did they come in and look at the minutes?

"A. No. They were served coffee and cake. The meeting was over.

"Q. This was held in Mr. Fry's home?

"A. Yes.

"Q. Had the meeting theretofore been scheduled at some other place?



"A. Not to my knowledge.

"Q. Could it have been without your knowledge?

"A. I doubt it very much because Mr. Fry and I originated the meeting.

"Q. Did Mr. Thomas on that occasion inquire about the nature and purpose of the organization?

"A. Yes.

"Q. Did he discuss these matters with you?

"A. No—with Mr. Fry in my hearing.

"Q. You were present and you heard the conversation?

"A. Yes, sir.

"Q. Did he get information as to the nature and purpose of the movement?

"A. Yes, sir.

"Q. Was he subsequently informed by you or anybody else that he would not be welcome at your meetings?

"A. Yes, sir. He was told by Mr. Fry that he would not be welcome. The reason was because he made his stories up out of whole cloth.

"Q. He was antagonistic toward the organization, according to your view?

"A. That is right, definitely.

"Q. He published articles in the paper that were antagonistic toward the organization, or critical of it?

"A. Yes. It was not an organization at that time. However, in view of the general school controversy we thought his stand was antagonistic to our views.

"Q. Did you hold any closed meetings that were not open to the public?

"A. No, sir. We invited the press at all times. Any of the meetings I attended were also attended by newspaper reporters, either or both of the *Garden Grove News* or the *Santa Ana Register*.

"Q. You felt it was made clear to Mr. Thomas he was not welcome?

"A. He was not excluded.

"Q. What do you mean by excluded?

"A. He was merely told in view of the fact his articles were made up generally through imagination that he would not need to attend.

"Q. Did somebody meet him at the door and tell him that he could not come in or that he would not be welcome if he did come in?

"A. No, sir. He was brought in and served coffee and cake.

"Q. That is one occasion, but what about subsequent occasions?

"A. I think he attended meetings of the general membership after that. In fact we were not aware of his presence.

"Q. I understand, but at any meeting you ever held was he told in your presence or in your hearing that he would not be welcome?

"A. Except for the first organizational meeting, I never saw him at one of our meetings, so I could not say he was ever told.

"Q. But at the organizational meeting he was told he would not be welcome?

"A. He was told in view of his stand he would not be welcome, but he was not excluded.

"Q. Mr. Fry told him that?

"A. That is correct.

"Q. In your presence and in your hearing?

"A. That is right.

"Q. Was anyone else present on that occasion?

"A. I can't recall. The membership was there.

"Q. Did you attend the meetings held in the Odd Fellows Hall?

"A. One or two of them. I don't remember the dates particularly, I did not attend all of them. My work keeps me out a great deal during the night.

"Q. Were you present at any of the attic meetings?

"A. Apparently so. I didn't know it on that day—I wasn't there at the one at which he was discovered.

"Q. Does the organization still exist and function?

"A. More or less. It exists in this respect: We still have some money to raise to offset our campaign expenses.

"Q. Were they considerable.

"A. No. I would say—

"Q. It is not material. Did you wish to add anything else, Mr. Reid?

"A. Just that I would like to definitely insist that the *School Improvement Association* is not in any sense of the word a Communist front organization, has no affiliation with the organization, and that our membership lists were turned over to Bill Callan, Secretary of the Orange County Farmers, which is the only place where we could have any sort of a check. We have gone to great lengths to see that the organization is free of any taint.

"Q. Who turned the list over to them?

"A. We did.

"Q. What group is that again?

"A. I believe it is the Associated Farmers of Orange County.

"Q. They would have a list of your members?

"A. Yes. My wife and I spent several afternoons with him.

"Q. Where is his office?

"A. On North Los Angeles Street, approximately the 600 block, in Anaheim.

"Q. Anything else, Mr. Reid?

"A. That is all, sir."

Mr. Combs: "I have no further questions."

"Chairman Burns: For the benefit of those who came from Westminster, all of you, we appreciate your presence here today. As far as the official position of the committee is concerned, after going through the transcript we will make that known to those interested."

## CONCLUSIONS

Within 30 days after the conclusion of the public hearing, the committee was receiving calls by reporters from newspapers in Orange County rather insistently demanding some expression of the committee concerning its official position regarding the hearing. These requests continued to such an extent that Senator Burns, in September, 1954, gave his own personal opinion to the effect that no evidence was produced at the hearing that would establish Communist Party membership on the part of Mr. Czerniawski nor prove that he was an active member in a subversive organization. Senator Burns made it clear that the opinion expressed was his own and not necessarily shared by other members of the committee.

Immediately after this expression, an article appeared in the *Santa Ana Register* dated September 16, 1954, which we deem it important to quote below for the purpose of indicating the attitude of this particular paper, or at least the reporter who wrote the article, toward the entire Westminster problem.

### "RED PROBE SUSPECTS GIVEN 'CLEAN BILL'"

"Red-hunting Sen. Hugh M. Burns, chairman of the State Senate Committee on Un-American Activities, indicated yesterday that the *Westminster School Improvement Association* and Westminster hardware dealer, Albin Czerniawski will be cleared of subversive charges.

"However, Burns emphasized that the opinion is his own and not necessarily that of the two other members of the State's Red-probing committee, Sen. Nathan Coombs of Napa County and Richard E. Combs, Chief Counsel.

"Burns added that he is basing his 'off-the-cuff' opinion on evidence heard at an 'exploratory hearing' held at Los Angeles last July to probe alleged infiltration into Westminster School District politics.

" 'I haven't had a chance to read the hearing transcript. But in my opinion, by the evidence presented, that group (The Westminster School Improvement Assn.) hasn't a thing to worry about being subversive.

" 'True, one of the fellows belonged to a Communist front organization, but that in itself doesn't make him a member of the Communist Party or active in any subversive group,' Burns declared.

"The Senator from Fresno explained that his work on the committee plus his senatorial duties along with having to earn a living, 'like anyone else,' is the reason for the delay of an opinion on the Westminster probe.

"However, he said, in view of the expressed interest in the Westminster situation he will do all he can to expedite an official opinion and get out a more detailed report soon as he can.

"Burns said that as far as he is concerned *Westminster School Improvement Assn.* had a right to organize in an effort to steer Westminster School District affairs if they were unhappy with the way things were going. 'And,' he added, 'there is no evidence to support in any way their being subversive.'

"Burns pointed out that the question raised at the hearing was the possibility of Czerniawski being either an official or functionary in the group and also a member of the Communist Party.

" 'About the only thing the hearing proved,' he declared, 'was that this man (Czerniawski) holds an insurance policy in the International Workers Order. But this is not evidence to support subversive charges.'

"Red infiltration into the school district's politics was alleged by Lloyd Thomas, 31, 'cloak and dagger' editor of the Westminster weekly Herald. Thomas presented evidence which he charged implicates Czerniawski with the Communist Party. He also implied that the 52-year-old hardware dealer was the 'Red' link of the *Westminster School Improvement Assn.*

"Under oath Czerniawski admitted membership in the I. W. O., a group which has been cited as Communist-front. But he denied knowledge of its Communist affiliations and being a member of the Communist Party.

"Czerniawski also admitted he had subscribed to the *People's Daily World* and *In Fact*, both later identified as publications sympathetic to the Communist cause. But, he testified, he subscribed to each for six months, 'to please customers.'

"The hardware dealer testified he became the victim of a whispering campaign four years ago and it climaxed last May 10th when he slapped Thomas in the face for calling him a Communist.

"He told the Senate committee that he had joined the I. W. O. to take advantage of its insurance benefits at a time of economic difficulty. The group, he said, collected a hundred dollars to buy a horse for an impoverished Czech farmer, while he was a member.

"The I. W. O. was branded subversive two years ago and disbanded. Czerniawski testified his insurance is still in force, but it is now paid to the New York State Insurance Commissioner who took over the insurance end of the disbanded group.

"Thomas told the three-man state probing committee that he first became suspicious of subversion in Westminster School District politics when he learned that Czerniawski was a member of the School Improvement Association.

"The association backed three candidates which Thomas opposed editorially in the May election. The candidates, LeRoy King, Marshall D. Schulzstad and Mrs. Genevieve Mashburn, were elected to office in the biggest turnout of voters in Westminster history.

"Thomas also described how he came by the labels of 'cloak and dagger editor' and 'peek-a-boo editor.' His description, accompanied by hearty but somewhat stifled laughs from the senators and guffaws from the audience, involved how he was caught late in March eavesdropping on a meeting of the members of the Improvement Association.



"Thomas was caught in the attic of the I. O. O. F. hall in Westminster. With him were Ralph Edwards, 30, Westminster bean rancher, and a juvenile. They were caught with infrared photo equipment for taking photos undetected at night, binoculars and exhaustive notes.

"At the conclusion of his testimony the publisher admitted that thus far his investigation has produced no evidence of possible subversion other than Czerniawski's record, but that his probe would continue."

An examination of the transcript of this hearing does not indicate any description by Mr. Thomas of how he became known as a "cloak and dagger editor" or the "peek-a-hoo editor." Neither were the members of the committee so discourteous as to laugh at his testimony concerning his experience in the attic when he endeavored to ascertain what was taking place at the meetings of the *School Improvement Association*. The transcript does not contain anything showing that Thomas presented any evidence which he charged would implicate Mr. Czerniawski with the Communist Party, nor did Senator Burns or anyone else connected with the committee give the individuals connected with the hearing a "clean bill." All of these things set forth in the article above, can be attributed neither to Senator Burns nor to anything that transpired at the hearing.

Mr. Thomas made it amply clear during his testimony, and the committee also wishes to emphasize that he conducted his investigation solely on his own initiative and at no time worked either for the committee or under its direction. He merely ascertained that he was not welcome at the organization of the *School Improvement Association* nor at any of its subsequent meetings, decided that something must be wrong, conducted an investigation entirely on his own, discovered Czerniawski's involvement with the *Independent Progressive Party*, the *International Workers Order*, and the *Daily People's World* and concluded that the matter should be brought to the attention of the committee. Ordinarily this matter would not have been made the subject of a separate hearing without a detailed investigation initiated by the committee itself. Because of the relatively small size of the City of Westminster and the intense feeling created by the entire matter, and in consideration of the letters and telephonic requests received by the committee from parties representing both sides and asking for a public hearing, the committee decided that the matter should be explored when it was having a hearing on other subjects in Los Angeles.

It is quite obvious that no evidence was produced which would either establish the membership of Mr. Czerniawski in the Communist Party or his active participation as a member of a Communist-controlled organization. The fact remains, however, that he did subscribe to the Communist newspaper and to a pro-Communist magazine, that he affiliated with a "political" party which was also under the domination of the Communist Party in California, and that he continued his membership in one of the most potent Communist front organizations in the United States for a period of 18 years.

The *International Workers Order* has been operating in the United States since 1930. It is an insurance, fraternal and propaganda agency

and during the first four years of Mr. Czerniawski's affiliation with it, was headed by Max Bedacht, ex-general secretary of the Communist Party of the United States, a former member of its National Executive Committee, a frequent visitor to the Soviet Union and an affiliate with innumerable Communist front organizations. As we pointed out in the 1951 report of this committee, Mr. Bedacht, himself, described the organization as follows:

"Our main concern is that our proletarian fraternal organization, the *International Workers Order*, can make the workers class-conscious \* \* \* this problem is of the greatest importance. It is one of the major problems of Communist leadership in all nonparty mass organizations.

"The development of its members into militant trade unionists or Communists thus becomes a natural result of the correct functioning of the *International Workers Order*. \* \* \* The Communists, rather, develop and lead struggles for immediate achievements because they are concerned with creating a revolution. \* \* \* The Communists organize mass economic strikes by the workers themselves, mass picketing by the workers themselves, mass demonstrations by the workers themselves, mass defense by political strikes by the workers themselves. \* \* \* The I. W. O. is an organization that allows Communist leadership to drive its roots into the uncharted depths of the American working masses. \* \* \* The building of the I. W. O. is therefore, one of the most important tasks of the Communist Party."

The I. W. O. has been used not only for the purpose of raising huge amounts of money for Communist purposes in this Country and for propagandizing, but it has also been used as a very important medium for the bringing together of racial minority groups and recruiting them into the Communist Party itself. It is extremely difficult to see, in view of the known fact that the organization was controlled by the Communist Party from top to bottom, was swarming with party members, that its meetings were held in an atmosphere of Marxism and Communist recruiting techniques, and that its very purpose was to indoctrinate its members with Communism, how any person could be a member of it for a period of years without having some sort of an idea of its real nature.

Several years ago this committee received evidence of how the *International Workers Order* was being utilized in connection with a Communist technique for protecting its agents. Every *International Workers Order Lodge* in the United States had its own staff of physicians, and members of the organization were referred to these doctors not only for medical service but frequently for advice concerning political matters. These *International Workers Order* physicians cared for the health of the top-level party functionaries throughout the United States, and in the event one of them toppled over and died suddenly from a heart attack the *International Workers Order* would provide the ambulance, the physician, the mortuary, the death certificate, and the report of a cremation. In many instances governmental agencies were extremely skeptical and pondered the question of whether or not the known Communist agent was really deceased, or whether his death and cremation were reported to spring him loose for important underground activities.

Several years ago the committee also had a conference with the Insurance Commissioner of the State of California, produced evidence of the subversive nature of the *International Workers Order*, and the organization was not thereafter permitted to carry on an insurance business in this State. Simultaneously there was a case pending in the courts of New York, brought by the Insurance Commissioner of that state for the purpose of proving his allegations that the I. W. O. was in fact subversive and Communist-dominated. The court found in favor of the commissioner, and since the head office of the I. W. O. was in the State of New York, all of the members who remained in the organization after its subversive character had been printed many times in official publications, were told to send their contributions to the New York Corporation Commissioner.

In connection with the testimony of Mr. Czerniawski to the effect that he regards the organization simply as an insurance concern, it may be well to quote the remarks of Mr. Louis F. Budenz, a former member of the Communist National Committee of the United States and former editor of its New York Publication, *The Daily Worker*. In the March, 1951, issue of the *American Legion Magazine* Mr. Budenz wrote:

"An I. W. O. lodge, indeed, cannot be distinguished in its political tone from a Communist Party branch. They look alike, talk alike and act alike. It was my function along with other Red leaders to visit I. W. O. lodges and give 'educational' talks there. These were nothing other than the straight-out Red incitations against the United States, always wrapped up in the current language laid down by Moscow. Many a night I was out talking to the I. W. O. members in exactly the same accents and the same intent as do the 'card-carrying' Red members.

"I went into these lodge meetings as the official representative of the National Committee of the Communist Party, was introduced as one having Red authority, and laid down the law just as I did in party branches. When J. Edgar Hoover of the F. B. I. recently told the Senate Committee on Appropriations of the five hundred thousand 'Red sympathizers' aiding the subversive acts of the Soviet fifth column, he undoubtedly had these I. W. O. first in mind.

"The indictment which could be drawn up against the I. W. O. as one of Stalin's leading agencies for subversion would be extensive and detailed. The continuance of 'language' groups and divisions in an 'insurance' set-up becomes increasingly artificial in the America of today. But in the I. W. O. it enabled a constant interweaving relationship with foreign agents from abroad, such as alleged seamen of Greek, Polish, Romanian and other nationalities. It is largely in order to facilitate the work of spying upon our defenses that fifteen nationality groups, societies and general lodges have been maintained by I. W. O. on a national level.

"Of course, there has been another reason for this preoccupation with 'language' groups, both in the I. W. O. and in the Communist Party itself. If the Reds could play upon the isolated feelings of many immigrants they would be able to use these people for alien purposes, just as they seek to turn the Negro against America and to make the Mexican-American feel that he is a member of a



'conquered' people. That is what caused the I. W. O. to advertise rather extensively in the Red-created Slav papers in this country. It was out of such financing, plus the recruiting from the I. W. O., that the Soviet fifth column was able to create so rapidly the *American-Slav Congress* when Moscow ordered such action.

"From my experience as a leading Communist, I can charge that every foreign language division within this 'fraternal' organization had an espionage apparatus of some sort operating within it. Perhaps the leader of all was the *Polonia Society*, the Polish section of the I. W. O., led by Boleslaw Gebert. This amazing Stalinist agent, who served as district leader of the Communist Party in the mid-west in the early thirties, and then became the underground director of Red infiltration into the steel and automobile unions, remained an alien in this country for fully 20 years. All efforts to deport him failed, and he stands out as one of the scores of Moscow espionage representatives who exercised extensive power in this country while disclaiming American citizenship. To my personal knowledge Gebert not only obtained vital secrets pertaining to our military aircraft, but ran an extensive espionage ring."

The committee pointed out in 1951 that the I. W. O. then had 81 lodges in California, was licensed to conduct an insurance business in this State, and as of 1950 had 8,495 insurance certificates in force, \$5,438,710 in insurance policies in force, and that it received \$123,762.80 from its members in California alone. As we have stated, the committee produced evidence before the Insurance Commissioner of this state which led him to take action which prevents the I. W. O. from pursuing its activities within the borders of California.

The *Daily People's World* is the propaganda organ for the Communist Party on the Pacific Coast. Its principal office is located in San Francisco, and it maintains an extremely active branch office in Los Angeles. Until late in 1937 this publication was known as the *Western Worker*, and its masthead proclaimed that it was the official organ for the Communist Party, a section of the Communist International. When it changed its name to the *Daily People's World* the control, the editorial policy, the propaganda content, the assiduous following of the International Communist Party line remained identical. Its former editor in chief, Harrison George, has declared that the editorial policy of the publication was actually determined by the organizer for the Communist Party of California—Mr. William Schneiderman, who stands convicted for violation of the Smith Act. The paper, being designed for the sole purpose of carrying the party line and spreading Marxian propaganda, would obviously be worthless to the Communist apparatus unless its objectives were expressed in the columns of the paper with such clarity, such vehemence, and in such context that the effect would not be lost upon even the most casual reader.

No one could possibly scan even the headlines of this publication without instantly becoming aware of its character. Even the advertisements are couched in the unmistakable language of the Marxian left. Naturally, the *International Workers Order*, as well as all of the other numerous



front organizations that are so important to the Communist organization are mentioned almost daily. The publication maintains a constant and vicious attack against the United States Department of Justice, the Federal Bureau of Investigation, the Immigration and Naturalization Service, all police agencies, all legislative committees investigating Communism, and sneering criticism of the foreign policy of the United States. At the same time the publication expresses profound sympathy for every Communist Party member, whether an espionage agent, a propagandist, a chronic joiner of front organizations, a fellow-traveler, or a rank and file member of the party, in case such an individual becomes the target for prosecution because of a violation of some established law. The Soviet Union and the satellite countries are constantly eulogized, and Red China occupies a place in the esteem of this publication only second to the Soviet Union. It is also a well established fact that all members of Communist front organizations, as well as all party members, are constantly urged to subscribe for the *Daily People's World* and to read it assiduously.

Until a few years ago the newspaper was openly delivered through the United States mail. In recent years, however, it is usually delivered in bundles by courier, and then picked up by its subscribers at a central location. This practice, of course, is in harmony with the party's decision to go underground and to take every means to protect the identity of its members with the exception of those Communists who are deliberately left on the surface and directed to handle the newspaper itself, the front organizations and the propaganda machinery. These individuals are considered expendable, and regard themselves as Communist martyrs. Thus the *Daily People's World* is not simply a liberal or progressive newspaper. Its contents are not couched in such language as would fool a grammar school student of ordinary common intelligence. The paper takes brazen pride in openly criticizing our government, extolling the Soviet Union and its satellite nations, and is so arrogantly pro-Communist in its content that the most cursory reading would reveal it for what it actually is: the propaganda medium for the Communist Party of the Pacific Coast.

The publication *In Fact* was known for years for its decidedly pro-Communist character. This committee has mentioned it in reports issued in 1943, 1948 and 1949. Its editor, George Seldes, wrote such insulting letters about and directly to J. Edgar Hoover that the latter was moved to reply in an exchange of personal correspondence that effectively put Mr. Seldes in his place. The magazine, defunct for several years, consistently carried the Communist Party line, gave every sort of aid and comfort to the Communist cause, and while not quite so obviously a propaganda medium as the *Daily People's World*, could not possibly be read with any degree of thoroughness without disclosing its sympathy toward Communism in this country.

The *Independent Progressive Party* in California was quickly captured by the Communists, and by the time the Wallace for President campaign had swung into high gear was being operated lock stock and barrel by the Communist Party of California. Time after time the committee in questioning witnesses throughout the State discovered that the leaders of the Communist Parties in various localities were identical with the leaders of the *Independent Progressive Party* in the

same area. It is true, of course, that in the *Independent Progressive Party* there were many sincere liberals who, because of dissatisfaction with the two major political organizations registered as Independent Progressives and continued their affiliation until the true control of the I. P. P. became obvious. These people invariably resigned, many of them having given the benefit of their experience to various official agencies interested in the exposure of subversive activities. As has already been pointed out, the head of the I. P. P. in California since its inception was Hugh Bryson, president of the Marine Cooks and Stewards Union, and now under indictment for having falsely sworn that he was not a member of the Communist Party.

The Communist control of the *Independent Progressive Party* soon became so pronounced and so arrogant that it drove the sincere liberals from its ranks, leaving only a handful of the most fanatic. This exodus from the organization grew to such an extent that at the last state-wide political election in which *Independent Progressive Party* candidates were eligible to participate, the voting strength of the organization fell so far below the state requirement that it could not qualify as a political party in California.

Mr. Czerniawski stated to the committee positively and clearly that he had never joined the Communist Party. Whether the *International Workers Order* meetings that he attended created a predilection for publications and politics of a pro-Communist flavor we cannot tell. It is quite plain, however, that he did subscribe to the Communist newspaper; that he did subscribe to the pro-Communist publication *In Fact*, and that he did affiliate with the Communist-controlled *Independent Progressive Party*.

We then have a situation wherein, because of local interest in school affairs, attention became focused upon the personnel of the newly-created *School Improvement Association* in Westminster. Mr. Thomas, obviously irked because he was not well received by the association and because he was told flatly that he would not be welcome at its meetings, stubbornly dug away at Czerniawski's record and found that he had, indeed, subscribed to Communist publications and joined two Communist-controlled organizations.

The committee prefers not to comment on the wisdom of Mr. Thomas' attic activities—any more than upon Mr. Czerniawski's motives in making his choice of reading material and affiliating with the *International Workers Order* and the *Independent Progressive Party*. The episode in the Westminster pharmacy seems to epitomize the personal characteristics of the two principals: Mr. Thomas' accusations against Mr. Czerniawski, and the latter's violent reaction thereto.

The committee can do no more than to recite the facts. We feel that the issues have been well clarified and, as Senator Burns stated in September, 1954, the *School Improvement Association* had a perfect right to organize and conduct any critical activity concerning the educational system in Westminster, or any school political activity it desired. There is no evidence that the organization engaged in any subversive activity whatever. As a public minded citizen and a newspaper editor, it was not unnatural for Mr. Thomas to interest himself both in the local educational problems, the *School Improvement Association*, and its

personnel. Further, it is not unnatural for such a person to become concerned over possible subversive influences in the educational system of the community. Whether Mr. Thomas exercised the proper wisdom in so zealously pursuing his investigation, or whether he should have turned the matter over to some official agency, is a matter for the determination of anyone who reads the facts in the case. The same reasoning may be applied to Mr. Czerniawski's wisdom in making the affiliations and subscribing to the publications concerning which he testified. There was no proof produced by anyone to show that Mr. Czerniawski was a member of the Communist Party, and he stated under oath that he had never made such an affiliation.

As Senator Burns stated in his comment to the *Santa Ana Register* last September, the hearing was purely exploratory. In the event that further substantial evidence is developed showing any subversive activity on the part of any member of the *School Improvement Association* or in connection with the educational system of Westminster, the committee will stand ready to make such investigation or hold such hearings as the facts may warrant.

#### ADJOURNMENT

At 3.45 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 9.30 a.m., Thursday, March 17, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-EIGHTH LEGISLATIVE DAY

THIRTY-SEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, March 17, 1955

The Senate met at 9.30 a.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Short, due to illness.

Senator Harold T. Johnson, on motion of Senator Teale, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leon Bryson, assistant manager, Kern General Hospital, Bakersfield.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Todd Walkins, Stewart Cox, Bob Clunie, Bob Synons, Robert Laudigan, Sobert Keough, Ed Moran and William Symons of Independence.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senator Leonard Dafani from Riverside County.



On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William O'Rosenthal, former Assemblyman from East Los Angeles.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Kermit Lindblom and Thora Snyder of Turlock, Robert Loranger of Sacramento, Donald T. Wheeler of Stockton, Louis P. Rickey of San Leandro, Dale Johnson of Manteca, Mrs. George Winter of Crescent City, Fred Tidymen of Fresno, S. C. Claspill of Fresno, Tom Jones of Oakland, Richard Yoshikawa of Stockton, all engaged in the photographic business.

On request of Senators Donnelly and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Floyd M. Roberts of Los Angeles.

On request of Senators Donnelly and Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ken Schroll of Santa Rosa.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Hans Doe, Mrs. Dale Wood, Mrs. Don Martinson, and Mrs. Linden Burzell, all of Vista, San Diego County.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Daniel Dewey, Mrs. Butler O'Hara, Mrs. Miles Griffin, Mrs. Howard Rohrer, and the following students from the Anna Head School, Berkeley: Katherine Brown, Linda Epperson, Suzanne Frisou, Sandra Gibson, Pamela Griffin, Toby Hager, Lyn Hall Susan Job, Patsy Jordan, Jean Olson, Shelley Pond, Mary Louise Rohrer, Patricia Snyder, Anne Sutherland, Patsy Taylor, Mary Thompson, Lovelyn Ulmer, Rosanna Van Gelder, Susan Williams, and Linda Zinn.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Matt Greenough, bus driver Charles Azevedo, and the following students from Corning Union High School: Pat Biswell, David Burt, Janet Crawford, Beverly Davies, Robert Flournoy, Arnold Fox, Steve Gaudier, Joyce Grundy, Dale Hand, Roy Harrah, Ray Harden, Gene Harris, Beverly Hubbard, Randle Hunter, Phyllis Irwin, Barbara Jackson, Jane Jones, Carol Martin, Robert Mueller, Jessie Potter, Veora Purvis, Varian Rickett, Carlene Ross, Rena Stout, Judy Bates, Judy Ellis, Ron Smith, Bryan Boek, Mike Baxter, Patsy Burch, Claude Curran, Richard Darrow, Gary Grajczyk, Denny Hradecky, Robert Jones, Robert King, Diana Larson, Carmen Loveless, Dale Molarius, Anne Osborn, Jerry Perry, Joan Potter, Rodney Rogers, Darrell Richer, Tommy Schultz, Derry Senter, Marguerite Smiley, Linda Thompson, Joyce Zerkle, Sally Abell, Roger Bales, Mable Barker, Joe Baxter, Robin Blomquist, Roberta Brewer, Harold Carriek, Donna Dahlgren, Margaret Feusi, Raymond Hicks, Gwendolyn Jackson, Larry Jacobson, Pat Jeffers, Raymond Johnson, Lillian Lovison, Phill Mace, Franklin May, Barbara Nunn, William Percell, Wanda Peets, Elise Roberts, Eddie Scroggins, and James Dobbins.

## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE  
March 11, 1955

*Honorable Members of the State Senate  
State Capitol  
Sacramento, California*

DEAR SENATORS: Once again the St. Patrick's Day Celebration will be held in the Assembly Chamber of the State Capitol on Thursday, March 17, 1955, at 11 a.m.

As usual, I believe, a wonderful program has been set for that day and the Members of the Assembly cordially invite you, the Members of the State Senate, to be with them to participate in the festivities of the day.

Trusting to see you all sitting down ready to enjoy yourselves on "Paddy's Day," and with kindest personal regards, I am

Yours very truly,

THOMAS A. MALONEY, Speaker pro Tempore

## LETTER OF TRANSMITTAL

*Hon. Harold J. Powers  
President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: There is transmitted herewith a report on some of the problems of education at this time.

We hope that this report will contribute to the factual knowledge available to the Legislature and the people.

Respectfully submitted,

NELSON S. DILWORTH, Chairman  
JOHN A. MURDY  
HUGH P. DONNELLY  
ROBERT I. MONTGOMERY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator Dilworth moved that 5,000 additional copies of the report submitted by the Senate Investigating Committee on Education be printed for distribution.

Motion carried.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 35

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 548

Senate Bill No. 1292

Senate Bill No. 549

Senate Bill No. 1558

Senate Bill No. 916

And reports the same correctly engrossed.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 6

Senate Bill No. 144

Senate Bill No. 26

Senate Bill No. 361

And reports the same correctly engrossed.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1699

And reports the same correctly re-engrossed.

WARD, Chairman

## Committee on Local Government

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 799

Senate Bill No. 374

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 159

Senate Bill No. 493

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 266

Senate Bill No. 1816

Senate Bill No. 41

Senate Bill No. 1817

Senate Bill No. 1978

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 199

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1312

Senate Bill No. 67

Senate Bill No. 1527

Senate Bill No. 878

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 244

Senate Bill No. 1126

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bills ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 678

Senate Bill No. 818

Assembly Bill No. 98

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 295

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 6; absent 5.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 294

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 477

Senate Bill No. 1286

Senate Bill No. 1635

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 402

Senate Bill No. 1664

Senate Bill No. 446

Assembly Bill No. 314

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.



**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1316**—An act to amend Section 16651 of the Public Utilities Code, relating to the fixation of tax rates.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1973**—An act authorizing the State Lands Commission to exchange property of the State of California for property in Alameda County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land, declaring the urgency hereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 10, of the printed bill, after "to", insert "the lands to be conveyed by the State of California and as to".

**Amendment No. 2**

On page 1, in lines 19 and 20, strike out "are more particularly described and will come within the following parcel, to wit:", and insert "will come within Sections 12 and 13, Township 4 South, Range 3 West, and in Sections 7, 8, 9, 17, and 18, Township 4 South, Range 2 West, Mount Diablo Base and Meridian."

**Amendment No. 3**

On page 2, line 35, strike out "Districts are", and insert "District is".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 45**—An act to amend Section 74691 of the Government Code, relating to municipal courts established in districts in Santa Cruz County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 74691", and insert "Sections 74692 and 74693".

**Amendment No. 2**

On page 1, strike out lines 1 to 5, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, after line 5, insert

"SECTION 1. Section 74692 of the Government Code is amended to read:  
74692. There shall be one clerk who shall receive a minimum salary of [two hundred forty dollars (\$240)] *two hundred forty-five dollars (\$245)* monthly with annual increments of twelve dollars (\$12), twelve dollars (\$12), twelve dollars (\$12), twelve dollars (\$12), and [twelve dollars (\$12)] *seven dollars (\$7)* to a maximum of three hundred dollars (\$300) monthly.

SEC. 2. Section 74693 of said code is amended to read:

74693. The clerk may appoint:

(a) One chief deputy clerk (principal clerk) who shall receive a minimum salary of [two hundred thirty dollars (\$230)] *two hundred thirty-five dollars (\$235)* monthly, with annual increments of twelve dollars (\$12), [fourteen dollars (\$14)] *twelve dollars (\$12)*, eleven dollars (\$11), [nine dollars (\$9)] *eleven dollars (\$11)*, and [nine dollars (\$9)] *eleven dollars (\$11)* to a maximum of [two hundred eighty-five dollars (\$285)] *two hundred ninety-two dollars (\$292)* monthly.

(b) Two deputy clerks (senior account clerks), each of whom shall receive a minimum salary of [two hundred ten dollars (\$210)] *two hundred fifteen dollars (\$215)* monthly with annual increments of eleven dollars (\$11), eleven dollars (\$11), ten dollars (\$10), ten dollars (\$10), and ten dollars (\$10) to a maximum of [two hundred sixty-two dollars (\$262)] *two hundred sixty-seven dollars (\$267)* monthly.

(c) [Three] *Six* intermediate clerks, each of whom shall receive a minimum salary of [one hundred eighty dollars (\$180)] *one hundred eighty-five dollars (\$185)* monthly with annual increments of nine dollars (\$9), nine dollars (\$9), nine dollars (\$9), nine dollars (\$9), and nine dollars (\$9) to a maximum of [two hundred twenty-five dollars (\$225)] *two hundred thirty dollars (\$230)* monthly."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 227**—An act to add Section 2 to Chapter 1076 of the Statutes of 1947, relating to tidelands and submerged lands granted to the County of San Luis Obispo.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 3, of the printed bill, after the word "shall", insert ", at the cost of the grantee,".

##### Amendment No. 2

On page 1, line 6, of the printed bill, after the word "act," insert "said county shall enter into a contract with the State Lands Commission for the surveying, monumenting, and platting the area of state lands described in this act, and shall, upon submission of invoices by the State Lands Commission, pay the costs of the survey".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 580**—An act conveying certain tidelands, lands lying under inland navigable waters, and swamp and overflow lands, situate in Alameda County, State of California, to the City of Oakland, in furtherance of navigation and commerce and fisheries, and providing for the government, management, use and control thereof, and reserving certain rights to the State.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 3, line 8, of the printed bill, strike out "or", and insert "of".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 982**—An act to add Section 19480.2 to the Business and Professions Code, relating to horse racing.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 7, of the printed bill, after "enclosure", insert "in this State".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 331**—An act conveying certain tidelands, lands lying under inland navigable waters, swamp and overflow lands, situate at San Luis Bay and San Luis Creek, to the Port San Luis Harbor District, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 11, 12, 13, and 14, and insert "bounded on the north by that certain lighthouse, with latitude 35 degrees, 9 minutes 38 seconds north and longitude 129 degrees, 45 minutes 37 seconds west, at Point San Luis at the westerly end of San Luis Bay and a line extending south 30 degrees, no minutes west therefrom and on the".

##### Amendment No. 2

On page 1, beginning on lines 19 and 20, after "bearing", strike out "south -----, east -----", and insert "due south".

##### Amendment No. 3

On page 2, line 25, after "privileges", strike out the comma and "except that there is hereby reserved to the State of California during the term or any extension thereof, the jurisdiction and all revenues payable to the State under", and insert "including".

##### Amendment No. 4

On page 3, line 20, strike out "or for other state purposes, including small boat harbors".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1108**—An act to amend Sections 13391, 13394, and 14251 of, and to add Sections 13402 and 13403 to, the Government Code, relating to purchase of supplies for state agencies.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to amend Sections 13391 and 13394 of, and to add Sections 13402, 13403, and 13404 to, the Government Code,".

**Amendment No. 1.5**

On page 1 strike out lines 4 to 20, inclusive, and insert "of supplies or equipment in excess of an amount fixed by the Department of Finance for any state agency shall be made by or under the supervision of the Department of Finance; provided, that the state agency may specify the quality of the supplies or equipment to be purchased. Should the Department of Finance determine a different quality than that specified by the agency will best serve the interests of the state, it shall notify the state agency before a purchase order is issued. If the agency is of the opinion the interests of the State would not be served by the purchase of supplies or equipment of a lesser quality or different than that specified by the agency, the agency may request a hearing before the Board of Control and the board shall determine the supplies or equipment which will best serve the interests of the State, whereupon the Department of Finance shall issue a purchase order for the supplies or equipment specified by the Board of Control."

**Amendment No. 2**

On page 2 strike out lines 2 to 31, inclusive, and insert

"13402. Except in cases when the agency and the department agree that an article of a specified brand or trade name is the only article which will properly meet the needs of the agency, or in cases where the Board of Control has made such determination pursuant to Section 13391, all contracts and purchases of supplies in an amount of one thousand dollars (\$1,000) or more shall be made or entered into with the lowest responsible bidder, subject to the provisions of Sections 4300 to 4334, inclusive, of this code."

Sec. 4. Section 13403 is added to said code, to read:

13403. Whenever the Department of Finance purchases supplies or equipment in excess of one thousand dollars (\$1,000), all vendors who have notified the department in writing they desire to bid on such supplies or equipment, and who have been prequalified in accordance with the provisions of this section, shall be furnished with complete information as to the type, quality, specification, and quantity to be purchased.

The department shall adopt and apply a uniform system of rating bidders, on the basis of standard questionnaires and required statements, in respect to the size of the contracts upon which each bidder is qualified to bid.

Sec. 5. Section 13404 is added to said code, to read:

13404. There is hereby created a State Purchases Standards Committee, consisting of nine (9) members, seven (7) of whom shall be officers or employees of the State and two (2) of whom shall be citizens not employed by the State, all to be appointed by the Governor. The members of the committee shall serve without compensation, but shall be entitled to their actual necessary traveling expenses.

The committee shall annually elect one of its members chairman. The committee shall act as an advisory body to the Director of Finance and shall recommend from time to time minimum standards as to specifications and quality of equipment and supplies to be acquired for state use."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 155**—An act to amend Section 23010 of the Government Code, relating to loans by counties.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1275**—An act to amend Sections 19533 and 19539 of, to repeal Section 19539.5 of, and to add Sections 19535 and 19539.5 to, the Business and Professions Code, relating to horse racing.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 20, of the printed bill, after "only," strike out the rest of line 20, all of line 21.

**Amendment No. 2**

On page 2, line 22, strike out "races as approved by the board."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1291**—An act to amend Section 8.5 of the Civil Defense Act of 1950 (Chapter 3 of the Statutes of the Third Extraordinary Session of 1950), relating to the effective date of the Civil Defense Act of 1950.

Bill read second time.

**Motion to Re-refer Senate Bill No. 1291**

Senator Hulse moved that Senate Bill No. 1291 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1311**—An act to add Section 60737.09 to the Government Code, relating to community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1722**—An act to amend Section 70141.5 of the Government Code, relating to court commissioner of superior courts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1741**—An act to amend Section 19484 of the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 984**—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "harness racing association,".

**Amendment No. 2**

On page 1, line 7, strike out the period after "association", and insert "; except that any licensed racing association operating a mile track may construct another track of not less than seven eighths of one mile in circumference in the infield of such mile track and may operate the same for either running or harness racing thereon, and a license may be granted to any harness racing association to conduct a horse race meeting upon any such track."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 264**—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans and their dependents.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 768**—An act to amend Section 13109 of the Government Code, relating to the renting of state-owned property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 611**—An act to add Section 2847.6 to, and to amend Sections 2845 and 2847 of, the Elections Code, relating to the removal of members of county central committees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "or", and insert "and".

**Amendment No. 2**

On page 1, line 26, strike out the first "or", and insert "and".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 365**—An act to amend Sections 7109.1, 7112, 7113, 7114, 7119, 7121.2, and 7123 of, and to repeal Section 7119.1 of the Education Code and Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to State School Fund apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Senate March 10, 1955, strike out the first "and", and after "7123" insert ", and 7124".

**Amendment No. 2**

On page 2, line 14, after the period, insert "Any portion of the balance remaining after the computations required by this section shall be allowed pursuant to Section 7119."

**Amendment No. 3**

On page 2, line 31, after the period, insert "Any portion of the balance remaining after the computations required by this section shall be allowed pursuant to Section 7119."

**Amendment No. 4**

On page 2, line 46, after the period, insert "Any portion of the balance remaining after the computations required by this section shall be allowed pursuant to Section 7119."

**Amendment No. 5**

On page 3, line 1, after "7109.43", insert "7112, 7113, 7114".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 6**

On page 3, after line 49, insert

"SEC. 9. Section 7124 of said code is amended to read:

7124. The Superintendent of Public Instruction shall on or before June 25th of each year apportion to each [elementary] school district or fund the total of the amounts allowed to the district or fund under Section 7119 of Article 16 of this chapter. This apportionment shall be called the Final Apportionment."

**Amendment No. 7**

On page 3, line 50, strike out "9", and insert "10".

**Amendment No. 8**

On page 4, line 1, strike out "10", and insert "11".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1067**—An act to add Section 376 to the Education Code, relating to employees of county superintendents of schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "qualifications", insert ", and whose salary is paid from the county school service fund".

**Amendment No. 2**

On page 1, line 10, after "schools", insert "and so paid from the county school service fund".

**Amendment No. 3**

On page 1, after line 20, insert "The granting of leaves of absence to such employees pursuant to Section 13673 shall be by the county superintendent of schools, upon approval by the county board of education."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 470**—An act to amend Section 6904 of the Education Code, relating to school attendance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "6904", and insert "8815".

**Amendment No. 2**

In line 2 of the title, strike out "school attendance", and insert "junior college classes".

**Amendment No. 3**

On page 1, line 1, strike out "6904", and insert "8815".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 4**

On page 1 strike out lines 3 to 16, inclusive, and insert "8815. Junior colleges or junior college classes maintained in a high school district may be maintained for such period and at such times during the school year as the governing board of the high school district may determine [, but in no case shall the total number of days of actual teaching in the junior colleges or junior college classes be less than 175 in any school year]."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 471**—An act to amend Sections 7000.1, 7000.3, and 7190 of the Education Code, relating to correcting apportionments.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 2, line 1, of the printed bill, following "apportionment", insert "of state equalization aid".

**Amendment No. 2**

On page 2, line 46, strike out "twenty-five dollars (\$25)", and insert "one hundred dollars (\$100)".

**Amendment No. 3**

On page 2, line 46, strike out "twenty-five dol-", and insert "one hundred dollars (\$100)".

**Amendment No. 4**

On page 2, line 47, strike out "lars (\$25)".

**Amendment No. 5**

On page 2, line 48, strike out "during", and insert ", in accordance with regulations that he is herewith authorized to adopt."

**Amendment No. 6**

On page 2, line 49, strike out "the next or any succeeding", and insert "not later than the third succeeding".

**Amendment No. 7**

On page 2, lines 50 and 51, strike out "next or succeeding".

**Amendment No. 8**

On page 2, line 52, after "be," insert "Notwithstanding, any other provision of this code to the contrary, excesses withheld or deficiencies added by the Superintendent of Public Instruction under this Section or Section 7000.1 shall be added to or allowed from any portion of the State School Fund except that portion reserved as allowances for basic state aid."

**Amendment No. 9**

On page 3, line 1, before "when", insert "7191".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 472**—An act to amend Section 7098 of the Education Code, relating to apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In the title of the printed bill, after "Code", insert "and to repeal Section 16.6 of Chapter 1510 of the Statutes of 1953".

**Amendment No. 2**

On page 1, line 11, strike out "one-tenth", and insert "one-fifth".

**Amendment No. 3**

On page 1, after line 17, insert

"SEC. 2. Section 16.6 of Chapter 1510 of the Statutes of 1953 is repealed."

**Amendment No. 4**

On page 1, line 18, strike out "2", and insert "3".

**Amendment No. 5**

On page 1, strike out lines 23 to 25, inclusive, and insert

"In order to reimburse school districts during the 1955-56 Fiscal Year for expenditures made during the 1954-55 Fiscal Year for educational programs in state institutions for adults or in any city, county, or city and county jail, road camp, or farm for



adults and in order to continue these educational programs for the 1955-56 Fiscal Year, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 841**—An act to amend Section 20373, Education Code, to transfer to the State Personnel Board the responsibility for establishing and adjusting classification of state college employees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

On page 1, line 7, strike out "the classification and".

##### Amendment No. 2

On page 1, line 11, strike out "classifications and".

##### Amendment No. 3

On page 1, lines 11 to 14, strike out "The allocation of positions for members of the teaching staff shall be the responsibility of the director, subject to the approval of the State Board of Education.", and insert "The State Personnel Board shall establish and adjust the classification of all presidents, officers, and employees of the state college in the same manner and following the same procedures as in the establishment and adjustment of State Civil Service classifications, except that, all positions filled on an academic year employment basis and positions as vocational instructors shall be classified by the director."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 438**—An act to amend Section 5805 of the Education Code, relating to general plans for expenditure of Vocational Rehabilitation Federal Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1554**—An act to add Sections 7910.2 and 7957.1 to the Education Code, relating to state school building aid.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 364**—An act to add Section 7125.1 to the Education Code, relating to apportionments for junior high schools, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 366**—An act to amend Section 7012 of the Education Code, relating to pupil transportation, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 370**—An act to amend the title of Article 4 of Chapter 8 of Division 3 of, to amend Sections 5961 and 5968 of, to repeal Sections 5962, 5963, 5964, 5965, 5966, and 5967 of, and to add Sections 5962 and 5963 to the Education Code, relating to school funds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 981**—An act to add Section 19592.5 to the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 490**—An act to amend Section 403 of the Fish and Game Code, relating to licenses.

Bill read second time.

**Motion to Amend**

Senator Teale moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 7 and 8, of the printed bill, strike out "to any peace officer of this State or".

**Amendment No. 2**

On page 1, line 8, after "authorized", insert "by the department".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 632**—An act to amend Sections 3942, 3971, and 3972 of, and to repeal Section 3943 of the Education Code, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 18, of the printed bill, strike out "the adjacent", and insert "a contiguous".

**Amendment No. 2**

On page 1, line 19, after "school", insert "district".

**Amendment No. 3**

On page 1, line 19, strike out "districts", and insert "district".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 633**—An act to amend Sections 322, 368 (as added by Chapter 1168 of the Statutes of 1945), 1553, and 1554 of the Education Code, relating to records.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 14, of the printed bill as amended in the Assembly March 7, 1955, after "his", insert "office".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 840**—An act to amend Section 13841.1 of the Education Code, relating to sick leave for adult education part-time teachers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1 of the printed bill, after the enacting clause, insert "SECTION 1. Section 13841.1 of the Education Code is amended to read:".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Assembly Bill No. 628**—An act to amend Sections 3632, 3634, 3862, 3863, and 3871 of the Education Code, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly March 9, 1955, strike out ", and stating the location of the high school agreed upon by the high school boards,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Assembly Bill No. 615**—An act to amend Section 13231 of the Education Code, relating to school registers and central attendance accounting.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 616**—An act to amend Section 16831 of the Education Code, relating to truants.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 617**—An act to amend Sections 2891, 2892, 2893, and 2895 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 618**—An act to amend Section 2593 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1656**—An act to amend Section 14071 of the Education Code, relating to granting of leaves to school district employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 629**—An act to amend Section 1593 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 630**—An act to add Section 1503.6 to the Education Code, relating to interdistrict attendance agreements.

Bill read second time, and ordered to third reading.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 341**—An act to amend Section 1504 of the Government Code, relating to personal liability for negligence of deputies or employees.

**Motion to Refer Bill to Inactive File**

Senator Desmond moved that Senate Bill No. 341 be placed on the inactive file.

Motion carried.

**Senate Bill No. 335**—An act to amend Section 31030 of the Water Code, relating to the authorization of revenue bonds by county water districts and declaring the urgency thereof to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Senate March 11, 1955, after "division", insert "which is not inconsistent with the provisions of Section 54310 of the Government Code."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Motion to Retain Place on File**

Senator Desmond moved that Senate Bills Nos. 798 and 800 be passed on file and retain their places on file.

Motion carried.

**Senate Bill No. 684**—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens.

**Motion to Refer Bill to Inactive File**

Senator J. Howard Williams moved that Senate Bill No. 684 be placed on the inactive file.

Motion carried.

**Senate Bill No. 6**—An act to add Section 26464 to the Health and Safety Code, relating to the sale of imported rabbits for food.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Ward, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 548**—An act to amend Section 14075 of the Health and Safety Code, relating to ambulances of fire protection districts in unincorporated areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse,



McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—27.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 549**—An act to amend Sections 14300 and 14314 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—27.  
 NOES—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Concurrent Resolution No. 56**—Relative to the Second Pan American Games.

Resolution read, and presented by Senator Richards.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—28.  
 NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 59**—Relative to commending the University of San Francisco.

Resolution read, and presented by Senator Robert I. McCarthy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—29.  
 NOES—None.

Resolution ordered transmitted to the Assembly.

### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 45:** By Senator Donnelly—Relative to the California Fryer Festival.

#### Request for Unanimous Consent

Senator Donnelly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 45, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 45

**Senate Concurrent Resolution No. 45**—Relative to the California Fryer Festival.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Ward, and J. Howard Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 26

Assembly Bill No. 142

Assembly Bill No. 143

Assembly Bill No. 436

Assembly Bill No. 800

Assembly Bill No. 1010

Assembly Bill No. 1740

Assembly Bill No. 1741

Assembly Bill No. 1757

Assembly Bill No. 1758

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 26**—An act to amend Section 24070 of, and to add Sections 24070.1, 24070.2, and 24070.3 to, the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 142**—An act to amend Section 530.5 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Referred to Committee on Transportation.

**Assembly Bill No. 143**—An act to amend Section 525.3 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Referred to Committee on Transportation.

**Assembly Bill No. 436**—An act to create a flood control district to be called Del Norte County Flood Control District and dividing said district into zones; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the retention and reclaiming of drainage, storm, flood, and other waters and to save and conserve such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Referred to Committee on Local Government.

**Assembly Bill No. 800**—An act to amend Section 9603 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1010**—An act to amend Section 25642 of the Government Code, relating to the protection of forest, brush, and grasslands against fire or other injury.

Referred to Committee on Local Government.

**Assembly Bill No. 1740**—An act to amend Section 577 of the Vehicle Code, relating to the stopping of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 1741**—An act to add Section 64.1 to the Vehicle Code, relating to the definition of traffic officer.

Referred to Committee on Transportation.

**Assembly Bill No. 1757**—An act to add Section 80 to Chapter 3 of Division 1 of the Vehicle Code, relating to the definition of traffic.

Referred to Committee on Transportation.

**Assembly Bill No. 1758**—An act to add Section 92 to the Vehicle Code, relating to the definition of official traffic control device and signal.

Referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 346

Senator Desmond moved that Senate Bill No. 346 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 346**—An act to amend Section 7394.1 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "eight", and insert "four".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 735

Senator Grunsky moved that Senate Bill No. 735 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 735**—An act to repeal Article 2 of Chapter 1 of Title 7 of, and to add Chapter 1.5 to Title 7 of, the Government Code, relating to conservation and planning.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill strike out the title, and insert

"An act to add Sections 15507, 15508 and 15509 to the Government Code, relating to the allocation of funds to local agencies."

**Amendment No. 2**

On page 1 strike out lines 1 through 20, and insert

"SECTION 1. Section 15507 is added to the Government Code, to read:

15507. In order that the State Allocation Board may have complete information concerning matters relevant to applications filed with the board, the Director of Finance may request and obtain reports, information and recommendations from local agencies relating to the planning and construction of proposed present and future physical development of the area which may be affected by construction of public works facilities proposed to be undertaken by local agencies or which may be regulated by local agency regulations.

SEC. 2. Section 15508 is added to said code, to read:

15508. For this purpose, the Director of Finance shall prepare, collect and disseminate material to be used as a guide by local agencies for the preparation of such reports and information.

SEC. 3. Section 15509 is added to said code, to read:

15509. In the event federal funds are made available to the State to be allotted to local agencies for preparation of future physical development plans by local agencies, the Director of Finance may allocate such funds in accordance with requirements of the federal grants, except as provided in Section 15505 of this part."

Amendments read, and adopted.

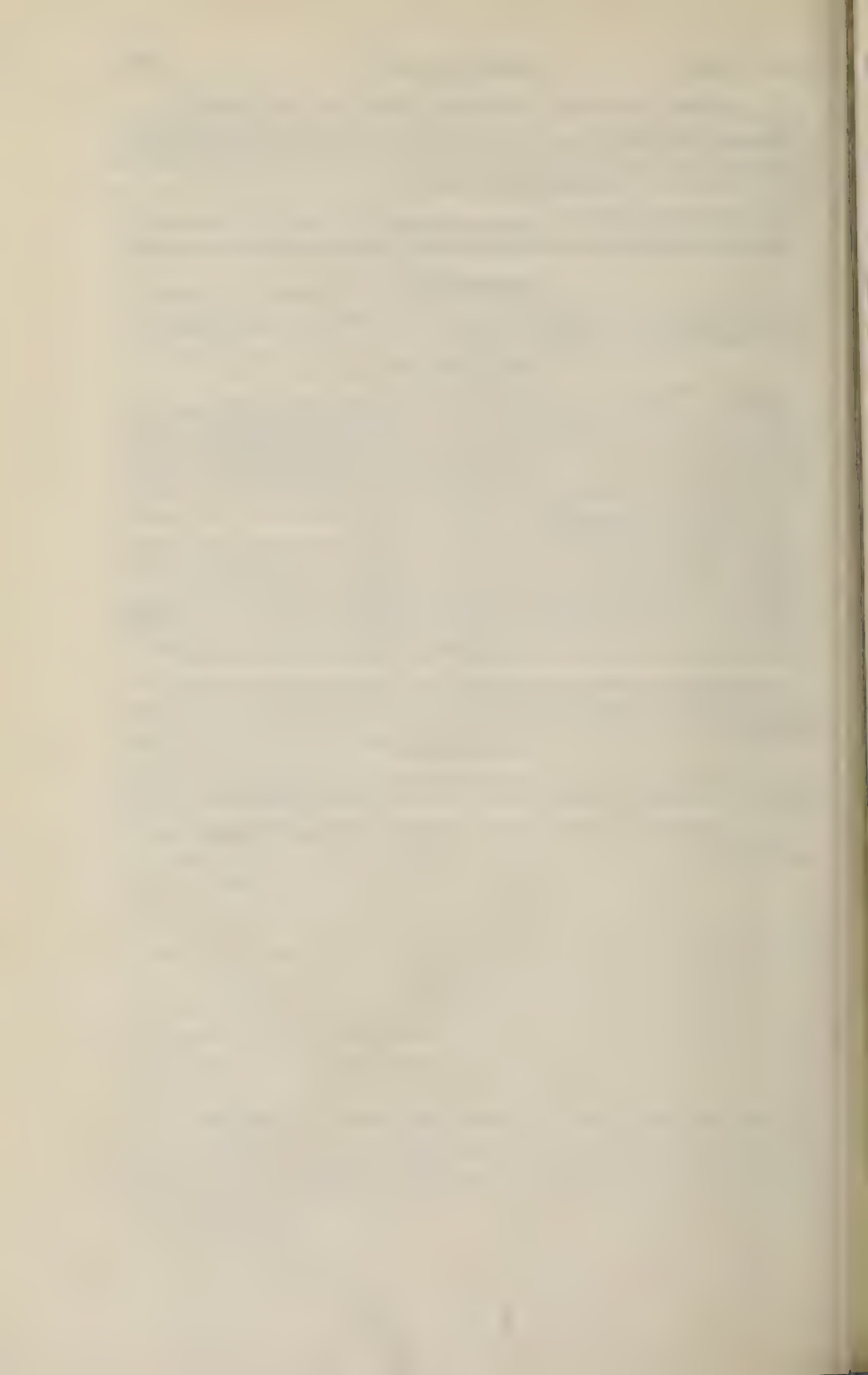
Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**ADJOURNMENT**

At 10.35 a.m., on motion of Senator John F. McCarthy, the President declared the Senate adjourned until 10 a.m., Friday, March 18, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-NINTH LEGISLATIVE DAY

THIRTY-EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Friday, March 18, 1955

The Senate met at 10 a.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—30.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Way, on motion of Senator Short, due to legislative business.

Senator Dale C. Williams, on motion of Senator Short, due to illness.

Senator Breed, on motion of Senator Dorsey, due to legislative business.

Senator Collier, on motion of Senator Dorsey, due to legislative business.

Senator Abshire, on motion of Senator Brown, due to legislative business.

Senator Robert I. McCarthy, on motion of Senator Cobey, due to legislative business.

Senator Busch, on motion of Senator Richards, due to legislative business.

Senator Coombs, on motion of Senator Ed. C. Johnson, due to legislative business.

Senator John F. McCarthy, on motion of Senator Cunningham, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bob White of Lone Pine and Mrs. Bernice Sorrells of Shoshone.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Ruskovich of Atascadero, Chairman of the Board of Supervisors of San Luis Obispo County.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edwin L. Carty of Oxnard.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. C. Bainbridge of Turlock.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Charles B. Woodward of Lindsay.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William C. Woxberg, Secretary-Manager, Thirty-fifth District Agricultural Association, Merced, and Judge and Mrs. Andrew J. Schottky.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Evelyn Williams and Bob Williams of Armona.

On request of Senators Miller and Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. David Friedenrich of Palo Alto.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Elsie Mitchell, Ray Roberts, Gerald Slagle, principal Donal Jassel, and the following students from Sycamore School, Gridley: Peneolope Anderson, Sally Benedict, Melvin Brogdon, Florence Burgess, Loretta Coe, Dwayne Copelin, Davine Cushman, Michael Dahl, Shirley Davis, Peter Delgado, Raymond Din, Allen Fife, Mary Ann Flickinger, Janice Francis, Margaret Haller, Jesse Hancock, J. C. Henington, Reatha Jones, Alice Lewellen, Bonnie McCaughan, Stephen Pantaleoni, James Pitt, Bessie Ratliff, Gary Richey, Judith Richins, Boyd Sammar, Barbara Scott, Don Segur, Kenny Smith, Leo Terry, Tommy Truman, Barbara Wolford, Eugene Almo, Rodger Biggs, Dolores Bilbao, Richard Bosenko, Elvin Brogdon, Loretta Burks, Gary Carlin, Arcelia Castro, Dianna Doering, Barbara Earl, Judy Gage, Howard Hamman, Shelby Hammons, Charles Henderson, Margo Hepworth, Karl Keen, Sharon Lawrence, Shirley Maurer, Norman Miguel, Gary Mills, Barbara Moon, Anne Neal, Julia Ortiz, Connie Richins, Leann Roberson, Margo Robinson, William Rose, John Sample, Jerry Sammar, Neal Shackelford, Donna Sowers, Arnold Stewart, Lela Baker, Lynda Bevan, Felix Bilbao, Reggie Boelman, Lily Borrowman, Joyce Campbell, Arnetta Cole, Wayne Copelin, Eva Corriea, Frankie Delgado, George Dockery, Allen Dustin, Georgette Faughn, Fairell Ferguson, Marvin Harris, Floyd Johnson, Nancy Justus, Janice Kendall, Albert Knox, Leon Longacre, Alton McDonald, Joan Murschel, Stephen Passmore, James Pirtle,

Grace Preston, Sharon Rasmussen, Linda Ray, David Richins, Max Robinson, Rita Sanders, Frankie Stenzel, Jimmy Thomas, Neil Ventonier, and Mervyn Whiteside.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. A. L. MacFarland of Riverside.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Joyce D. Ebsen and the following eighth grade students from Edison High School, Stockton: Danny Agari, Janice Barros, Cecil Collins, Ann Craggs, Olivia Dugan, Betty Dunn, John Francois, Victor Gascon, Linda Gemigniani, Herminia Galido, Eileen Goenett, Joan Hawley, George Hernandez, Ted Havashi, Carmen Hong, Richard Hughes, Linda Hurdle, Vernon Llewellyn, Benito Lucero, Sandra Mano, Victor Mow, Barbara Musto, Pat Padilla, Ardyce Ramer, Cynthia Schmidt, Paul Soto, Hennrietta Wandelt, Judy Watson, Kinuko Yoshimura, Arleen Oshima, Frank Ong, and Harry Zorniger.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Bert J. Abraham of Bellflower, publisher of the *Herald Enterprise* and *Lakewood Enterprise*.

On request of Senators Desmond and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Howard Hiatt, vice principal, Mrs. Dietzius and Miss Gray, instructors, and 80 eighth grade students from the Washington School, Alameda.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Assemblyman Stanford C. Shaw from Ontario.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

#### Resolution

WHEREAS, The California State Legislature in 1951 recognized the State was faced with a critical water problem, and the Feather River wasting some 4,000,000 acre-feet of water into the Pacific Ocean annually was the State's last large remaining undeveloped source; and

WHEREAS, Construction of the Feather River Project by the State of California, acting through the Water Project Authority, was authorized by the Legislature in 1951, without appropriation; and

WHEREAS, To date the Legislature has appropriated a total of \$2,227,056 for the necessary studies, investigations and surveys and preparation of plans and specifications for the project; and

WHEREAS, The report "Program for Financing and Construction of the Feather River Project as the Initial Unit of the California Water Plan" has been presented to the Water Project Authority for transmittal to the Honorable Goodwin J. Knight, Governor, State of California and to the California State Legislature; and

WHEREAS, The report shows the project to be engineeringly feasible and financially feasible under state financing through the issuance and sale of general obligation bonds of the State secured by water and power revenue and contributions from the General Fund of the State; and

WHEREAS, The state as a whole would receive benefits, direct and indirect from the project; and

WHEREAS, The continued increase in the State's population demands the immediate consummation of plans for meeting the ever increasing state-wide water problems; and

WHEREAS, the only adequate solution lies in the transportation of water from surplus areas to areas of deficiency for immediate and future needs; now, therefore, be it



*Resolved*, That the Taft Chamber of Commerce urge the California State Legislature to enact legislation to finance construction of the Feather River Project in a step construction program; and be it further

*Resolved*, That copies of this resolution be directed to the Governor of the State of California, State Legislature, Water Project Authority and to the State Engineer, Division of Water Resources.

Adopted: March 7, 1955, by the official action of the Board of Directors of the Taft Chamber of Commerce.

JAMES E. MIZELL, President  
VERN MCLEOD, Secretary

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 155	Senate Bill No. 981
Senate Bill No. 264	Senate Bill No. 1311
Senate Bill No. 364	Senate Bill No. 1316
Senate Bill No. 366	Senate Bill No. 1554
Senate Bill No. 370	Senate Bill No. 1722
Senate Bill No. 438	Senate Bill No. 1741
Senate Bill No. 768	

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 335  
Senate Bill No. 490

And reports the same correctly re-engrossed.

WARD, Chairman

### Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1387

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 9.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 313  
Senate Bill No. 674

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

## MOTION TO PRINT PARTIAL REPORT

Senator Brown moved that the following partial report submitted by the Senate Fact-finding Committee on Port Development Agencies and Marine Activities for San Francisco Bay and State Waterways be printed in the Journal.

Motion carried.

## LETTER OF TRANSMITTAL

SENATE FACT-FINDING COMMITTEE ON  
PORT DEVELOPMENT AGENCIES AND MARINE ACTIVITIES  
FOR SAN FRANCISCO BAY AND STATE WATERWAYS  
March 15, 1955

*President of the Senate  
California Legislature  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 146, read and adopted by the Senate of California at the Regular 1953 Session of the Legislature, the Senate Fact-finding Committee on Establishing a Port Development Agency for the San Francisco Bay Area herewith submits its First Partial Report.

The committee wishes to express its sincere appreciation to officials of federal, state and municipal government and to the many public and private organizations, including the ports and terminals of the Bay region, for their assistance to the committee and staff.

Respectfully submitted,

CHARLES BROWN, Chairman  
ARTHUR H. BREED, Vice Chairman  
JAMES J. McBRIDE  
GEORGE MILLER, JR.  
ROBERT MCCARTHY  
ROBERT I. MONTGOMERY  
JESS R. DORSEY

PARTIAL REPORT OF THE  
SENATE FACT-FINDING COMMITTEE ON PORT  
DEVELOPMENT AGENCIES AND MARINE  
ACTIVITIES FOR SAN FRANCISCO  
BAY AND STATE WATERWAYS

March 15, 1955

Four years of study and action have gone into this Senate committee's program to resolve the problems of the San Francisco Bay region in terms of harbor commerce and trade with world markets. That these years have been substantially productive is evidenced by the present cooperative organization\* established and in operation as the result of the recommendations of this Senate committee and the San Francisco Bay Ports Commission, the state agency established to represent commerce and industry in the Northern California harbor region.

The port and terminals of San Francisco Bay and the Northern California navigable waterways represent an integral and vitally important segment of the State's economy. It is highly important that their facilities and services, their campaigns to attract cargo tonnage and world trade, and their administrative and financial structures have a substantial degree of unified efforts so that the end results benefit the entire State—industry, agriculture, labor, and government.

\* The Northern California Ports and Terminals Bureau, Inc.

The committee finds that the accomplishment of any degree of cooperation between highly competitive port organizations and communities requires a continuing program of collaboration on mutual problems. This is the premise upon which the Senate Fact-finding Committee on Port Development has established its study program and findings.

The prime factors to be considered in this brief review of the statewide port situation are as follows:

The State of California has recorded a phenomenal growth to more than 12 million population, with a present status of industrial, agricultural and related wealth to make it one of the Nation's first-ranking states, as well as the first in many other categories.

The factors of distance and time have always been vitally important to California world trade and economic growth. They have been largely overcome through the years: first, as the trancontinental railroads were built; second, with the completion of the Panama Canal; and third, with the advent of the trucking industry and the expansion of localized railroading and the new air-cargo industry.

The economic value of waterborne shipping as an everlasting source of revenue has been lessened by the competition of trucks and rail. Furthermore, the establishment of new plants and factories in the West brought about the replacement of products that once moved by water via the canal or in world trade routes.

The fact remains, however, that world commerce holds a fairly stable level for San Francisco Bay ports, despite the influences of wars, emergencies, economic depressions, dollar decline, communism and other influences. The greatest problem is to establish and maintain a highly competitive and effective cargo sales program, aimed at the key organizations and men who control shipments.

This problem should be met by a program based on (1) the continuing study of world markets and trends in world commerce, and (2) similar study and action upon competitive or discriminatory situations affecting rates, charges, tariffs, traffic practices and services.

The next step is to apply this information and data to practical purpose by establishing the competitive position of the harbor region to determine whether or not the California ports and terminals and their related services are in the running for the potential cargoes.

The establishment and operation of such a program is not a day-to-day or temporary type of operation. Other ports of the Nation have been engaged in such a program for from 5 to 20 years with most effective improvement of their competitive position.

It is the contention of the committee that the ports and terminals of San Francisco must continue to carry out such a cooperative program if they are to share in the over-all cargo prospects for this harbor region.

The protection and promotion of the over-all harbor region, covering San Francisco Bay and its inland navigable waterways, is one of the most important programs to be considered in the current growth of California.

A substantial share of the present and future wealth which this State must gain to hold its leadership and prosperity is expressed in terms of employment, revenues, and the marketing and distribution of California's products of factories and farms emanating from the State's

seaports—from Eureka to San Diego, and including San Francisco, Oakland, Stockton, Richmond, Alameda, Redwood City, Sacramento, Los Angeles, and Long Beach.

The Senate committee submits its partial report to the Legislature with the reservation that additional study must be carried out for the purpose of resolving the problems affecting world commerce and transportation moving through the San Francisco Bay Region which, in view of its highly competitive, intraport situation, calls for a firmly established, long-range program of unified traffic and trade protection and development.

The State of California as a whole, with special reference to the Northern California counties, share an important responsibility in this legislative approach to a permanent program of consolidated effort directed to world marketing of state products of industry and agriculture. The basic economy of the State is vested in these items of international commerce which contribute to the total volume of industrial and agricultural development, and to the revenues, employment and stabilized security of the State as a whole.

Four years of patient and consistent study, and a substantial amount of definite action have been the record of the Senate Fact-finding Committee on Ports Development, now preparing its preliminary recommendations to the 1955 Session of the California Legislature.

The past year has brought about the first concrete steps toward a unified harbor-wide program,\* in which the public ports and private terminals of the Northern California and San Francisco Bay region joined forces to sponsor a regional and national program aimed toward solution of traffic and transportation problems, and the expansion of trade development activities in world markets.

The following reports submitted by the San Francisco Bay Ports Commission and the Northern California Ports and Terminals Bureau, Inc., will indicate the progress being made toward permanent establishment of a program devoted to the regional harbor interests of California and the Bay Area.

These reports provide a brief summary of the steps being taken to advance the world trade and harbor traffic position of the ports and terminals of the region, including the navigable waters of San Francisco Bay and the San Joaquin River leading to the deep water port of Stockton.

It should be noted that the reports submitted by the bureau and the commission (established by the 1951 Legislature) partially fulfill some of the recommendations for action called for in the comprehensive report submitted to the 1951 Legislature by the Senate Port Committee. The current situation in the San Francisco harbor region shows certain progressive changes in the problems and trade status of the ports as developed in the conclusions and recommendations of the committee's 1951 report.

Recognition should be given to the steps taken by the State Harbor Board and by other ports and terminals in adopting the recommendations made by the Senate committee. The State Harbor Board joined

\* The Northern California Ports and Terminals Bureau, Inc.



with other public ports and private terminals of the harbor region to participate in the formation of the Northern California Ports and Terminals Bureau, as recommended by the San Francisco Bay Ports Commission.

This was a progressive action to merge the common interests of all Bay area and inland ports and terminals in a program that would establish a more competitive, and a better unified organization to meet the challenge of other United States harbor regions bidding for a greater share of world commerce.

The merger of public and private interests as established by the new bureau has already proved beneficial in the view of the Senate committee, despite the brief period of organization and operations covered since the organization was officially incorporated in February, 1954.

As a matter of official record, acting in accordance with Senate Resolution No. 146, 1953, establishing this committee of the Senate, this partial report will include certain other exhibits of an informative nature for the Legislature.

State of California  
San Francisco Bay Ports Commission

**OUTLINE REPORT ON ESTABLISHMENT AND ACTIVITIES  
OF THE SAN FRANCISCO BAY PORTS COMMISSION**

(February 14, 1952—February 11, 1954)

The establishment of the San Francisco Bay Ports Commission was based upon the recommendation of the Senate Fact-finding Committee on Establishing a Port Authority for San Francisco Bay which had conducted its study and issued two partial reports—later compiled into a single final report—to the 1951 Legislature. This Senate committee was established at the request of various San Francisco Bay regional organizations through a resolution (Senate Resolution No. 35, 1949) introduced by the late Senator Jesse M. Mayo of Calaveras, Mariposa and Tuolumne Counties.

Members of the Senate committee were:

Jesse M. Mayo, Chairman  
Arthur H. Breed, Jr., Vice Chairman, Alameda County  
Charles Brown, Mono, Inyo Counties  
George J. Hatfield, Merced, Madera Counties  
Ben Hulse, Imperial County  
Thomas F. Keating, Marin County (resigned November, 1950)  
Harold J. Powers, Lassen, Modoc, Plumas Counties  
Edwin J. Regan, Shasta, Trinity Counties

Present members of the Senate committee, including Senators Charles Brown, chairman, and Arthur H. Breed, vice chairman, are:

Gerald J. O'Gara, San Francisco County  
James J. McBride, Ventura County  
George Miller, Jr., Contra Costa County  
Robert I. Montgomery, Kings County  
Jess R. Dorsey, Kern County

Their surveys, hearings and inspection trips to major United States harbor regions resulted in one of the most comprehensive reports ever

issued on San Francisco Bay's ports, shipping and maritime industries. The report also recommended the establishment of a harbor regional organization and program to stimulate trade development, and urged establishment of a joint industry-wide nine-member body to cooperate with the Senate committee in achieving the regional program objective.

The Interim San Francisco Bay Ports Commission was established under the terms of Senate Bill No. 610—Chapter 737, 1951 Legislature, as recommended by the Senate committee.

The nine members of the commission were appointed by Governor Earl Warren on January 30, 1952, as follows:

John E. Cushing, President, Oceanic Steamship Company, San Francisco

Harry Johnson, Assistant Secretary, The Sailors Union of the Pacific, San Francisco

Warren H. Atherton, attorney, Stockton

W. P. Fuller Brawner, Board of State Harbor Commissioners, San Francisco

B. J. Feigenbaum, President, Board of State Harbor Commissioners, San Francisco

Dudley W. Frost, Manager and Secretary, Port of Oakland

Lester J. Holmes, Manager, American Crystal Sugar Company, Clarksburg

Charles P. Howard, Sr., President, Howard Terminal, Oakland

Fred D. Parr, Chairman of the Board, Parr-Richmond Terminal Company, Richmond

The organization meeting of the commission was held on February 14, 1952, at which time Mr. John E. Cushing was elected chairman, and Mr. Harry Johnson, vice chairman.

A mutual agreement was made between Mr. Cushing and Senator Mayo, then chairman of the Senate committee, to employ the services of Frank E. Feliz, executive secretary of the Senate committee, in a similar position with the commission on a cooperative basis. Joint offices were established at 785 Market Street, San Francisco.

A joint meeting of the Senate committee and the commission was held on June 6, 1952, at which time it was agreed that the commission should conduct studies and complete a report recommending the type of harbor-wide voluntary organization which would most effectively serve the over-all trade development interests of the public ports and private terminals of the Bay region and Northern California.

The commission and staff proceeded with an extensive series of meetings, interviews, research and other activities directed toward this assignment, utilizing the counsel and assistance of national, state and local organizations and individual authorities in the fields of port administration, shipping, traffic and related fields.

Preliminary drafts of the commission's initial report to the Legislature (Part I) were circulated for comment and approval, and the final draft was submitted to the 1953 Legislature on January 12th. The report contained the recommendations for establishment of a Northern California Ports and Terminals Bureau, and outlined the proposed organization program, suggested methods for financing, staffing and purposes of organization operations.

Upon advice of the Legislative Counsel and the Office of the Attorney General, it was considered advisable to introduce legislation authorizing establishment of the quasi-public type of nonprofit corporation embodied in the commission's report. This required two legislative acts; an amendment to the State Corporations Code—as submitted in Senate Bill No. 872, and an amendment to the State Harbors and Navigation Code—as submitted in Senate Bill No. 873.

These two authorizing bills were introduced at the January session, and after several amendments, were unanimously approved by the Legislature and signed by the Governor (July 1, 1953—Senate Bill No. 872; July 4, 1953—Senate Bill No. 873). With this legislation, the public ports were empowered to participate in and financially sponsor the type of nonprofit corporation specifically outlined in the permissive legislation, and to join with public or private organizations in sponsoring such a program.

This legislation became effective on September 10, 1953, and the commission then called a joint meeting of the major public ports and private terminals of the San Francisco Bay and inland river points to inaugurate plans for the establishment of the Northern California Ports and Terminals Bureau. Subsequent meetings were held to discuss, recommend and reach agreement on the content of the articles of incorporation and the by-laws, with the assistance of the attorneys for the member ports and terminals.

The bureau's certificate of incorporation was issued by Secretary of State Frank M. Jordan on Friday, January 29, 1954. The first meeting of the bureau as a corporate organization on February 2d signified the completion of steps proposed in the recommendation made by this commission in its first report to the Legislature (Part I) endorsing and outlining the bureau organization and program.

The four public ports and three private terminals sponsoring the bureau organization are:

California State Harbor  
Board  
Port of Oakland  
Sacramento-Yolo Port  
District

Port of Stockton  
Encinal Terminals, Alameda  
Howard Terminal, Oakland  
Parr-Richmond Terminal  
Company, Richmond

The board of directors of the bureau with their elected officers follows:

President—Charles P. Howard, President, Howard Terminal, Oakland; First Vice President—E. E. Ferrari, Director, Port of Stockton; Second Vice President—General Robt. H. Wylie, Director, Port of San Francisco; Treasurer—John Parr Cox, President, Parr-Richmond Terminal Company; D. L. Dullum, President, Encinal Terminals, Alameda; Dudley W. Frost, Manager, Port of Oakland; Wm. G. Stone, Director, Sacramento-Yolo Port District.

The board of directors appointed Frank E. Feliz as general manager and secretary. Plans are being made for appointment of a traffic manager and selection of specific projects to be undertaken by the bureau in



its activities to stimulate cargo movements through the Bay region's harbor facilities.

In addition to its report to the Legislature recommending establishment of the bureau, the commission also sponsored two factual studies of domestic waterborne shipping which has registered heavy declines in tonnage in recent years to the detriment of the ports, terminals and maritime industries of the State and region. These reports are as follows:

"A Report on Interoceanic Shipping Problems—With Special Reference to the San Francisco Bay Ports Area." Prepared by J. A. Stumpf, maritime industry consultant of New York City, this report outlines the causes, effects and possible remedies for the losses in cargo tonnage in this once thriving trade route linking the Pacific ports with the Gulf and Atlantic ports via the Panama Canal. Its recommendations for a program to restore the interoceanic trade have received nation-wide attention by key organizations in industry and government.

"A Report on Pacific Coastwise Shipping—With Special Reference to the San Francisco Bay Ports Area." Prepared by R. F. Burley, West Coast shipping official, this report provides a case-study giving the factual background of this once highly active and profitable trade between Pacific Coast ports, and the situations and reasons leading to its decline and virtual disappearance as a means of transporting goods between the three Western seaboard states. Its conclusions point to the regional shifts in industry; the technological gains in land transport via rail and highway; and the legislative and governmental agency decisions which have made a profitable coastwise trade untenable and unprofitable. The coastwise report provides evidence that this trade cannot seemingly be restored without shipper demand based upon a new type of lower cost shipping operation that could provide transport service at a profit.

The commission is also preparing a factual and graphic report on the facilities, services and resources of the over-all harbor region, including the diversified port and terminal operations located on San Francisco Bay and on the San Joaquin and Sacramento Rivers. Consideration of other studies in the foreign trade routes served from California ports has been deferred pending development of the program being sponsored by the new bureau.

Northern California Ports and Terminals Bureau, Inc.

#### FIRST YEAR PROGRESS REPORT

February 25, 1955

First year progress in harbor traffic and trade development was reported February 25, 1955, by the Northern California Ports and Terminals Bureau at a joint meeting of bureau board of directors with John E. Cushing, chairman, and members of the San Francisco Bay Ports Commission, at the Ferry Building, San Francisco.

The bureau was established in February, 1954, as the first cooperative harbor organization of its type in California. Its twofold aims are:

1—To foster an intensive program of research and action to increase tonnage through the harbor region, and;



2—To advance the protect the competitive trade and traffic advantages of the Bay Area ports.

The sponsors include the Ports of San Francisco, Oakland, Stockton, and the Parr-Richmond Terminal operating the Port of Richmond, Howard Terminal of Oakland, Encinal Terminals of Alameda and the Sacramento-Yolo Port District.

Charles P. Howard, bureau president, reported that, "the bureau has laid the foundation for bringing new cargo tonnage to the Bay region and Northern California through direct analysis of world trade commodity movements and positive action on rate and service adjustments needed to induce traffic through the Golden Gate."

John E. Cushing, chairman of the San Francisco Bay Ports Commission established by the 1953 Legislature to represent all Northern California port communities, stated, "commission members are impressed by the progress of the bureau to date, fully realizing that the common interests and problems of the over-all harbor region are not readily adapted to solution in a brief period."

Ward G. Walkup, president, and Dwight Merriman, member of the California State Board of Harbor Commissioners, participated in the joint meeting representing the interests of the Port of San Francisco, a bureau sponsor.

Highlights of the bureau's first progress report of activities covering initial operations were given by Frank E. Feliz, bureau general manager, and James H. Morrison, traffic manager.

"The scope of the bureau's activities now covers traffic and rate matters affecting the maritime industry on a regional and national scale where such problems affect the harbor's trade interests. On such questions the bureau presents the unified views of its sponsors and the interests of the Northern California port communities and trade area," Mr. Feliz said.

The first year accomplishments of the bureau included:

Appearances before the Public Utilities Commission, the Interstate Commerce Commission, and other regulatory bodies in support of traffic proposals which served to induce tonnage movements to the Bay region. Conversely, protests were entered against traffic and rate adjustments which would have reduced the present trade advantages of the harbor region.

In pursuance of this phase of its activities, the general manager appeared before the Congressional House Committee on Merchant Marine and Fisheries, and presented evidence showing the necessity of a continuing program of commercial shipbuilding and repair to support a healthy maritime trade in the Pacific area as related to the San Francisco Bay area.

The traffic manager testified in support of California ports in the important ICC class rate hearings held in the Midwest and Washington, D.C., scheduling meetings with major shippers in these trade centers.

Acting in cooperation with the American maritime industry, directors adopted a resolution endorsing congressional adoption of legislation calling for equitable adjustment of Panama Canal tolls which now adversely affect shipping and world trade.

Special surveys were submitted to the Transportation Committee of the Hoover Commission on the volume of cargo traffic handled by the military terminals located in Northern and Southern California. This was a documented protest by public ports and private terminals of California against the increasing volume of government cargoes handled over military terminals which, under normal operations should move over commercial facilities available for this purpose.

Preliminary legislation was introduced before the 1955 Session of the Legislature in the form of a "State Harbor Fund" providing for the allocation of 10 percent of the state tidelands fund for purposes of development of California harbors and commercial navigation. This legislative proposal is being analyzed for required amendments involving policies for allocation of funds.

A special report was submitted concerning recommendations for the "Revival of Interoceanic Shipping" to Secretary Sinclair Weeks of the Department of Commerce and Louis Rothschild, Chairman of the Federal Maritime Board.

The bureau is cosponsor of the Second Annual Foreign Trade and Transportation Institute which is expected to attract a large number of shippers, traffic and carrier officials from Midwest and Northern California regions.

The bureau staff report covered technical aspects of traffic services, including competitive factors of cargo rates, tariffs and other costs involved in moving cargoes in world trade.

Acting on a unified basis for Bay region and inland ports and terminals, the bureau has made headway in establishment of a cooperative program covering four major points: (1) traffic protection, (2) trade development, (3) research into commodity movements and competitive port practices, and (4) special projects in industrial and governmental maritime activities including legislation, which are approved by the bureau directors for study and action.

The bureau staff's work has been directed to securing and improving tonnage prospects for the harbor region. All factors, including rate and traffic protection, surveys of services and commodity volumes, and special projects in the maritime industry and governmental activities, are measured by their ultimate effect on the competitive position of the over-all harbor region.

Oceanborne cargo targets for the bureau's 1955 program not only include present leaders on the West Coast export-import list, such as cotton, coffee, canned and dried fruits, and iron and steel products, but is also expanding into vital U. S. export products such as farm and construction machinery, automobiles, dairy and meat packing items which are in demand in world markets.

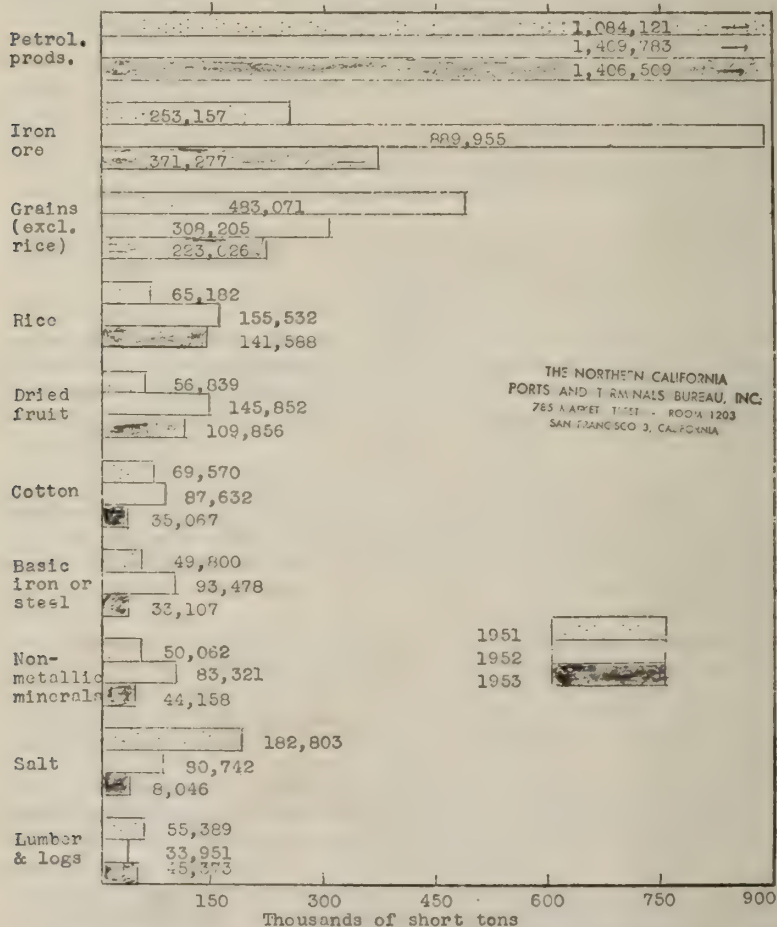
Shippers and traders and foreign and domestic transportation are invited to submit their problems in traffic movements via the Pacific Coast and Bay region, or to any overseas markets which could be served through the Western seaboard. A national survey of foreign shipper operations and problems is being conducted by the bureau, which has also held meetings with shippers and carriers in the Midwest and Washington, D. C.

The bureau's 1955 program policy calls for an intensive effort to determine "reasons why" cargoes are moving through certain port areas or via other methods of transportation. This plan calls for a fact-finding job of study and recommendations aimed toward:

(1) Increasing the volume of cargo tonnage moving to and from Bay region and inland ports and terminals by

(2) Taking action on traffic problems and trade development projects that will benefit the entire Northern California harbor region.

Foreign Trade Through San Francisco Customs District, 1951-53  
First Ten Exports by Volume



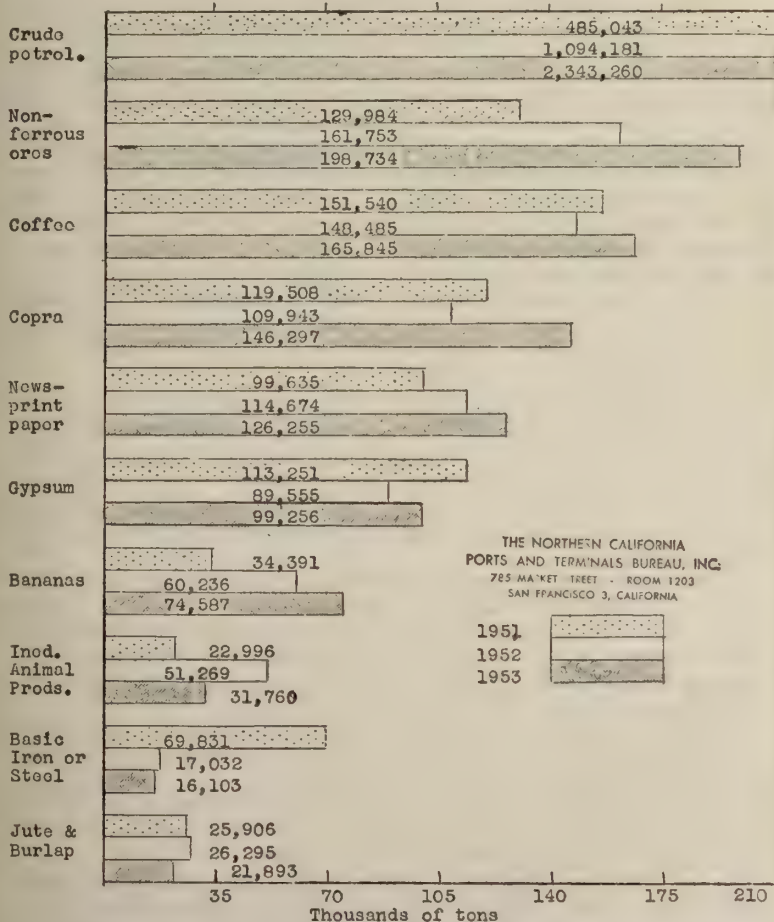
SOURCE: Foreign Trade Through San Francisco Customs District, annual publication, 1951-53, Board of Harbor Commissioners, State of California.

Bureau sponsors are represented by the following board of directors:

Charles P. Howard, President, Howard Terminal, Oakland; D. L. Dullum, President, Encinal Terminals, Alameda; Dudley W. Frost, Port Manager, Port of Oakland; John Parr Cox, President, Parr-Richmond Terminal Company; Wm. G. Stone, Port Director, Sacramento-Yolo Port District; Charles Tait, Port Director, Port of San Francisco; Elmo E. Ferrari, Port Director, Port of Stockton.

Offices of the bureau are at 785 Market Street (Room 1203), San Francisco.

**Foreign Trade Through San Francisco Customs District, 1951-53**  
First Ten Imports by Volume



SOURCE: Foreign Trade Through San Francisco Customs District, annual publication, 1951-53, Board of Harbor Commissioners, State of California.



SENATE FACT-FINDING COMMITTEE ON PORT DEVELOPMENT  
AGENCIES AND MARINE ACTIVITIES FOR SAN FRANCISCO  
BAY AND STATE WATERWAYS

*Memo:* Proposals for 1955 Legislative Session  
*Subject:* Establishment of State Harbor Fund

The following amendments to existing State codes have been proposed for the purpose of assisting the public ports of California in their programs to develop maritime commerce, world trade and facilities of the State's major harbor regions which will assure increased revenues, employment and other benefits for the people of California:

Amendment to Section 6816 of the Public Resources Code, relating to the State Harbor Fund;

An act to add Section 6945 to the Harbors and Navigation Code, relating to the State Harbor Fund and making an appropriation.

*Purpose*—Under provisions of the Constitution, the primary use of state tidelands and their resources is reserved for the development of harbor commerce and navigation, thereby guaranteeing the proper utilization of such properties for long-range growth and improvement to serve the people of the State.

It seems reasonable and equitable, therefore, that the public harbors of California should participate in the revenues derived from tidelands development to be allocated through appropriate state agencies to assist the port communities.

In brief, these proposals would provide an equitable allocation of 10 percent of tideland funds to be held in the recommended State Harbor Fund, subject to release upon authorization by the appropriate state agency and/or the Legislature.

*Reasons for Support*—The State of California has given only limited assistance, and practically no financial support, to the development of the harbors which provide the commercial gateways for the marketing of state products and commodities from California's agricultural and industrial resources in world markets. California ports are also Western America's gateways for world exports and imports contributing to our national welfare.

With due regard for the present allocation of such funds under state law, there should be widespread support to establishment of a State Harbor Fund which would provide a limited reserve for development of public ports, and for development of commerce and trade protection measures that will maintain and preserve the competitive position of California ports among the Nation's harbor regions.

It should be pointed out that specific State Government assistance is given to many public ports in other states of the Nation. As an example, the State of Louisiana allocates nine-twentieths of a cent per gallon from all gasoline taxes collected to the support of the Port of New Orleans, which has progressed in recent years to a position as one of the Nation's leading seaports in world commerce.

The proposed amendments to existing codes have been given appropriate review by the Office of the Legislative Counsel and the Office of the Attorney General as being in accord with existing statutes. Their adoption would provide a limited reserve fund for the development of

California ports and commerce, including related interests in transportation, industrial and agricultural fields—a large percentage of whose revenues and employment are derived from domestic and foreign trade.

All California public ports and harbor communities have been included in this proposal in order to secure the state-wide support essential to approval by the Legislature. In all cases calling for appropriations from State Harbor Funds the interests of inland harbor regions, as well as coastal harbor regions, will be given full consideration by the appropriate agencies of State Government. Similar consideration will be given to the use of the State Harbor Fund in developing potentials for production and marketing of raw materials derived from California's natural resources, including lumber, mineral ores, cement, borax, etc., and the products of California's factories and farmlands which are in demand throughout the world.

The State of California has heretofore taken only a minor part in the research, planning and development required to find more effective national and international outlets for the State's productive wealth. These proposed amendments will reaffirm the State Government's interest and responsibility in working with harbor regions and communities and their rural production and trade areas, and with the local civic and trade groups, to provide a progressive, integrated program of stabilized employment and economy in domestic and world commerce.

The above proposals are submitted for your consideration, and are hereby recommended for approval and adoption at the 1955 General Session of the Legislature.

## SENATE BILL

No. 1562

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Introduced by Senator Brown

January 21, 1955

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REFERRED TO COMMITTEE ON TRANSPORTATION

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*An act to amend Section 6816 of the Public Resources Code, relating to the State Harbor Fund.*

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 6816 of the Public Resources Code is  
2 amended to read:  
3 6816. All moneys and remittances received by the State  
4 pursuant to this chapter, except rents, bonuses, royalties and  
5 profits accruing from the use of state school land, shall be  
6 deposited in the State Treasury to the credit of the State  
7 Lands Act Fund, which fund is continued in existence. In  
8 addition thereto, such other moneys shall be deposited in such  
9 fund as may be provided by law. The moneys in the fund are  
10 hereby appropriated as follows:  
11 (a) For the payment of refunds, as authorized by the com-  
12 mission and approved by the State Board of Control.  
13 (b) The remainder of the moneys shall be used by the com-  
14 mission with the approval of the Director of Finance and the  
15 consent of the Governor, to carry out the provisions of this  
16 chapter, including the acquisition of real property or inter-  
17 ests therein, the purchase of materials and supplies, and the  
18 conducting of operations by the State as provided herein, the  
19 payment by the State of such sums as may be provided pursu-  
20 ant to agreements or contracts authorized herein, and the pay-  
21 ments of the necessary expenses of the commission.  
22 (c) Upon order of the Controller, the remaining balance  
23 shall be transferred as follows:  
24 1. ~~Thirty percent~~ Twenty percent to the General Fund;  
25 2. Twenty-three and one-third percent to the State Beach  
26 Fund;  
27 3. Forty-six and two-thirds percent to the State Park Fund;  
28 4. Ten percent to the State Harbor Fund.

## SENATE BILL

No. 1563

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Introduced by Senator Brown

January 21, 1955

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REFERRED TO COMMITTEE ON TRANSPORTATION

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*An act to add Part 4 to Division 6 of the Harbors and Navigation Code, relating to the State Harbor Fund, and making an appropriation.*

*The people of the State of California do enact as follows:*

1 SECTION 1. Part 4 is added to Division 6 of the Harbors  
2 and Navigation Code, to read:

3

4

PART 4. STATE HARBOR FUND

5

6 3900. There is hereby created in the State Treasury the  
7 State Harbor Fund which is hereby appropriated for im-  
8 provement and maintenance of public harbors, and when spe-  
9 cifically appropriated by the Legislature for construction and  
10 acquisition of public harbors and for development of com-  
11 merce and trade protection.

12 The State Controller shall transfer to the State Harbor  
13 Fund the following sums:

14 (a) The sums appropriated to the fund pursuant to Sec-  
15 tion 6816 of the Public Resources Code.

16 Any appropriation heretofore or hereafter made out of the  
17 moneys deposited in the State Harbor Fund for the acquisi-  
18 tion, improvement and maintenance of public harbors and for  
19 development of commerce and trade protection shall be pay-  
20 able from the State Harbor Fund.



**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were introduced, and read:

**Senate Joint Resolution No. 19:** By Senators Cunningham, Regan, and Harold T. Johnson—Relative to requesting United States to grant California and western states lands and minerals within state borders with the exception of lands within national parks and monuments, national forests and lands utilized for national defense.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 46:** By Senators Teale, Berry, Burns, and Richards—Relative to the restoration of the Old Columbia grammar school.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 47:** By Senator Kraft—Relative to the purchase of avocados by state institutions.

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 47, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 47**

**Senate Concurrent Resolution No. 47**—Relative to the purchase of avocados by state institutions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1440**

Senator Kraft moved that Senate Bill No. 1440 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1440**—An act to amend Section 35107 of the Streets and Highways Code, relating to districts formed under the Parking District Law of 1951.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 35107", and insert "Sections 35104, 35108, 35251, 35257, 35258, 35404, 35411, 35412, 35413, 35418, 35423, 35560, 35565 and 35568."

**Amendment No. 2**

In line 2 of the title, after "Code," insert "to repeal Section 35401 of said Code, and to add Sections 35113, 35275, 35276, 35402.1, 35402.2, 35402.3, 35414.1 and 35566 to said code."

**Amendment No. 3**

In line 3 of the title, after "1951", insert ", declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 4**

Strike out all of lines 1 to 4, inclusive, and insert

"SECTION 1. Section 35104 of the Streets and Highways Code is amended to read: 35104. "Net revenues," as used with reference to a parking meter, means the revenues remaining after deductions for the cost of acquiring the meter and the cost of its maintenance, operation, repair, and servicing, and [policing] *the cost of collecting the revenues therefrom, without allowance for depreciation or obsolescence.*

SEC. 2. Section 35108 of said code is amended to read:

35108. In addition to matters specified elsewhere in this part, the acts authorized under this part include the following:

- (a) The formation of districts.
- (b) The acquisition of land, property, and rights of way necessary or convenient for use as public parking places for the parking of motor vehicles and for the opening, widening, straightening, or extending of streets, alleys, lanes, or walks necessary or convenient for ingress to or egress from any parking place.
- (c) The improvement of any acquired land by the construction thereon of garages or other buildings or improvements of any kind or nature necessary or convenient for parking purposes.
- (d) The improvement by grading, paving, draining, lighting, or otherwise of any parking place and any streets, alleys, lanes, or walks necessary or convenient for ingress to and egress from parking places.
- (e) The issuance, sale, and payment of bonds for any or all of the foregoing purposes, and the levy and collection of ad valorem assessments upon real property within the district for the payment of all or a portion of the principal and interest of the bonds.
- (f) The administration, maintenance, and operation of parking places acquired under this part.
- (g) The fixing and collection of rentals, fees, and charges for the use of parking places and the use of moneys derived from the rentals, fees, and charges.
- (h) The contribution by cities of money for the acquisition and improvement of the public parking places and public ways for ingress to and egress therefrom; the allocation and pledge of any revenues of the city derived from parking meters on public ways within the district to [the payment of principal and interest of bonds] *any of the purposes specified in this part*, and the making of covenants and agreements with the bondholders to install and maintain such meters.
- (i) The employment of engineers, attorneys, and other persons necessary or convenient for the doing of any act authorized by this part.
- (j) The acquisition of property by gift, purchase, or eminent domain. Any conveyance of property or right of way as a gift may be conditional upon the use of the property for the purpose for which it is conveyed, or property may be conveyed to the city in trust for a particular use or uses and the conveyance may provide that upon the cessation or abandonment of such use or uses the property shall be reconveyed to the donor or to his or its successors or assigns. Any property acquired by condemnation or otherwise may be acquired in fee simple.
- (k) The doing of all acts and things necessary or convenient for the accomplishment of the purposes of this part. The enumeration of specific authority in this part does not limit in any way the general authority granted by this subdivision.
- (l) Any bonds issued pursuant to this part, and the interest on them, [shall] *may* be payable from *gross* or net revenues from the operation of the parking place or places acquired or improved with the bond proceeds, and may also be payable from all or part of the net revenues from parking meters on some or all of the public ways in the district. To the extent permitted by the provisions of this part, the bonds may also be payable from ad valorem assessments levied upon real property in the district within the limits provided in this part. Neither the city nor any of its officers shall be held otherwise liable for the payment of the principal and interest.

SEC. 3. Section 35113 is added to said code, to read:

35113. *The curative clauses of this part are cumulative and each is to be given full effect.*

SEC. 4. Section 35251 of said code is amended to read:

35251. The petition shall contain:

[(a)] The proposed name of the district.]

[(b)] (a) A general description of the boundaries of the proposed district.

[(c)] (b) A general description of the parking places proposed to be acquired. The parking places need not be within the boundaries of the city or of the proposed district.

[(d)] (c) A general description of any public ways proposed to be acquired for ingress to or egress from the parking places.

[(e)] (d) A general statement of the improvements to be made or constructed on the proposed parking places, the public ways proposed to be acquired, or existing public ways which would provide ingress to or egress from the proposed parking places.

[(f)] (e) Any limits as to time and rate upon ad valorem assessments which may be levied upon taxable real property in the district for the purposes permitted by this part. The limits as to time shall not exceed [31] 36 years from the date of the bonds, and the limits as to rate shall not exceed [fifty cents (\$0.50)] one dollar (\$1) on each one hundred dollars (\$100) of assessed valuation.

[(g)] (f) Any amount of money which it is proposed that the city contribute toward the cost and expense of the acquisitions and improvements proposed by the petition, toward the payment of incidental expenses of the proceedings hereunder, for the establishment of a reserve fund for the payment of the bonds and the interest thereon, or for other purposes in connection with the district.

[(h)] (g) A general statement of the public ways within the district on which it is proposed the city install and maintain, or continue to maintain, parking meters, the net revenues from which will be allocated and pledged to [the payment of the principal and interest of the bonds] *any of the purposes specified in this part*, and the period of time, measured from the date of the bonds, for which it is proposed that the city agree to maintain the meters. If it is proposed that only a specified amount, percentage, or portion of the net revenues shall be so allocated and pledged, the amount, percentage or portion shall be generally defined.

SEC. 5. Section 35257 of said code is amended to read:

35257. The legislative body shall either approve the petition or reject it. If it approves the petition, it shall direct the city engineer or other competent person to make and file with it a report showing the following:

(a) An estimate of the cost of the acquisitions and improvements proposed by the petition and of the incidental expenses in connection therewith and of the proceedings therefor.

(b) An estimate of the annual revenues which can be expected to be derived from the operation of the proposed parking places, and of the annual expenses of operating and maintaining the parking places exclusive of principal and interest on the bonds to be issued.

(c) An estimate of the annual net revenues which can be expected to be derived from the parking meters, the revenues from which are by the petition proposed to be pledged to [pay the principal and interest of the bonds] *any of the purposes specified in this part*.

(d) The total assessed value of the real property within the proposed district as shown on the last equalized assessment roll.

SEC. 6. Section 35258 of said code is amended to read:

35258. Upon the filing of the report, the legislative body may adopt a resolution declaring its intention to form a parking district [and to issue bonds in the amount and for the purposes stated in the resolution]. The resolution shall contain substantially the following:

(a) The name of the proposed district.

(b) A description of its boundaries. This description may be general only and may refer to a map on file in the office of the clerk of the legislative body, which map shall show the boundaries of the proposed district and shall govern for all its details.

(c) A general description of the acquisitions and improvements proposed by the petition. This description may be in general terms and may refer to a map, plan, or sketch on file in the office of the clerk for a further description of what is proposed to be done.

(d) The estimates of costs, expenses, and revenues, and the assessed value of real property in the proposed district, as set forth in the report.

(e) The amount to be contributed by the city as proposed by the petition and agreed to by the legislative body.

(f) An estimate of the amount of the bonds proposed to be issued, the maximum number of years the bonds are to run, and the maximum rate of interest to be payable thereon not in excess of six percent (6%) a year.

(g) The limits, as stated in the petition, as to time and rate upon any ad valorem assessments which may be levied upon taxable real property in the district for the purposes permitted by this part.



(h) A general statement of the public ways within the district on which the city, as proposed by the petition, will install and maintain, or continue to maintain parking meters, the net revenues from which will be allocated and pledged to [the payment of the principal and interest of the bonds] *any of the purposes specified in this part*, and the period of time, measured from the date of the bonds, for which the city will agree to maintain the meters. If it is proposed that only a portion of the revenues be so allocated and pledged, such portion shall be generally defined.

(i) The time and place for the hearing on the proposed formation of the district and the time within which and the place where protests may be filed.

(j) The resolution shall make reference to the report on file in the office of the clerk.

SEC. 7. Section 35275 is added to said code, to read:

35275. Any objections or protests not made at the time and in the manner provided in this chapter are deemed waived voluntarily. Proceedings under this chapter shall not be attacked after the conclusion of the hearing upon any ground not stated in an objection or protest filed pursuant to this chapter.

SEC. 8. Section 35276 is added to said code, to read:

35276. No action, proceeding or defense to correct, set aside, cancel, avoid, annul or otherwise attack any proceedings under this part up to and including the adoption of the ordinance declaring the district formed shall be maintained by any person unless such action, proceeding or defense is commenced or made within 30 days after the adoption of such ordinance. No action, proceeding or defense to correct, set aside, cancel, avoid, annul or otherwise attack any proceedings under this part taken subsequent to the adoption of said ordinance, including but not limited to proceedings taken and determinations made pursuant to Sections 35402.1 and 35402.3, shall be maintained by any person unless such action, proceeding or defense is commenced or made within 30 days after the taking of such proceedings.

SEC. 9. Section 35401 of said code is repealed.

SEC. 10. Section 35402.1 is added to said code, to read:

35402.1. As an alternate procedure to that prescribed in Sections 35400 and 35402, the legislative body may issue bonds as provided in this part when the city has contracted or obtained options for the purchase of, or has obtained condemnation judgments covering, that portion of the land, property and rights of way to be acquired having an assessed value as shown on the last equalized assessment roll of at least 80 percent of the assessed value of all land, property and rights of way to be acquired. Before issuing bonds under this section the legislative body shall give notice of its intention to do so by two insertions in the newspaper in which the resolution of intention was published. Said notice shall specify a time for hearing objections to proceedings under this section which shall not be less than ten (10) days after the completion of such publication. At said hearing the legislative body shall hear and pass upon all objections and shall not issue bonds under this section unless following such hearing it shall determine that all of the territory within the district will be benefited by the acquisition of that portion of the land, property and rights of way which the city so has under contract, option or condemnation judgment. The decisions of the legislative body shall be final and conclusive. The legislative body may then by ordinance, resolution or indenture provide for the issuance of bonds of the district in an amount estimated to be necessary to make all of the proposed acquisitions and improvements and to pay the additional items specified in Section 35402.

SEC. 11. Section 35402.2 is added to said code, to read:

35402.2. If at any time the legislative body finds that the proceeds of the bonds first issued will be insufficient to make all of the acquisitions and improvements described in the ordinance declaring the district formed and to pay the additional items specified in Section 35402, it may at one time or from time to time issue additional bonds to the extent permitted by the provisions, conditions and covenants contained in the ordinances, resolutions or indentures providing for the issuance of any bonds previously issued.

SEC. 12. Section 35402.3 is added to said code, to read:

35402.3. If at any time, either before or after issuing bonds, the legislative body finds that it will not be feasible to issue bonds in an amount necessary to make all of the acquisitions and improvements described in the ordinance declaring the district formed and to pay the additional items specified in Section 35402, it may at one time or from time to time eliminate, change or otherwise modify any of the proposed acquisitions and improvements after notice and hearing as provided in Sections 35270 to 35273 but no such elimination, change or modification shall be made unless following such hearing the legislative body shall determine that all of the territory within the district will be benefited by the acquisitions and improvements remaining after such elimination, change or modification. The decisions of the legislative body shall be final and conclusive.

SEC. 13. Section 35404 of said code is amended to read:

35404. The bonds shall all mature within [30] 35 years after the date thereof and shall be payable at the times and at [a] the place to be fixed by the legislative body and designated in the bonds.



SEC. 14. Section 35411 of said code is amended to read:

35411. The bonds shall state in substance that:

(a) The bond and interest are payable solely from:

(1) The *gross or net (as the case may be)* revenues from the operation of the parking place or places acquired and improved [with] *by the proceeds, if such is the case.*

(2) The net revenues, or a portion thereof, from parking meters on certain public ways within the district, if such is the case.

(3) To the extent provided in this part, from a limited (stating the limits) ad valorem assessment to be levied upon taxable real property in the district, if such be the case.

(b) Neither the city nor any of its officers is to be held otherwise liable for its principal or interest.

SEC. 15. Section 35412 of said code is amended to read:

35412. The ordinance, resolution, or indenture providing for the issuance of the bonds may also provide for the maintenance and operation of the parking facilities, for the establishment of a special fund into which all revenues derived from the operation of the parking facilities shall be placed, *for the use of moneys in this fund* for payment [from this fund] of the expenses of operating and maintaining the parking places, [and for the allocation and pledge of the remaining revenues to] the payment of the bonds and the interest thereon, *or for the establishment and maintenance of any reserve funds, sinking funds or other funds designed for securing or paying the bonds and the interest thereon.*

SEC. 16. Section 35413 of said code is amended to read:

35413. The ordinance, resolution, or indenture providing for the issuance of the bonds may also provide for the installation of parking meters on the public ways within the district as provided in the resolution of intention, to the extent they have not already been installed, for the maintenance of meters on the public ways for the period of time specified in the resolution of intention, for the establishment of a special fund into which the net revenues (or portion thereof as specified in the resolution of intention) shall be paid, and for the allocation and pledge of the net revenues, or portion thereof, to the payment of the bonds and the interest thereon, *to the payment of operation and maintenance costs of the parking facilities, and to the establishment and maintenance of any reserve funds, sinking funds or other funds designed for securing or paying bonds and the interest thereon.*

SEC. 17. Section 35414.1 is added to said code, to read:

35414.1. If the petition for the formation of a district and the resolution of intention to form the district state that this section shall apply to proceedings taken pursuant thereto, the ordinance, resolution or indenture providing for the issuance of the bonds may, in lieu of the provision permitted by Section 35414, provide for the levy each year of an ad valorem assessment on all taxable real property in the district to provide moneys for all or any part of the principal and interest on the bonds, the costs and expenses of operating and maintaining the parking places, and the establishment or maintenance of any reserve funds, sinking funds or other funds designed for securing or paying the bonds and interest thereon. The rate of ad valorem assessment shall be fixed by the legislative body each year so as to produce the sums required under such provisions, provided that the assessment shall not exceed the limits stated in the resolution of intention. The assessment shall be levied, collected and enforced in the same manner, at the same times, and with the same penalties and interest, as in the case of taxes levied for the city.

SEC. 18. Section 35418 of said code is amended to read:

35418. Any provision of the ordinance, resolution, or indenture, except a provision as to the amount [of] or time of payment of principal or interest on the bonds, may be later eliminated or modified by the legislative body, if the holders of not less than sixty percent (60%) of the outstanding bonds have agreed in writing to the elimination or modification.

SEC. 19. Section 35423 of said code is amended to read:

35423. The proceeds of the sale of the bonds shall be placed in the city treasury to the credit of the proper district fund and applied exclusively to the objects and purposes [mentioned in the ordinance establishing the district, or to the objects and purposes as modified pursuant to Section 35401, and the payment of the incidental expenses in connection therewith] *for which the same were issued.*

SEC. 20. Section 35560 of said code is amended to read:

35560. The commission [shall] *may* fix, regulate, and collect rentals, fees, or other charges for the [parking of vehicles in] *use of* parking places under its control, and may provide different rates for different classes of customers, or users, *provided that such rentals, fees or other charges shall be sufficient to produce funds to comply with the terms of the ordinance, resolution, or indenture providing for the issuance of bonds.* Such rentals, fees, or other charges shall be fixed after public hearing following such notice as the commission may prescribe.

SEC. 21. Section 35565 of said code is amended to read:

35565. The commission shall fix such rentals, fees, or charges *for the use of parking places under its control* as will produce [sufficient] revenue, when added to the expected revenues from *on-street* parking meters pledged to [the payment of

the bonds of the district] *any of the purposes specified in this part, sufficient to pay the principal and interest on the bonds as they fall due, and also to provide any additional sums which may be required under the provisions of the ordinance, resolution or indenture providing for the issuance of the bonds* [to call and retire prior to maturity any bonds which, under the provisions of the ordinance, resolution, or indenture providing for the issuance of the bonds, are to be called and retired prior to maturity if revenues are sufficient to make such call].

SEC. 22. Section 35566 is added to said code, to read:

35566. If the petition for the formation of a district and the resolution of intention to form the district states that this section and Section 35414.1 shall apply to proceedings taken pursuant thereto, Section 35563 shall not apply and the provisions of this section shall apply. The commission shall fix such rentals, fees or other charges for the use of parking places under its control as will produce revenue, when added to the expected revenues from on-street parking meters, assessments or other sources pledged to any of the purposes specified in this part, sufficient to pay the principal and interest on the bonds as they fall due, and also to provide any additional sums which may be required under the provisions of the ordinance, resolution or indenture providing for the issuance of the bonds.

SEC. 23. Section 35568 of said code is amended to read:

35568. In the exercise of its power to operate, manage and control parking places, the commission may lease any or all parking places to any person for the sole purpose of the operation of public parking facilities on them by such person, or may make a contract with any person for such purpose. The consideration to be paid by the operator for any lease or under any contract may be a fixed sum or a percentage of gross rentals, fees, or charges collected by the operator, or any other consideration. *As used in this part, "use of parking places", "operation of public parking facilities on parking places", "operation of public parking facilities", and "used as public parking places", or similar term, include the operation of facilities for sale of gasoline and oil and for automobile repair, servicing, greasing, washing, polishing and other similar purposes; provided, that the area used for such purposes is not then required for public parking purposes and; provided further, that the area so used shall not exceed in the aggregate, twenty percent (20%) of the surface area of any parking place.*

SEC. 24. This act is an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The constantly increasing traffic congestion in the State of California and particularly in its urban areas brings death or injury to many persons each day. Traffic congestion detrimental to the public safety is in some measure caused by the inability of the operators of motor vehicles to find quickly and easily a place to park. The provisions of this act are necessary to expedite the formation of parking districts to provide parking places in such congested areas and it is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1216

Senator Montgomery moved that Senate Bill No. 1216 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1216**—An act to amend Sections 4600, 4903, and 4906 of the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Motion to Amend

Senator Montgomery moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 4600, 4903, and 4906", and insert "Section 4600".

**Amendment No. 2**

Strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 143**

Senator Dorsey moved that Senate Bill No. 143 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 143**—An act to amend Section 592 of the Vehicle Code, relating to parked vehicles.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and insert  
“(b) No person shall leave any child under the age of seven (7) years in any parked vehicle, whether such vehicle is locked or unlocked, for more than five (5) minutes, unless such child is attended by, or under the constant supervision and observation of:

(1) A person 14 years or older; or

(2) The holder of a valid operator's or chauffeur's license issued under this code; or

(3) An adult person;

either of whom shall be capable, in an emergency, of assisting such child readily to escape therefrom. In all cases such vehicle shall be parked in full conformity with all safety regulations in this code.”

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1393**

Senator Kraft moved that Senate Bill No. 1393 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1393**—An act to add Article 1.5 to Chapter 1 of Division 9 of the Elections Code, relating to canvass at precincts.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, strike out line 6 to 12, inclusive, of the printed bill, and insert  
“7035. Not less than 20 days prior to any election, the election board may determine that the length or complexity of the ballot requires that in all precincts in which the precinct registration exceeds 100, the following procedure shall be followed in the canvass of the votes cast at each such precinct. When not less than 20 voters have cast their ballots, the inspector shall designate four members of the precinct board to commence the canvass of the votes theretofore cast. At no time shall there be less than four members of the precinct board participating in the canvass, or less than two members of the precinct board in attendance for the purpose of conducting the casting of ballots.”



**Amendment No. 2**

On page 1, line 28, after "board", insert "or any other person,".

**Amendment No. 3**

On page 2, line 2, after the period, insert "No person, other than a member of the precinct board, shall make any record whatsoever relative to this canvass until after the closing of the polls."

**Amendment No. 4**

On page 2, after line 16, insert "7041. Every person who wilfully violates any of the provisions of Section 7038 relating to the revealing or reporting of totals or the making of any record relative to the canvass is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the state prison not exceeding five years, or by both."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1108**

Senator Miller moved that Senate Bill No. 1108 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1108**—An act to amend Sections 13391 and 13394 of, and to add Sections 13402, 13403, and 13404 to, the Government Code, relating to purchase of supplies for state agencies.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill strike out lines 2, 3, and 4, and insert "and to add Sections 13402, 13403, 13404, 13405, 13406, and 13407 to the Government Code, relating to the purchase of supplies for state agencies."

**Amendment No. 2**

On page 1, strike out line 21, and insert "of twenty-five dollars (\$25) for any state".

**Amendment No. 3**

On page 3, strike out lines 17, 18, and 19, and insert "been prequalified in accordance with the provisions of this section, shall be furnished with complete specifications as to the type, quality, quantity, and the date, place and method of delivery of the equipment or supplies to be purchased. In addition to notifying all such persons, the department shall post in a public place a copy of such specifications which shall remain posted until seven (7) days after an award has been made."

**Amendment No. 4**

On page 3, strike out lines 20, 21, 22 and 23, and after line 24, insert "13404. The department shall adopt, publish and apply uniform standards of rating bidders, on the basis of questionnaires and required statements, in respect to the size of contracts upon which each bidder is qualified to bid.

SEC. 6. Section 13405 is added to said code, to read:

13405. All bids must be sealed and shall be publicly opened and read at the time set forth in the request for bids. No bids shall be considered which have not been received in the office of the department prior to the closing time for bids set forth in the invitations to bids.

SEC. 7. Section 13406 is added to said code, to read:

13406. After being opened the bids shall be available for public inspection and tabulations shall be completed within seven (7) days. In the event of a written protest made within twenty-four (24) hours after a purchase order or contract has been issued the successful bidder shall be notified of the protest which shall suspend the action pending final determination by the Board of Control.

SEC. 8. Section 13407 is added to said code, to read:."



**Amendment No. 5**

On page 3, line 25, strike out "13404", and insert "13407".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 769**

Senator Desmond moved that Senate Bill No. 769 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 769**—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3 of the printed bill, strike out "12", and insert "14".

**Amendment No. 2**

On page 1, line 4, after "of", insert "horse".

**Amendment No. 3**

On page 1, line 5, strike out "the California State Fair and Exposition", and insert "any state, district, or county fair".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1475**

Senator Desmond moved that Senate Bill No. 1475 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1475**—An act to amend Section 8101 of the Health and Safety Code, relating to cemeteries.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 8101 of", and insert "add Section 7303 to, and to amend Section 8101 of,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 7303 is added to the Health and Safety Code, to read:  
7303. Every funeral director and embalmer shall immediately report to the coroner every death which occurs as a result of suicide or accident, or under such

circumstances as to afford a reasonable ground to suspect that the death was caused by the criminal act of another, or when the attending physician is unable to state the cause of death.

SEC. 2. Section 8101 of said code is".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

#### **Motion to Take Bill From the Inactive File**

Senator J. Howard Williams moved that Senate Bill No. 684 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### **CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS**

**Senate Bill No. 799**—An act to add Article 5.5 to Chapter 2, Part 4, Division 16 of the Water Code, relating to county waterworks districts.  
Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

##### **Amendment No. 1**

On page 1, line 7, after "act", strike out the rest of the bill, and insert "are entitled to the same force or value or use as bonds issued by any municipality."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**Senate Bill No. 374**—An act to amend Sections 12, 15, 16, 17, 22, 23, and 24 of, and to add Section 16.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

##### **Amendment No. 1**

On page 6, line 50, of the printed bill, strike out "not benefit the whole", and insert "benefit a portion".

##### **Amendment No. 2**

On page 7, line 33, after "resolution", insert "at least".

##### **Amendment No. 3**

On page 10, line 15, before "once", insert "at least".

##### **Amendment No. 4**

On page 14, line 23, strike out "shall either", and insert "may".

##### **Amendment No. 5**

On page 14, line 25, strike out "or shall", and insert ". Said remaining moneys may also".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**Senate Bill No. 159**—An act to amend Section 28139 of the Government Code, relating to compensation for public service in counties of the thirty-ninth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 7, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "two thousand four hundred dollars (\$2,400)".

**Amendment No. 2**

On page 1, line 9, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "six thousand dollars (\$6,000)".

**Amendment No. 3**

On page 1, line 11, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "three thousand dollars (\$3,000)".

**Amendment No. 4**

On page 1, after line 27, insert

"The compensation provided by this section shall be payable to incumbent officers."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 493**—An act to add Section 36933.1 to the Government Code, relating to city ordinance codes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1 of said bill, strike out lines 10 and 11, and insert "adopted by reference as provided in Sections 50022.1 to 50022.8 inclusive of this code. Thereafter all ordinances amending".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 266**—An act to repeal Article 4, Chapter 5, Part 1, Division 2, of Title 4, comprising Sections 54090 to 54116, inclusive, of the Government Code, relating to the reconstruction of buildings belonging to a local agency which have been wholly or partially destroyed by earthquakes after January 1933 and providing for the transfer of moneys to the General Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 41**—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties of the twenty-ninth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1978**—An act to amend Section 429 of the Education Code, relating to the county superintendent of schools in counties of the twenty-ninth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1816**—An act to amend Sections 73682, 73683, and 73684 of the Government Code, relating to officers and attaches of the municipal court in a district embracing the City of Fresno.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1817**—An act to amend Section 28109 of the Government Code, relating to compensation for public service in a county of the ninth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 199**—An act to amend Section 13 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to district taxes and assessments.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 244**—An act to amend Sections 27361 and 27361.5 of, to add Section 27361.6 to, and to repeal Sections 27362 and 27363 of, the Government Code, relating to the recordation of instruments.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1, line 10, of the printed bill, strike out "10", and insert "8".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1312**—An act to add Section 21197 to the Water Code, relating to county water districts.

Bill read second time.

##### Motion to Amend

Senator Cunningham moved the adoption of the following amendment:

##### Amendment No. 1

On page 1, line 3, of the printed bill, before "Notwithstanding", insert "21197."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1527**—An act to amend Section 7 of the San Bernardino Flood Control Act, relating to the San Bernardino County Flood District, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 67**—An act to add Section 29332 to the Government Code, relating to a stores purchase revolving fund for counties.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 878**—An act to amend Section 28k of the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), relating to the Palo Verde Irrigation District.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1126**—An act to add Section 2.5 to the San Bernardino County Flood Control Act (Chapter 73, Statutes of 1939), relating to the powers of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1, line 7, of the printed bill, after "repaid", insert "in installments".

##### Amendment No. 2

On page 1, line 9, after "occurs," insert "Pursuant to the power herein granted the board of supervisors may borrow money from the United States of America, or any agency or department thereof, or from the State of California or any agency or department thereof, or from any bank or banking institution authorized to transact business within the State of California or from any private corporation organized under the laws of the State of California and authorized by its articles of incorporation to lend money to public agencies for construction of public works. In the event that the estimated cost of any project exceeds two percent (2%) of the total assessed value of the zone wherein the work is proposed to be performed, as shown by the last equalized assessment roll of the county, no contract for the borrowing of money shall be entered into until a public hearing is held before the board of supervisors. Notice of such hearing shall be given by publication in a newspaper of general circulation within the county once a week for two successive weeks prior to the hearing. Interest on any loan herein authorized shall not exceed a rate in excess of five percent (5%) per annum payable annually. A loan made pursuant to this act shall be authorized only by resolution adopted by three-fifths vote of the board of supervisors and shall be evidenced by written contract signed by the chairman of the board specifying the particular flood control work or projects for which the contracts shall be let. If a surplus remains after completion of said work, such surplus shall be applied to the payment of the principal and interest due under said contract. The board of supervisors shall annually levy a tax upon the taxable property of the zone or zones within which the work is performed, sufficient to pay the installments and interest on such loan as the same shall become due and payable in accordance with the terms of the contract. The power to borrow money herein granted is separate from and in addition to the power of the district to raise funds by means of the issuance of bonds."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 678**—An act to add Section 21151 to the Government Code, relating to appointments of retired members of the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 818**—An act to add Section 11013 to the Government Code, relating to state institutions.

Bill read second time.

#### Motion to Re-refer Senate Bill No. 818

Senator Hulse moved that Senate Bill No. 818 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 295**—An act to amend Sections 498, 501, 502, 503, 504, and 1044 and to repeal Sections 499, 500, and 505 of the Fish and Game Code, relating to private fish ponds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "portion of a"; and strike out "the".

**Amendment No. 2**

On page 1, line 9, strike out "department has determined".

**Amendment No. 3**

On page 1, lines 9 and 10, strike out "resident or migratory".

**Amendment No. 4**

On page 1, lines 11 and 12, strike out "population capable of supporting any public fishing".

**Amendment No. 5**

On page 1, line 10, after "fish.", insert "Existing registered farm ponds shall automatically become private fish ponds."

**Amendment No. 6**

On page 1, line 17, after "department", insert "under such rules and regulations as the commission is hereby authorized to prescribe".

**Amendment No. 7**

On page 1, line 17, strike out "obtained from a"; and strike out lines 18 and 19.

**Amendment No. 8**

On page 1, line 20, strike out "or lessee of a private fish pond".

**Amendment No. 9**

On page 1, line 27, strike out "only".

**Amendment No. 10**

On page 1, line 28, after "ponds", insert "only by the registrant or his invitee at any time of year and without limit as to sizes or bag limits. When fish taken from a private fish pond are transported or possessed out of season or in excess of one daily bag limit the burden of proof that they originated in such a pond shall be upon the person transporting or possessing said fish.

The provisions of Sections 1028 to 1043, inclusive, shall apply to fish taken from farm ponds when transported or sold and for the purposes of this incorporation the owner or lessee of a private fish pond shall be deemed to be a licensee or permittee under said sections but shall not be required to pay the license or permit fee required by the article in which said sections appear."

**Amendment No. 11**

On page 2, lines 2 and 3, strike out "General angling regulations shall apply to the taking of such fish."

**Amendment No. 12**

On page 2, line 10, strike out "amended to read:", and insert "repealed."

**Amendment No. 13**

On page 2, strike out lines 11 to 23, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Senate Bill No. 294**—An act to amend Section 561.1 of, and to add Section 561.2 to, the Fish and Game Code, relating to permits to deal in freshwater fish for bait.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 561.2", and insert "Sections 561.2 and 561.3".

**Amendment No. 2**

On page 1, line 7, strike out "shall be issued without charge and".

**Amendment No. 3**

On page 1, after line 22, insert

"Sec. 3. Section 561.3 is added to said code, to read:

561.3. A permit issued under Section 561.1 shall authorize the taking of only golden shiners, fathead minnows and such other species as the department may designate, under such rules and regulations as the commission is hereby authorized to prescribe. The commission may prohibit in any part or all parts of the State the possession alive of any species of fish which it considers a potential threat to the fisheries of the State by reason of possible escape and establishment."

**Amendments read, and adopted.**

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 477**—An act to amend Sections 809 and 811 of, and to repeal Sections 810 and 810.5 of, the Fish and Game Code, relating to claims.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1286**—An act to add Section 481.6 to the Fish and Game Code, relating to pollution of Lost Man Creek in Humboldt County.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1635**—An act to amend Section 1201 of the Fish and Game Code, relating to pheasants.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 402**—An act to amend Section 1159 of the Fish and Game Code, relating to cooperative hunting areas.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 446**—An act to add Section 375.6 to the Fish and Game Code, relating to federal preserves.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1664**—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 98**—An act to amend Section 1736 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 314**—An act to add Section 1324 to the Fish and Game Code, relating to nutria permits.

Bill read second time.

**Motion to Re-refer Assembly Bill No. 314**

Senator Hulse moved that Assembly Bill No. 314 be re-referred to Committee on Finance.

Motion carried.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 798**—An act to amend the Community Services District Law by amending Section 60673 of the Government Code, relating to force, value and use of bonds, tax exemption and investigation and certification of bonds by the California Districts Securities Commission; by repealing Section 60687 of the Government Code, relating to limitation on general obligation bonded indebtedness; and by adding Section 60687 to the Government Code, relating to the applicability of Title 5, Division 3, Part 5, Chapter 4 thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Passed on File to Retain Place on File**

The President ordered Senate Bills Nos. 275 and 1699 be passed on file and retain their places on file.

**Senate Bill No. 800**—An act to amend the Revenue Bond Law of 1941 by amending Section 54434 of the Government Code, relating to investigation and certification of revenue bonds by the California Districts Securities Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Byrne Presiding**

At 10.45 a.m., Senator Paul L. Byrne of the Sixth District, presiding.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 361**—An act to add Sections 26516.4, 26516.5, 26516.6, and 26516.7 to the Health and Safety Code, relating to the adulteration, misbranding, and advertising of meat.

Bill read third time.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 916**—An act to amend Section 20755 of the Health and Safety Code, relating to the sale of poison.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Murdy, Richards, Short, Teale, Thompson, Ward, and J. Howard Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Senate Bill No. 1292**—An act to amend Section 44.8 of the Vehicle Code, relating to emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Murdy, Richards, Sutton, Teale, Thompson, Ward, and J. Howard Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 26**—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1316**—An act to amend Section 16651 of the Public Utilities Code, relating to the fixation of tax rates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and J. Howard Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 580**—An act conveying certain tidelands, lands lying under inland navigable waters, and swamp and overflow lands, situate in Alameda County, State of California, to the City of Oakland, in

furtherance of navigation and commerce and fisheries, and providing for the government, management, use and control thereof, and reserving certain rights to the State.

**Motion to Re-refer Senate Bill No. 580**

Senator Hulse moved that Senate Bill No. 580 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 155**—An act to amend Section 23010 of the Government Code, relating to loans by counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1275**—An act to amend Sections 19533 and 19539 of, to repeal Section 19539.5 of, and to add Sections 19535 and 19539.5 to, the Business and Professions Code, relating to horse racing.

Bill read third time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 21, after the period, insert "No quarter-horse racing meeting, including any charity days allowed during the meeting, shall, in any one county, in any one year, extend over a total period of more than seven weeks of seven consecutive days each. Such a meeting may be for consecutive racing days or split into not more than two periods and if split into two periods the periods may be separated by any number of days or weeks."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1311**—An act to add Section 60737.09 to the Government Code, relating to community services districts.

Bill read third time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 3, of the printed bill, before "Notwithstanding", insert "60737.09".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1722**—An act to amend Section 70141.5 of the Government Code, relating to court commissioner of superior courts.

Bill read third time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Senate February 28, 1955, in line 11 after "duties", insert "in any county with a population exceeding 290,000 and not exceeding 900,000".

**Amendment No. 2**

On page 1, line 12, after "of", insert "eight thousand four hundred dollars (\$8,400), and any commissioner who is authorized to perform such duties in any county with a population exceeding 281,000 and not exceeding 290,000 shall receive an annual salary of".

**Amendment No. 3**

On page 1, line 13, after "and", insert "in either case such commissioner".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 264**—An act to amend Section 699.5 of the Military and Veterans Code, relating to assistance to veterans and their dependents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 768**—An act to amend Section 13109 of the Government Code, relating to the renting of state-owned property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1554**—An act to add Sections 7910.2 and 7957.1 to the Education Code, relating to state school building aid.

**Motion to Re-refer Senate Bill No. 1554**

Senator Hulse moved that Senate Bill No. 1554 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 366**—An act to amend Section 7012 of the Education Code, relating to pupil transportation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Dilworth moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 12, of the printed bill, strike out "not".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 370**—An act to amend the title of Article 4 of Chapter 8 of Division 3 of, to amend Sections 5961 and 5968 of, to

repeal Sections 5962, 5963, 5964, 5965, 5966, and 5967 of, and to add Sections 5962 and 5963 to the Education Code, relating to school funds.

Bill read third time.

The bill was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 490**—An act to amend Section 403 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

Call of the Senate

Senator Cobey moved a call of the Senate.

Motion carried.

Time, 11.30 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 227**—An act to add Section 2 to Chapter 1076 of the Statutes of 1947, relating to tidelands and submerged lands granted to the County of San Luis Obispo.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Harold T. Johnson, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

President pro Tempore of the Senate Presiding

At 11.35 a.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**Senate Bill No. 1067**—An act to add Section 376 to the Education Code, relating to employees of county superintendents of schools.

Bill read third time.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Burus, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 365**—An act to amend Sections 7109.1, 7112, 7113, 7114, 7119, 7121.2, 7123, and 7124 of, and to repeal Section 7119.1 of the Education Code and Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to State School Fund apportionments, declaring the urgency thereof, to take effect immediately.

**Motion to Re-refer Senate Bill No. 365**

Senator Hulse moved that Senate Bill No. 365 be re-referred to Committee on Finance.

Motion carried.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 632**—An act to amend Sections 3942, 3971, and 3972 of, and to repeal Section 3943 of the Education Code, relating to school districts.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 633**—An act to amend Sections 322, 368 (as added by Chapter 1168 of the Statutes of 1945), 1553, and 1554 of the Education Code, relating to records.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 615**—An act to amend Section 13231 of the Education Code, relating to school registers and central attendance accounting.

Bill read third time, and presented by Senator Dorsey.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Burns, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, and J. Howard Williams—22.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 616**—An act to amend Section 16831 of the Education Code, relating to truants.

Bill read third time, and presented by Senator Dorsey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—22.

NOES—Senator Miller—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 617**—An act to amend Sections 2891, 2892, 2893, and 2895 of the Education Code, relating to school districts.

Bill read third time, and presented by Senator Dorsey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 618**—An act to amend Section 2593 of the Education Code, relating to school districts.

Bill read third time, and presented by Senator Dorsey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Byrne, Cobey, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1656**—An act to amend Section 14071 of the Education Code, relating to granting of leaves to school district employees.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—24.

NOES—Senator Miller—1.

#### Motion to Reconsider

Senator Miller moved to reconsider the vote whereby Assembly Bill No. 1656 was passed.

#### Postponement of Reconsideration

On motion of Senator Miller, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1656 was passed, was continued until the next legislative day.

**Assembly Bill No. 629**—An act to amend Section 1593 of the Education Code, relating to school districts.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, and J. Howard Williams—22.  
NOES—Senator Teale—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 630**—An act to add Section 1503.6 to the Education Code, relating to interdistrict attendance agreements.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 835

Senator Burns moved that Senate Bill No. 835 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to Committee on Agriculture.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 835**—An act to add Section 376 to the Penal Code, relating to the disposition of crops constituting a pest hazard.

Bill read second time.

#### Motion to Amend

Senator Burns moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"376. In all cases where overripe, spoiled, or rotten melons, grapes, berries, fruits, or vegetables, or the remnants, waste, refuse, leavings, dregs, or residue from any growing, harvested or processed crop of melons, grapes, berries, fruits, or vegetables, are conducive to, a medium for, or capable of, the production, reproduction, preservation, or sustenance of insect pests harmful to melon, grape, berry, fruit, or vegetable crops, and there are other crops of melons, grapes, berries, fruits, or vegetables planted, growing, being harvested, or being processed within such proximity that damage thereto from such insect pests should be reasonably anticipated:

(a) Every person who has the right to harvest any growing crop of melons, grapes, berries, fruits, or vegetables, or to plow under, burn, or otherwise destroy the same in lieu of harvesting it, must do so before the same becomes overripe, spoiled, or rotten;

(b) Every person who has the right to remove any harvested crop of melons, grapes, berries, fruits, or vegetables from the field where it has been harvested, or to plow under, burn, or otherwise destroy the same in lieu of removing it, must do so before the same becomes overripe, spoiled or rotten;

(c) Every person who has the right to dry, dehydrate, burn, bury, chemically treat, or otherwise handle or deal with the remnants, waste, refuse, leavings, dregs, or residue from any growing, harvested or processed crop of melons, grapes, berries, fruits or vegetables in such manner as to prevent the production, reproduction, preservation or sustenance of insect pests harmful to melon, grape, berry, fruit, or vegetable crops therein, thereon, and therefrom, must do so prior to the time such remnants, waste, refuse, leavings, dregs or residue become conducive to, a medium for, or capable of, the production, reproduction, preservation or sustenance of such noxious insects.

Every person who fails to comply with the provisions of this section is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding thirty

(30) days or by fine not exceeding five hundred dollars (\$500) or by both such fine and imprisonment."

**Amendment No. 2**

On page 1, strike out lines 4 to 27, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1711**

Senator Desmond moved that Senate Bill No. 1711 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1711**—An act to amend Section 6900 of the Government Code, relating to vending stands and eating establishments in state buildings.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 6900", and insert "add Chapter 10, comprising Sections 13810 to 13814, inclusive, to Part 3, Division 3, Title 2".

**Amendment No. 2**

In line 2 of the title, strike out "vending stands and".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 10 is added to Part 3, Division 3, Title 2 of the Government Code to read:

**CHAPTER 10. EATING ESTABLISHMENTS IN STATE BUILDINGS**

13810. It has been established, both in private industry and public service, that employee health, morale efficiency is improved when facilities are provided, in the place where they are employed, for the purchase of food and beverages at lunch time and during midmorning and midafternoon breaks. This chapter is enacted for the purpose of improving employee efficiency by providing for such facilities.

13811. The Director of Finance may construct and install or permit the construction and installation of snack bars in any building owned or occupied by the State, for operation by persons licensed under this chapter. As used herein "snack bar" means a facility offering hot drinks, sandwiches, cakes, doughnuts, soups and salads, and limited hot dishes which are prepared elsewhere and brought in for sale. "Snack bar" does not include a facility fully equipped for cooking and preparing hot dishes on the premises.

13812. The Department of Finance shall administer this chapter and shall:

(a) Make surveys of the necessity and feasibility of establishing snack bars in any or all buildings owned or occupied by the State.

(b) Prescribe all necessary rules and regulations for the operation of the snack bars, and do all things necessary and proper to carry out the provisions of this chapter, including the collection of a service charge based on gross sales from each operator. Such service charge shall be sufficient to cover the depreciation of equipment and the maintenance, repair and replacement thereof, and the money collected pursuant to such charges shall be deposited in the Special Deposit Fund to be used for maintenance, replacement and repair of equipment, and for such other expenditures as are found necessary.

(c) Select a location for a snack bar in any building owned or occupied by the State subject to the approval of the state agency having the care, custody or control of such building. The amount of space allotted for this purpose shall be kept to the minimum space consistent with the number of persons to be served.

(d) Issue licenses for the operation of snack bars to qualified persons or employee organizations.



13813. In administering this chapter, the Department of Finance shall keep state costs to a minimum, and in no event shall state assistance for such facilities exceed the purchase of needed equipment, title to which shall remain in the State, and rent-free space in a building owned or operated by the State. The department shall require that costs of utilities and other out of pocket costs connected with the operation of a snack bar shall be paid by the operator.

13814. The department shall require the operator of each snack bar:

- (a) To accept complete responsibility for the cleanliness of the premises.
- (b) To submit to audit of his books of account by the department.
- (c) To make the facilities available to state employees whether they purchase or bring their lunches, but to exclude the general public.
- (d) To charge prices which are comparable to the prices charged in commercial restaurants in the immediate vicinity of the building in which the snack bar is located."

**Amendment No. 4**

On page 1, strike out lines 2 to 10, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 12.05 p.m., on motion of Senator Cobey, further proceedings under the call of the Senate were dispensed with.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1915**

Senator Gibson moved that Senate Bill No. 1915 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1915**—An act to amend Section 674 of the Vehicle Code, relating to mirrors.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, of the printed bill, as amended in Senate March 1, 1955, strike out lines 15 to 20, inclusive, and insert

"(a) Any motor vehicle which is so constructed or loaded, or when towing any vehicle which is so constructed or loaded, as to obstruct the driver's view to the rear thereof from the driver's position, shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 500 feet to the rear of such vehicle.

(b) Any motor vehicle registered in this State after January 1, 1954, shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 500 feet to the rear of such vehicle.

(c) Any motor vehicle first registered in this State after January 1, 1956, shall be equipped with a mirror which is so located on the outside of the vehicle next to the driver's compartment as to reflect to the driver a view of highway for a distance of at least 500 feet to the rear of such vehicle."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 133

Senator Teale moved that Senate Bill No. 133 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 133**—An act to amend Sections 10112 and 10200 of the Health and Safety Code, relating to vital statistics and birth certificates.

Bill read second time.

## Motion to Amend

Senator Teale moved the adoption of the following amendment:

## Amendment No. 1

On page 1, line 3, of the printed bill, after "registrar", insert "except a health officer of a city and county and health officers of cities of over 1,000,000 population, acting as local registrar,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 60  
Assembly Bill No. 163  
Assembly Bill No. 765  
Assembly Bill No. 853  
Assembly Bill No. 927  
Assembly Bill No. 1359  
Assembly Bill No. 1922  
Assembly Bill No. 2102  
Assembly Bill No. 2103  
Assembly Bill No. 2104

Assembly Bill No. 2105  
Assembly Bill No. 2106  
Assembly Bill No. 2108  
Assembly Bill No. 2163  
Assembly Bill No. 2256  
Assembly Bill No. 2293  
Assembly Bill No. 2999  
Assembly Bill No. 3514  
Assembly Bill No. 3515

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 60**—An act to add Section 6386 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 163**—An act to add Section 72305 to the Government Code, relating to closing municipal courts on Saturdays.

Referred to Committee on Judiciary.

**Assembly Bill No. 765**—An act to amend Sections 4870, 4895, 4910, and 4926 of, and to add Section 4906.1 to, the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Local Government.

**Assembly Bill No. 853**—An act to amend Section 7206 of the Education Code, relating to services to school districts provided by county superintendents of schools.

Referred to Committee on Education.

**Assembly Bill No. 927**—An act to amend Section 14103 of the Revenue and Taxation Code, relating to the payment of taxes imposed by the Inheritance Tax Law.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1359**—An act to amend Section 14797 of the Revenue and Taxation Code, relating to commissions to be retained by the county treasurers from inheritance tax payments.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1922**—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities.

Referred to Committee on Transportation.

**Assembly Bill No. 2102**—An act to amend Section 4151 of the Revenue and Taxation Code, relating to redemption of a portion of a parcel of tax-sold property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2103**—An act to amend Sections 4101, 4105, 4106, 4710, and 4711 of, and to add Sections 4105.1 and 4105.2 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2104**—An act to amend Sections 3552.28, 3716, 3811 and to repeal Sections 3552.30, 3717 and 3812 of the Revenue and Taxation Code, relating to the filing of tax deed notices with the recorder.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2105**—An act to amend Sections 3511 and 3514.5 of the Revenue and Taxation Code, relating to recordation of tax deeds.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2106**—An act to amend Sections 3352, 3355, 3437, 3798.1, and 4839 of, and to add Section 4839.1 to, the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2108**—An act to repeal Sections 133, 3515.5, Article 3 consisting of Sections 4256 to 4263, inclusive, and Article 4 consisting of Sections 4296 to 4306, inclusive of, and Section 4339 of the Revenue and Taxation Code, relating to property taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2163**—An act to amend Section 15402 of the Revenue and Taxation Code, relating to exclusions from exemption under the gift tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2256**—An act to add Section 23428.2 to the Business and Professions Code, relating to club licenses.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2293**—An act to amend Section 2510, 2609, 2702 and 2807.3 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2999**—An act to add a title to Article 1 of Chapter 1 of Part 4 of Division 13, immediately preceding Section 35000 of, to add Section 35007 to, to add Article 2 to Chapter 1 of Part 4 of Division 13 of, and to amend Sections 36726 and 36825 of, the Water Code, relating to California water districts.

Referred to Committee on Water Resources.

**Assembly Bill No. 3514**—An act to amend Section 1700 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Assembly Bill No. 3515**—An act to amend Section 1732 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

## REPORTS OF STANDING COMMITTEES

### Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Assembly Bill No. 316

Assembly Bill No. 317

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 921

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 11; absent 2.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 1578

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

DESMOND, Chairman

Above reported bill ordered to second reading.



**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bill ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:  
Senate Bill No. 1054

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 698	Assembly Bill No. 449
Senate Bill No. 699	Assembly Bill No. 450
Senate Bill No. 700	Assembly Bill No. 451
Senate Bill No. 709	Assembly Bill No. 452
Senate Bill No. 710	Assembly Bill No. 453
Senate Bill No. 784	Assembly Bill No. 454
Senate Bill No. 785	Assembly Bill No. 455
Senate Bill No. 1252	Assembly Bill No. 456
Assembly Bill No. 445	Assembly Bill No. 457
Assembly Bill No. 446	Assembly Bill No. 458
Assembly Bill No. 447	Assembly Bill No. 459
Assembly Bill No. 448	Assembly Bill No. 460

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 786  
Senate Bill No. 1701

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 485	Assembly Bill No. 489
Assembly Bill No. 487	Assembly Bill No. 496

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 53

Senate Bill No. 54

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

REGAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 702

Senate Bill No. 705

Senate Bill No. 703

Senate Bill No. 1228

Senate Bill No. 704

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 461

Assembly Bill No. 469

Assembly Bill No. 462

Assembly Bill No. 470

Assembly Bill No. 463

Assembly Bill No. 471

Assembly Bill No. 464

Assembly Bill No. 472

Assembly Bill No. 465

Assembly Bill No. 473

Assembly Bill No. 466

Assembly Bill No. 474

Assembly Bill No. 467

Assembly Bill No. 475

Assembly Bill No. 468

Assembly Bill No. 476

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 477

Assembly Bill No. 486

Assembly Bill No. 478

Assembly Bill No. 490

Assembly Bill No. 479

Assembly Bill No. 491

Assembly Bill No. 480

Assembly Bill No. 492

Assembly Bill No. 481

Assembly Bill No. 493

Assembly Bill No. 482

Assembly Bill No. 494

Assembly Bill No. 483

Assembly Bill No. 495

Assembly Bill No. 484

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

## Committee on Elections

## SENATE CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 1842

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 18, 1955

**MR. PRESIDENT:** The Committee on Rules has examined:

Senate Bill No. 45

Senate Bill No. 227

Senate Bill No. 365

Senate Bill No. 580

Senate Bill No. 611

Senate Concurrent Resolution No. 45

Senate Bill No. 982

Senate Bill No. 984

Senate Bill No. 1067

Senate Bill No. 1275

Senate Bill No. 1973

And reports the same correctly engrossed.

WARD, Chairman

**ADJOURNMENT**

At 12.10 p.m., on motion of Senator Gibson, the President declared the Senate adjourned until 2 p.m., Monday, March 21, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTIETH LEGISLATIVE DAY

FORTY-FIRST CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, March 21, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—35.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### PLEDGE OF ALLEGIANCE

Senator Richards led the Senate in pledging allegiance to the Flag.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Teale, on motion of Senator Short, due to legislative business.

Senator Dale C. Williams, on motion of Senator Short, due to illness.

Senator Ward, on motion of Senator Burns, due to illness.

Senator Sutton, on motion of Senator Erhart, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruby Doherty of Hanford.

On request of Senators Kraft and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Scott Rethorst of Pasadena.



On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Patricia Hofsteder and Mrs. Roma Rose, both of Los Angeles.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Hazel Jordan and John G. Fermow, and the following eighth grade students from Elk Grove Union Elementary School: Florene Abelle, Donald Allen, Wayne Allen, William Asay, Wayne Bartholomew, Judy Bell, Dorothy Berry, Jack Black, Neale Blase, Leona Bray, Rodell Buechler, Danny Campbell, Jo Ann Campbell, Duane Carr, Sara Colton, Dale Crump, James Dockter, Agrifino Edralin, Marie Eisenbeisz, Carol Engle, Ruth Felt, Michael Fernandez, Joan Freyschlag, Lynn Frost, Benny Garcia, Lester Halverson, LeAnn Hamilton, Wayne Hammersley, David Hill, Jack Hinsz, George Hisamoto, Martha Hoshenthal, Frank Immoos, Judy Jenkins, Dennis Jones, Barbara Keylon, Evangeline Knauf, Linda Kneppel, Evalyn Mantz, Gene Maxwell, Darrold McGregor, Colleen Moore, Hugh Mouser, Betty Need, Ronald Neely, Richard Oda, May Onodera, Ronald Owens, Daniel Pasqual, Lila Phillips, Naomi Puleifer, Carlson Reed, Vernon Ritter, Philip Rubalcave, Larry Scherman, Kenneth Schleining, Bill Smirl, Marlene Schulze, James Strong, Elaine Taylor, Robert Taylor, Sylvia Telles, David Thompson, Rodney Turner, Anita Vasquez, Raymond Vasquez, Jeanette Vossler, Frances Waddell, Jack White, LaWanda White, Richard Williams, Kenneth Wilson, James Woodward, and Toby Ybarra.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Howard Rose of El Centro.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Kittie B. Knight of Woodlake, Mrs. Lucy Spuhler of Strathmore, Mrs. Zayda Awbrey of Strathmore, Mrs. Opal H. Short of Lindsay, Mrs. Irene M. Frasher of Lindsay, Sarah R. Smith of Visalia, Mrs. Doc Hill of Strathmore, Mrs. Charles Fisher of Strathmore, and Mrs. Edna Curtin of Visalia.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Jeanne McLeese of Orange, and Mrs. Edward Kimmelshire of Woodland.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ray Daba of Redwood City.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John W. Kimball, Jr., of Palo Alto.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Verna Morgan, Mrs. Della Paget, Ralph Pardue, district superintendent Forest L. Brown, and the following students from Greenfield Union Elementary School District: Robert Eugene Allred, Mildred Pauline Anderson, Arthur Apodaca, John Willard Armer, Ronald Bennett, Aurora Frances Bernal, Thomas Gabriel Berticivie, Eloy Besinais, Betty Jo Bianchi, Yvonne Bernice Bomar, Lew Kent Borzini, Linda

Gail Brewer, Vicky Ann Calvert, Shirley Carson, Carlton Thomas Clayton, Barbara Sue Clifton, Mary Jane Colvin, Claudia Jan Corda, Eva Jo Douglas, Steven Howard Embrey, Peggy Griffith, Raymond Leroy Grogan, Norma Jean Gurley, Jayleen Carol Hicks, Ramona Kay Howard, Linda Barry Lauren, Carmen Marie Lerma, James Hogan Lopez, James Martinez, Margarite Masias, Pauline McKinley, James Ray Muns, Dorothy Cordova Otero, Frances Perez, Chlorene Viola Phillips, Melvin Hugh Phillips, Charlotte Lee Renfro, Wanda Roberts, Janice Sims, Alexander Smith, Jerry Wayne Smith, Simon Sierra Solis, Carol Stoughton, Teddy Lee Stoughton, Della Trevino, Jesse Charles Williams, Lionel Paul Windham, and Hazel York.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mr. Ledbetter and the following eighth grade students from Elkhorn Village: Lewallen Allensworth, Leo Bates, Robert Blackmer, Raymond Carreon, Manuel Charles, James Deckwa, Charles Elliott, Ronald Knight, Charles O'Hara, Hermo Olanio, Marvin Quam, Jessie Sanchez, Robert Strong, Paul Williams, Dolores Bracy, Rosalie Briggs, Mae Lee Burson, Lupe Cervantes, Janice Crabtree, Lydia Dominguez, Cristy Douglas, Irma Hernandez, Margaret Macias, Peggy Purcell, Barbara Ponciano, Judy Termine, and Nancy Eldrege.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Lydia Schlant and the following eighth grade students from the Travis Elementary School, and teacher Mabel McDiarmid and the following students from Crystal Elementary School: Gale D. Banda, Walter E. Burks, Margaret A. Chapman, Linda L. Couch, Betty D. Crews, William E. Dempsey, Lee A. Downer, Carol G. Elliott, Betty N. Fantone, Gregory E. Gartland, Karen E. Gnapp, Kathryn M. Graves, Gary C. Guillot, Kay C. Herndon, J. Terry Jack, Paul A. Jones, William C. Krushas, Robert A. Levereth, Susan C. Manes, Sandra S. McKain, Ray G. Schmidt, Doris L. Sims, Judith L. Stewart, Winifred J. Stone, Alfred W. Swan, James E. Taylor, Clifford R. Wagoner, Walter J. Yurgevich, Junior Ayers, Alvis Bell, Conrad Chavez, Robert Griffith, Junior Golden, Boyd Ivers, Edward Marquez, Timothy Merwin, Thomas Pace, Bruce Stogner, John Varner, Pat Bayona, Loreen Cooper, Rosa Del Rosa, Barbara Downey, Marjorie Huyek, Janice Koontz, Emma Kincaid, Marianne Martin, Isabel Mincer, Ann McCarley, Karen Peterson, Kathryn Story, and Janice Swearengin.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Philip Davenport, Leo Konopko, and Phil Badalamenti, all of Stockton.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mr. Monger, Miss Doyle, Mr. Raffanti, vice principal Mr. McGee, parent Rev. Weatherby and the following eighth grade students from Edendale School, San Lorenzo School District: Carl Britto, George De Camba, Kenneth Esmeier, Marilyn Falasea, Carl Garcia, Billie Gilesapie, Francis Gonsalves Patricia Hart, Loyal Higby, Jerrald Johnson, Carolyn Kruzick, Eddie Lawrence, Martha Lookadoo, George Lucchesi, Robert Magnuson, Richard Miller, Robert Montgomery, Betty Murphy, Connie

Nichols, Keith Nichols, Gayle Nicholson, Marie Nielson, William Ordoin, Brenda Powell, Sharon Reeves, Sandra Roberds, Janeane Roberts, Vicki Schmidt, Leo Thompson, Vonda Unter, Shirley Vernick, Arron Weatherby, Alice Brady, Ray Brajkovich, Lola Boggs, Terrence Connolly, William Cox, Elnora Cunningham, Nancy DalPorto, Judith Dubbs, William Fields, Patsy Ford, Lily Fukada, Frank Gomes, Dale Keltie, Marlene Kittredge, Dennis Lake, Patricia McLean, Laurie Maderas, Ronald Mura, Robert Prater, Martin Pursley, Vincent Rapolla, Raymond Roze, Kent Ryden, Jane Schantz, Lary Sheppard, Dorothy Switzer, Marvin (Joe) Taylor, James VanAltena, Joseph Vierra, and Manuela Walters.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Price of San Rafael.

On request of Senators Berry and Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Grant Merrill of Woodfords, Alpine County.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE, March 21, 1955

*Secretary's Report on Condition of the File*

*Hon. Harold J. Powers  
President of the Senate*

DEAR MR. PRESIDENT: This is the forty-first calendar day. Upon the conclusion of business on the fortieth calendar day of the 1953 Session, we had received from committee 650 bills and given second reading to 468 and had sent to the Governor or Secretary of State 95.

To date this year, we have received from committee 432 bills and given second reading to 274 and have sent to the Governor or Secretary of State 115.

There are 79 calendar days left of this session, including Saturdays and Sundays. If we do not meet on Saturdays and Sundays, we will have to subtract 22 days from the 79, leaving us 57 days in which to enact legislation. If we are to pass as many bills in this session as we did last session, we will have to dispose of an average of 39 measures per day in order to complete our business on the 8th of June, the 120th day of the session.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 41	Senate Bill No. 878
Senate Bill No. 67	Senate Bill No. 1286
Senate Bill No. 199	Senate Bill No. 1527
Senate Bill No. 266	Senate Bill No. 1635
Senate Bill No. 402	Senate Bill No. 1664
Senate Bill No. 446	Senate Bill No. 1816
Senate Bill No. 477	Senate Bill No. 1817
Senate Bill No. 678	Senate Bill No. 1978

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 366	Senate Bill No. 1311
Senate Bill No. 1275	Senate Bill No. 1722

And reports the same correctly re-engrossed.

WARD, Chairman



SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 159  
Senate Bill No. 244  
Senate Bill No. 294  
Senate Bill No. 493

Senate Bill No. 1126  
Senate Bill No. 1312  
Senate Concurrent Resolution No. 47

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 701  
Senate Bill No. 708

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1679

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

J. HOWARD WILLIAMS, Chairman

Above reported bill ordered to second reading.

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 882  
Senate Bill No. 883  
Senate Bill No. 1334

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

ERHART, Vice Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 293  
Senate Bill No. 648

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

ERHART, Vice Chairman

Above reported bills ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 35—Relative to commending the University of Southern California on the occasion of the celebration of its Diamond Jubilee;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of March, 1955, at 2 p.m.

WARD, Chairman



**MOTION TO APPROVE JOURNALS**

Senator Burns moved that the Journals for Monday, March 14, 1955; Tuesday, March 15, 1955; Wednesday, March 16, 1955; Thursday, March 17, 1955; and Friday, March 18, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1387**—An act to repeal Chapter 9 of Division 2 of the Business and Professions Code; Divisions 15 and 22 of the Health and Safety Code; Chapter 8, Division 8 of the Business and Professions Code, and to add Chapter 9 to Division 2 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 5, line 26, of the printed bill, strike out "This", and insert "Except as otherwise provided in Articles 7, 8, and 9 of this chapter, this".

**Amendment No. 2**

On page 18, line 22, strike out "act", and insert "article".

**Amendment No. 3**

On page 18, strike out lines 36 and 37, and insert "cludes any person holding a valid and unrevoked physician's and surgeon's certificate or certificate to practice medicine and surgery, issued by the Board of Medical Examiners or the Board of Osteopathic Examiners of this State".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 313**—An act to amend Sections 13353, 13354, 13362, 13364, 13375, and 13396 of the Health and Safety Code, relating to clothes cleaning establishments.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out the first "or", and insert "of".

**Amendment No. 2**

On page 1, line 6, strike out the first "of", and insert "or".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 674**—An act to amend Section 17044 of the Business and Professions Code, relating to loss leaders in the Unfair Practices Act.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 921**—An act to add Section 4292.5 to the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 4292.5 to", and insert "amend Sections 4226, 4230, 4247, 4280, 4292, 4294.5, and 4355 of, to add Section 4231 to, and to repeal Sections 4272 and 4291 of,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 2

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 4226 of the Agricultural Code is amended to read:

4226. Class 1 comprises any fluid milk, *fluid skim milk*, or [the] *fluid cream* [therefrom] that is supplied to consumers as market milk, *market skim milk*, or market cream or concentrated milk or any combination of market milk, *market skim milk*, and market cream, or any market milk which is not packaged in hermetically sealed containers, or any other dairy product in which the use of market milk or *fluid skim milk* is required by the provisions of this code, or any fluid milk, *fluid skim milk*, or [the] *fluid cream* [therefrom] which is used in standardizing market milk.

SEC. 2. Section 4230 of said code is amended to read:

4230. In designating and prescribing or providing methods for designating and prescribing minimum price to be paid by distributors to producers for Classes 1, 2 or 3 fluid milk, the director may take into consideration the market price of all milk which may be used for the same purposes set forth in such respective classes[.]; *but in no event shall any distributor pay producers or any association of producers less than the Class 1 price for all usages required by the provisions of this code to be comprised of market milk, market cream, or market non-fat or fluid skim milk, as such usages are defined in Section 4226; and no payment shall be made by distributors to producers or any association of producers of prices lower than those established in the applicable stabilization and marketing plan.*

SEC. 3. Section 4231 is added to said code, to read:

4231. In determining the prices to be paid by distributors to producers or associations of producers for Class 1 usage, the director may establish prices for the cream and skim milk components of such milk which prices, when added together, may be less but shall not be more than the price of fluid milk established for the marketing area where the components are sold. But in no event shall such prices be lower than the prices established for cream and skim milk which have been separated from fluid milk received as whole milk and separated in the area where sold, less the applicable plant charges and the transportation charges for such cream or skim milk in effect between the areas of separation and sale.

SEC. 4. Section 4247 of said code is amended to read:

4247. The director [may] *shall* prescribe minimum prices to be paid by distributors for fluid cream and *fluid skim milk* in accordance with a stabilization and marketing plan; provided, that the *director finds that such prices will tend to effectuate the purposes and policy of this chapter and will insure consumers a sufficient quantity of pure and wholesome cream.* The prices so prescribed shall be based upon the economic relationship of the price of fluid cream for the marketing area involved to the price of manufacturing milk, taking into consideration the additional costs incurred in producing and marketing fluid cream over and above such costs incurred in producing and marketing manufacturing milk.

SEC. 5. Sections 4272 and 4291 of said code are repealed.

SEC. 6. Section 4280 of said code is amended to read:

4280. Each stabilization and marketing plan shall contain provisions for prohibiting distributors and retail stores from engaging in the unfair practices herein-after set forth:

(a) The payment, allowance or acceptance of secret rebates, secret refunds, or unearned discounts by any person, whether in the form of money or otherwise.

(b) The giving of any milk, cream, dairy products, services or articles of any kind, except to bona fide charities, for the purpose of securing or retaining the fluid milk or fluid cream business of any customer.

(c) The extension to certain customers of special prices or services not made available to all customers who purchase fluid milk or fluid cream of like quantity under like terms and conditions.

(d) The false or misleading advertising of fluid milk or fluid cream as defined in Section 17500, 17501, and 17502 of the Business and Professions Code.

(e) The purchase of any fluid milk in excess of 200 gallons monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers stating the amount of fluid milk to be purchased for any period. The quantity of such milk to be paid for as Class 1 in pounds of milk or pounds of milk fat or gallons of milk, and the price to be paid for all milk received, but in any marketing area where an equalization pool is a part of a stabilization and marketing plan, such contract need not specify the quantity of milk in any one class. The contract shall also state the date and method of payment for such fluid milk, which shall be that payment shall be made for approximately one-half of the milk delivered in any calendar month not later than the first day of the next following month and the remainder not later than the fifteenth day of said month, the charges for transportation if hauled by the distributor, and may contain such other provisions as are not in conflict with this chapter, and shall contain a proviso to the effect that the producer shall not be obligated to deliver in any calendar month fluid milk to be paid for at the minimum price for fluid milk that is used for Class 3, as said class is defined in Section 4228. A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution. The provisions of this subdivision relating to dates of payment shall not apply to contracts for the purchase of fluid milk from nonprofit cooperative associations of producers.

(f) The purchasing, processing, bottling, transporting, delivering or otherwise handling in any marketing area of any fluid milk or fluid cream which is to be or is sold or otherwise disposed of by such distributor at any place in the geographical area within the outer, outside and external boundaries or limits of such marketing area, whether such place is a part of the marketing area or not, at less than the minimum wholesale and minimum retail prices effective in such marketing area.

(g) The payment by a distributor to any producer, including any association of producers, or the receipt by a producer, including any association of producers, from a distributor, of a lesser price [by a distributor to any producer] for any fluid milk or fluid cream which is distributed to any person, including agencies of the federal, state or local government, located upon property within the geographical limits of any marketing area for less than the minimum prices established by the director to be paid by distributors to producers for fluid milk, or the milk fat and skim milk contained therein, or fluid cream for said marketing area. The prohibitions of this section with respect to fluid milk shall apply whether or not such fluid milk is received by the distributor as whole milk, or as skim milk and fluid cream, or either, or as any other derivatives of such fluid milk, and whether or not a fluid cream plan has been established for the marketing area.

SEC. 7. Section 4292 of said code is amended and renumbered to read:

[4292.] 4283. Each such plan [may] shall contain provisions whereby the director [may] shall provide methods for the establishment of minimum prices for fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream received within a marketing area regardless of whether such fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream is subsequently sold or distributed within or without such marketing area or within or without the jurisdiction of the State of California. Such stabilization and marketing plans [may] shall provide for the establishment of prices for fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream whether or not such fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream is subsequently sold or distributed in another marketing area within the State of California where a stabilization and marketing plan is in effect. The stabilization and marketing plan [may] shall provide that producers shall be paid not less than the minimum prices established for the marketing area wherein such fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream is ultimately sold or distributed, and [may] shall further provide that in the event such fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream is subsequently sold or distributed in any place within the jurisdiction of the State of California where no stabilization and marketing plan is in effect, then such fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream [may] shall be paid by the distributor to the producer thereof at not less than the average [price] of prices paid by distributors to producers for fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream [of similar grade and quality] at the plants in the nearest marketing areas adjacent to the area where such fluid milk, fluid cream, fluid skim milk, or fluid milk for fluid cream is sold or distributed as established by the stabilization and marketing plans in effect in such adjacent marketing areas [in the vicinity where such fluid milk or fluid milk for fluid cream is sold or distributed, as such prices are determined by the director from contracts required to be filed with him pursuant to Section 4280].



SEC. 8. Section 4294.5 of said code is amended and renumbered to read:

[4294.5.] 4282. Each such stabilization and marketing plan [may] shall contain provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers for fluid milk which is received by a distributor in one marketing area and separated in that area into fluid cream and fluid skim milk when such fluid cream or fluid skim milk or both are transported for utilization into another marketing area or into a locality in which no stabilization or marketing plans is in effect. [This section] Sections 4247, 4282, and 4292 shall not be construed to affect the provisions of this chapter relating to the establishment of minimum wholesale and minimum retail prices for fluid cream.

SEC. 9. Section 4355 of said code is amended to read:

4355. In determining minimum wholesale and minimum retail prices for any marketing area, the director shall take into consideration the following economic factors operative in such marketing area in addition to other matters required by this chapter to be taken into consideration by him:

(a) The quantities of fluid milk or fluid cream, or both, distributed in such marketing area.

(b) The quantities of fluid milk or fluid cream, or both, normally required by consumers in such marketing area.

(c) The cost of fluid milk, *fluid skim milk*, or fluid cream, [or both,] in such marketing area to distributors and retail stores, which in all cases shall be, respectively, the prices paid by distributors to producers and the minimum wholesale prices, as established pursuant to this chapter. *The prices paid by distributors to producers as established pursuant to this chapter shall also be considered as the cost of fluid milk, fluid skim milk, or fluid cream to any association of producers, or other cooperative association, incorporated or unincorporated, engaged in the distribution of fluid milk, fluid skim milk, or fluid cream.*

(d) The reasonable cost of handling fluid milk or fluid cream, or both, incurred by distributors and retail stores, respectively, including all costs of hauling, processing, selling and delivering by the several methods used in such marketing area in accomplishing such hauling, processing, selling and delivery, as such costs are determined by impartial audits of the books and records, or surveys, or both, of all, or such portion of the distributors and retail stores, respectively, of each type or class in such marketing area as are reasonably determined by the director to be sufficiently representative to indicate the costs of all distributors and retail stores, respectively, in such marketing area."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 270**—An act to amend Section 6093.4 of the Harbors and Navigation Code, relating to harbor districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1, line 10, of the printed bill after "or", insert "definite assurances of".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1054**—An act to amend Section 1023 of the Probate Code, relating to distribution of estates.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 10, of the printed bill, strike out " , but who is in fact entitled to distribution,".



**Amendment No. 2**

On page 1, strike out lines 15 and 16, and insert "him while living. However, where the share is purportedly distributed to him pursuant to the terms of a will which provides that he shall be entitled to the same only in the event he survives the date of distribution, then such purported distribution as to him shall be void."

**Amendments read, and adopted.**

**Bill ordered printed, and re-referred to Committee on Judiciary.**

**Senate Bill No. 786**—An act to amend Section 71383 of the Government Code, relating to audits of municipal and justice courts.

**Bill read second time.**

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "and", and insert ". If such audit is requested by the Board of Supervisors".

**Amendment read, and adopted.**

**Bill ordered printed, engrossed, and to third reading.**

**Senate Bill No. 1701**—An act to amend Section 5075 of the Penal Code, relating to membership of the Adult Authority.

**Bill read second time.**

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 12, strike out "1958", and insert "1956".

**Amendment read, and adopted.**

**Bill ordered printed, engrossed, and to third reading.**

**Senate Bill No. 53**—An act to amend Section 204a of the Code of Civil Procedure, relating to jury and deputy jury commissioners.

**Bill read second time, ordered engrossed, and to third reading.**

**Senate Bill No. 54**—An act to amend Section 25 of the Civil Code, relating to minors.

**Bill read second time, ordered engrossed, and to third reading.**

**Senate Bill No. 702**—An act to add Section 5007 to the Penal Code, and to amend Section 16470 of, the Government Code, relating to the investment of money in the Inmate's Welfare Fund of the Department of Corrections.

**Bill read second time, ordered engrossed, and to third reading.**

**Senate Bill No. 703**—An act to amend Section 3320 of the Penal Code, relating to the Superintendent of the California Institution for Women.

**Bill read second time, ordered engrossed, and to third reading.**

**Senate Bill No. 704**—An act to repeal Section 2076 of the Penal Code, relating to the residence of a warden of a state prison.

**Bill read second time, ordered engrossed, and to third reading.**

**Senate Bill No. 705**—An act to amend Section 2700 of the Penal Code, relating to forfeited earnings of prisoners.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1228**—An act to amend Section 476a of the Penal Code, relating to passing checks and other commercial paper with insufficient funds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 698**—An act to add Sections 11177.5 and 11177.6 to the Penal Code, relating to cooperative returns of parole and probation violators.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 699**—An act to amend Section 11175 of the Penal Code, relating to the Uniform Act for Out-of-state Probationer or Parolee Supervision.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 700**—An act to repeal Section 6201 of the Penal Code, relating to the California Correctional Facility.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 709**—An act to amend Section 182 of the Penal Code, relating to the punishment for conspiracy.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 710**—An act to amend Section 2070 of, and to repeal Section 2083 of, the Penal Code, relating to the records of prisoners.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 784**—An act to amend Section 1309 of the Penal Code, relating to exonerated bail.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 785**—An act to amend Section 68084 of the Government Code, relating to deposit of money in the county treasury.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1252**—An act to amend Sections 4852.01, 4852.02, 4852.03, 4852.06, and 4852.13, and to repeal Section 4852.18 of, and to add Section 4852.18 to, the Penal Code, relating to certificates of rehabilitation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1842**—An act to add Section 48 to the Elections Code empowering the Secretary of State to call meetings of the county clerks and registrars of voters to discuss administration of the election laws and promote uniformity of procedure in such matters: Authorizing the same to be attended also by one designated deputy of each clerk or registrar; declaring expenses of such clerks, registrars, and deputies in attending such meetings as a county charge, and limiting the amount thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Elections:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out the words "shall meet," and insert "may meet with the approval of the board of supervisors,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 684**—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens.

Bill read second time, and ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 316**—An act to amend Sections 796.1, 796.2, and 796.9 of the Agricultural Code, relating to citrus fruit.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 317**—An act to amend Sections 796.6 and 796.8 of the Agricultural Code, relating to citrus fruit.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1578**—An act to add Section 281.5 to the Agricultural Code, relating to bees and bee diseases.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in Assembly March 3, 1955, after "permit", insert "subject to such conditions as he may determine are necessary to protect the agricultural industry of this State".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 445**—An act to repeal certain obsolete and superseded acts, relating to plant and animal industry and the products thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 446**—An act to repeal certain obsolete and superseded acts, relating to family relationships and rights and duties incident thereto.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 447**—An act to repeal certain obsolete and superseded acts, relating to the regulations of business, professions, and commercial enterprises.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 448**—An act to repeal an obsolete and superseded act, relating to trusts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 449**—An act to repeal certain obsolete and superseded acts, relating to contractual matters, including negotiable instruments, chattel mortgages, powers of attorney, and accord and satisfaction.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 450**—An act to repeal an obsolete and superseded act, relating to the status of the common law in California.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 451**—An act to repeal certain obsolete and superseded acts, relating to the use and transfer of real property and the rights of creditors therein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 452**—An act to repeal an obsolete and superseded act, relating to revision of the Civil Code.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 453**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of a system of state and local government.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 454**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of the system of State Government.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 455**—An act to repeal certain obsolete and superseded acts, relating to the regulation and conduct of elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 456**—An act to repeal certain obsolete and superseded acts, relating to financial institutions and financial transactions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 457**—An act to repeal certain obsolete and superseded acts, relating to procedures in civil actions and proceedings.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 458**—An act to repeal certain obsolete and superseded acts, relating to the formation, powers, and duties of corporations and associations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 459**—An act to repeal certain obsolete and superseded acts, relating to the establishment, maintenance, government, and operation of schools and institutions of learning.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 460**—An act to repeal certain obsolete and superseded acts, relating to the protection and preservation of fish and game.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 461**—An act act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of county governments.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 462**—An act to repeal certain obsolete and superseded acts, relating to cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 463**—An act to repeal certain obsolete and superseded acts, relating to a system of courts of the State and judges, officials, attaches, and employees thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 464**—An act to codify Section 41 of Chapter 641 of the Statutes of 1953, relative to savings and loan associations, by adding Section 5025 to the Financial Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 465**—An act to codify Sections 2 and 3 of Chapter 514 of the Statutes of 1929, relating to criminal offenses, by adding Article 3 to Chapter 12 of Title 13 of Part 1 of the Penal Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 466**—An act to codify Chapter 728 of the Statutes of 1911, relating to cancellation of tax liens on any sixteenth of thirty-sixth section or legal subdivision thereof, by adding Article 4 to Chapter 4 of Part 9 of Division 1 of the Revenue and Taxation Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 467**—An act to codify Section 9 of Chapter 681 of the Statutes of 1941, relating to the sales and use taxes, by adding Section 6007.5 to the Revenue and Taxation Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 463**—An act to repeal certain obsolete and superseded acts, relating to the estates of decedents, missing persons, and wards.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 469**—An act to repeal certain obsolete and superseded acts, relating to harbors, ports, and navigation, and matters incidental thereto.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 470**—An act to repeal certain obsolete and superseded acts, relating to the preservation of the public health and safety, including the health and safety of persons, the custody and disposition of dead bodies, the safety and protection of property, and matters incidental thereto.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 471**—An act to repeal certain obsolete and superseded acts, relating to insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 472**—An act to repeal certain obsolete and superseded acts, relating to labor and employment relations including the regulation of the importation and immigration of foreign nationals and others.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 473**—An act to repeal certain obsolete and superseded acts, relating to the armed forces and militia of the State and to civilian defense.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 474**—An act to repeal certain obsolete and superseded acts, relating to crimes and criminal procedure.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 475**—An act to codify Chapter 157 of the Statutes of 1911, Chapter 3 of the Statutes of 1911 (First Ex. Sess.), and Chapter 109 of the Statutes of 1925, relating to water, including irrigation district bonds and watershed protection by adding Section 20066 to, and by adding Article 5 to Chapter 1, Part 2, Division 2 of, the Water Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 476**—An act to repeal certain obsolete and superseded acts, relating to natural resources and public lands, the conservation, utilization and supervision thereof, and matters incidental thereto.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 477**—An act to repeal certain obsolete and superseded acts, relating to and regulating public utilities and other regulated businesses and matters incidental thereto, including publicly owned utilities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 478**—An act to repeal certain obsolete and superseded acts, relating to taxation and the raising of revenue.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 479**—An act to repeal certain obsolete and superseded acts, relating to streets, highways, roads, bridges, and ferries in this State.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 480**—An act to repeal certain obsolete and superseded acts, relating to public employment offices.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 481**—An act to repeal certain obsolete and superseded acts and sections of acts, relating to the administration and enforcement of laws regulating or concerning the use, operation, or registration of vehicles used upon the public streets and highways of this State.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 482**—An act to repeal certain obsolete and superseded acts, relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, and the establishment and operation of public districts relating to water.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 483**—An act to repeal certain obsolete and superseded acts, relating to protection, care, and assistance to children, aged, and blind persons.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 484**—An act to codify Chapter 479 of the Statutes of 1927, relating to inmates of the Preston School of Industry, by adding Section 1125.5 to the Welfare and Institutions Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 486**—An act to codify Section 2 of Chapter 550 of the Statutes of 1941, Chapter 1127 of the Statutes of 1931, Chapter 1755 of the Statutes of 1953, Section 3 of Chapter 922 of the Statutes of 1945, and Chapter 1319 of the Statutes of 1947, relating to natural resources, the conservation, utilization, and supervision thereof, and matters incidental thereto, by adding Sections 504.5, 4446, 4502.5, 4502.6, and 6321.5 to, adding Article 3.5 to Chapter 1, Division 5 of, and amending Section 5031 of, the Public Resources Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 490**—An act to codify Section 2 of Chapter 1276 of the Statutes of 1947, relating to the creation of the Marine Research Committee in the Department of Fish and Game, by adding Section 1015.1 to the Fish and Game Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 491**—An act to codify Chapter 4 of the Statutes of 1949, Chapter 86 of the Statutes of 1949, and Chapter 406 of the Statutes of 1949, relating to the system of publicly supported higher



education, by adding Chapters 3.1, 3.2 and 3.3 to Division 10 of the Education Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 492**—An act to codify Chapter 500 of the Statutes of 1861, Chapter 281 of the Statutes of 1865-6, Chapter 268 of the Statutes of 1873-4, Section 2 of Chapter 269 of the Statutes of 1905, and Section 7 of Chapter 29, Sections 61 and 63 of Chapter 743 and Sections 199 and 200 of Chapter 744 of the Statutes of 1933, relating to civil actions and civil procedure, by adding Sections 81, 116, 182, 262.11, 690.51, 690.52, 934, 967, 972, and 1927.5 to, and by amending Sections 12a and 675a of, the Code of Civil Procedure, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 493**—An act to codify Section 2 of Chapter 27 of the Statutes of 1889, relating to the collection of stud fees, by adding Section 3064.1 to the Civil Code, and repealing Chapter 27 of the Statutes of 1889.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 494**—An act to codify Section 3 of Chapter 1175 of the Statutes of 1953, relating to the removal of improvements from real property, by amending Section 1013.5 of the Civil Code, and repealing Section 3 of Chapter 1175 of the Statutes of 1953.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 495**—An act to codify Chapter 835 of the Statutes of 1937 and Sections 14 and 16 of Chapter 678 of the Statutes of 1917, relating to plant and animal industry and the products thereof, by adding Section 87.6 to the Agricultural Code; Article 18 to Chapter 2 of Division 3 of said code; and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 313, 701, 702, 705, 698, 700, and 1252 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 313, 701, 702, 705, 698, 700, and 1252 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### THIRD READING OF SENATE BILLS

##### Motion to Retain Place on File

Senator Desmond moved that Senate Bills Nos. 335 and 1699 be passed on file and retain their places on file.

Motion carried.

##### Motion to Retain Place on File

Senator Hulse moved that Senate Bill No. 1558 be passed on file and retain its place on file.

Motion carried.



Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 144**—An act to add Section 217 to the Vehicle Code, relating to reciprocity with respect to the privileges of persons owning vehicles registered elsewhere than in this State, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Way, and J. Howard Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1973**—An act authorizing the State Lands Commission to exchange property of the State of California for property in Alameda County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 45**—An act to amend Sections 74692 and 74693 of the Government Code, relating to municipal courts established in districts in Santa Cruz County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Cobey, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson,

Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 982**—An act to add Section 19480.2 to the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1275**—An act to amend Sections 19533 and 19539 of, to repeal Section 19539.5 of, and to add Sections 19535 and 19539.5 to, the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1311**—An act to add Section 60737.09 to the Government Code, relating to community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1722**—An act to amend Section 70141.5 of the Government Code, relating to court commissioner of superior courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1741**—An act to amend Section 19484 of the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 984**—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 611**—An act to add Section 2847.6 to, and to amend Sections 2845 and 2847 of, the Elections Code, relating to the removal of members of county central committees.

Bill read third time.

#### Motion to Amend

Senator Richards moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 17, 1955, strike out "Sections 2845"; and in line 2 of the title, strike out "and", and insert "Section".

#### Amendment No. 2

On page 1, strike out lines 3 to 21, inclusive, and insert

"2847.6. Any member, other than an ex officio member, of a county central committee who misses more than three regularly called meetings, without an excuse satisfactory to the committee, may be removed by a vote of the committee concerned.

SEC. 2. Section 2847 of said code is amended to read:".

#### Amendment No. 3

On page 1, line 25, strike out "for"; and on page 2, line 1, strike out "inactivity and neglect of duty", and insert "pursuant to Section 2847.6".

Amendments read.

#### Point of Order

Senator Miller rose to a point of order, and stated that Senator Donnelly was not talking to the amendments to Senate Bill No. 611 offered by Senator Richards.

The President ruled the point of order well taken.

#### Roll Call Demanded

Senators Donnelly, Gibson and Thompson demanded a roll call.

The roll was called, and the amendments offered by Senator Richards to Senate Bill No. 611 were adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller,

Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Way, and J. Howard Williams—31.

NOES—Senators Donnelly, Erhart, Gibson, and Thompson—4.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 438**—An act to amend Section 5805 of the Education Code, relating to general plans for expenditure of Vocational Rehabilitation Federal Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 364**—An act to add Section 7125.1 to the Education Code, relating to apportionments for junior high schools, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 366**—An act to amend Section 7012 of the Education Code, relating to pupil transportation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Thompson, and Way—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy,



Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 981**—An act to add Section 19592.5 to the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Teale, Thompson, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 159**—An act to amend Section 28139 of the Government Code, relating to compensation for public service in counties of the thirty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 493**—An act to add Section 36933.1 to the Government Code, relating to city ordinance codes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 266**—An act to repeal Article 4, Chapter 5, Part 1, Division 2, of Title 4, comprising Sections 54090 to 54116 inclusive, of the Government Code, relating to the reconstruction of buildings belonging to a local agency which have been wholly or partially destroyed by earthquakes after January 1933 and providing for the transfer of moneys to the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 41**—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties of the twenty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, E. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Short, Teale, Thompson, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1978**—An act to amend Section 429 of the Education Code, relating to the county superintendent of schools in counties of the twenty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 116**—An act to amend Sections 73682, 73683, and 73684 of the Government Code, relating to officers and attaches of the municipal court in a district embracing the City of Fresno.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1817**—An act to amend Section 28109 of the Government Code, relating to compensation for public service in a county of the ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 199**—An act to amend Section 13 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to district taxes and assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, and Way—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1312**—An act to add Section 21197 to the Water Code, relating to county water districts.

Bill read third time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 18, 1955, strike out "21197", and insert "30585".

**Amendment No. 2**

On page 1, line 1, strike out "21197", and insert "30585".

**Amendment No. 3**

On page 1, line 3, strike out "21197.", and insert "30585."

**Amendment No. 4**

On page 1, line 3, strike out "21195", and insert "30584".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 1527**—An act to amend Section 7 of the San Bernardino Flood Control Act, relating to the San Bernardino County Flood District, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, and Way—29.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and Way—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 67**—An act to add Section 29332 to the Government Code, relating to a stores purchase revolving fund for counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, and Way—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 878**—An act to amend Section 28k of the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), relating to the Palo Verde Irrigation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Thompson, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 244**—An act to amend Sections 27361 and 27361.5 of, to add Section 27361.6 to, and to repeal Sections 27362 and 27363 of, the Government Code; relating to the recordation of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Thompson, and Way—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1126**—An act to add Section 2.5 to the San Bernardino County Flood Control Act (Chapter 73, Statutes of 1939), relating to the powers of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read.

#### Call of the Senate

Pending the announcement of the vote, Senator Cunningham moved a call of the Senate.

Motion carried. Time, 3.57 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE SENATE

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 294**—An act to amend Section 561.1 of, and to add Sections 561.2 and 561.3 to, the Fish and Game Code, relating to permits to deal in fresh-water fish for bait.

#### Motion to Re-refer Senate Bill No. 294

Senator Hulse moved that Senate Bill No. 294 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 477**—An act to amend Sections 809 and 811 of, and to repeal Sections 810 and 810.5 of, the Fish and Game Code, relating to clams.

Bill read third time.



**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 23, of the printed bill, after "time", insert ", except in the waters of Marin County where such cockles may be taken only between September 1st and March 31st".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 1286**—An act to amend Section 3 of Chapter 973 of the Statutes of 1949, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Cobey, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Teale, Thompson, and Way—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1635**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Cobey, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 402**—An act to amend Section 1159 of the Fish and Game Code, relating to cooperative hunting areas.

**Motion to Refer Bill to Inactive File**

Senator Ed. C. Johnson moved that Senate Bill No. 402 be placed on the inactive file.

Motion carried.

**Senate Bill No. 446**—An act to add Section 375.6 to the Fish and Game Code, relating to federal preserves.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Thompson, and Way—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1664**—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, and Way—24.

NOES—None.

Bill ordered transmitted to Assembly.

#### MOTIONS TO RECONSIDER

**Assembly Bill No. 1656**—An act to amend Section 14071 of the Education Code, relating to granting of leaves to school district employees.

#### Motion to Reconsider Waived

Senator Miller waived his motion to reconsider the vote whereby Assembly Bill No. 1656 was passed.

The President ordered Assembly Bill No. 1656 transmitted to the Assembly.

#### RESOLUTIONS

The following resolution was offered:

By Senator Robert I. McCarthy:

#### Senate Resolution No. 82

Relative to congratulating the University of San Francisco basketball team in winning the N. C. A. A. Tournament

WHEREAS, The University of San Francisco basketball team, in a superlative display of skill and teamwork, smashed its way to victory in the N. C. A. A. Tournament; and

WHEREAS, Led by All-American Bill Russell and K. C. Jones, the Dons shackled the powerful and highly regarded LaSalle basketball team to emerge victorious in a game that will long be remembered in the annals of basketball; and

WHEREAS, The University of San Francisco, the citizens of the City of San Francisco, and in fact the citizens of the whole State have just cause for taking pride in this magnificent basketball team; and

WHEREAS, Especially are they to be congratulated for bringing the highly coveted national championship back to the West where it belongs; now, therefore, be it

*Resolved by the Senate of the State of California, That the members of the Senate extend their heartfelt congratulations to the members of the University of San Francisco basketball team and to their excellent Coach, Phil Woolpert, and express great pride in their accomplishments; and, be it further*

*Resolved, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to each member of the University of San Francisco basketball team, and to Phil Woolpert, their coach.*

Resolution read, and, on motion of Senator Robert I. McCarthy, unanimously adopted.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 146

Senator Coombs moved that Senate Bill No. 146 be withdrawn from Committee on Local Government for purpose of amendment, and referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 146**—An act to amend Section 430 of the Education Code, relating to the compensation of public officers.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "nine thousand six hundred dollars (\$9,600)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 492**

Senator Coombs moved that Senate Bill No. 492 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 492**—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "\_\_\_\_\_ (\$ \_\_\_\_\_ )", and insert "six thousand six hundred dollars (\$6,600)".

**Amendment No. 2**

On page 1, line 9, strike out "\_\_\_\_\_ (\$ \_\_\_\_\_ )", and insert "six thousand five hundred dollars (\$6,500)".

**Amendment No. 3**

On page 1, line 11, strike out "\_\_\_\_\_ (\$ \_\_\_\_\_ )", and insert "four thousand two hundred dollars (\$4,200)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 638**

Senator Richards moved that Senate Bill No. 638 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 638**—An act to add Section 8401 to the Government Code, relating to designation of race on applications for employment and inquiries regarding racial matters in interviews concerning employment.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "race", insert ", religion or national origin".

**Amendment No. 2**

In line 3 of the title, strike out "racial", and insert "such".

**Amendment No. 3**

On page 1, line 4, after "race", insert ", religion or national origin".

**Amendment No. 4**

On page 1, line 7, after "race", insert ", religion or national origin".

**Amendment No. 5**

On page 1, line 8, after "racial", insert ", religious or national origin".

**Amendment No. 6**

On page 1, line 5, strike out the period after "applicant", and insert ", except that an applicant may permit such designation as an assistance to obtaining specific types of employment."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1633**

Senator Murdy moved that Senate Bill No. 1633 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1633**—An act to add Section 1271.5 to the Agricultural Code, relating to commission merchants dealing in farm products.

Bill read second time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

Strike out line 2 of the title of the printed bill and insert "to funds held by commission merchants."

**Amendment No. 2**

On page 1, strike out lines 3 to 6, inclusive, and insert "1271.5. Commission merchants shall hold in trust in a separate fund net proceeds due producer-consignors for farm products.

If a commission merchant wilfully commingles net proceeds due producer-consignors with other funds he shall be guilty of a felony.

This section shall not be construed to prevent the commission merchant from paying the producer-consignor at any time prior to collection by a commission merchant from purchasers.

As used in this section net proceeds means money due producer-consignors for sale of his farm produce less commission merchants commissions and incidental charges customary in the trade."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE NO. 922**

Senator Erhart moved that Senate Bill No. 922 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 922**—An act to amend the heading of Article 5 of Chapter 1 of Division 2 of, to amend Sections 1101, 1105, 1106, and 1107 of, to repeal Sections 1102, 1103, and 1104 of, and to add Section 1103 to, the Education Code, relating to meetings of school trustees.

Bill read second time.

**Motion to Amend**

Senator Erhart moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, in lines 10 and 11, strike out "for the purpose of discussing problems of mutual concern".

**Amendment No. 2**

On page 2, strike out line 9, and insert "of securing professional services and meeting other administrative costs of holding such trustee meetings."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 503

Senator Dorsey moved that Senate Bill No. 503 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 503**—An act to amend Sections 640, 641, 642, 643, 644, 645, 645.1, 646, and 1200 of the Probate Code, relating to probate proceedings.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 6 to 8, inclusive, of the printed bill, strike out "the total value of any property as to which a homestead is created or set off out of decedent's estate pursuant to the provisions of this code", and insert "the value of any homestead interest set apart out of decedent's estate under Section 660 or Section 661 of this code".

**Amendment No. 2**

On page 2, line 27, after "description", insert "and an estimate of the value".

**Amendment No. 3**

On page 2, line 29, after the comma, insert "and".

**Amendment No. 4**

On page 2, strike out lines 30 to 32, inclusive, and insert "homestead is set apart out of decedent's estate under Section 660 or Section 661 of this code."

**Amendment No. 5**

On page 3, lines 24 to 26, inclusive, strike out "total value of any property as to which a homestead is created or set off out of decedent's estate pursuant to the provisions", and insert "value of any homestead interest set apart out of decedent's estate under Section 660 or Section 661".

**Amendment No. 6**

On page 3, strike out lines 38 to 51, inclusive, and insert "dent. But no surviving spouse or minor child shall be entitled to such an assignment who has other estate, including the total value of any property held by such surviving spouse or minor

child in joint tenancy with the decedent and the value of any homestead interest set apart to such person out of decedent's estate under Section 660 or Section 661 of this code, the net value of which, over and above all liens and encumbrances, exceeds the sum of twelve thousand five hundred dollars (\$12,500)."

**Amendment No. 7**

On page 4, lines 25 and 26, strike out "not exceeding five thousand dollars (\$5,000)", and insert a semi-colon.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 508**

Senator Dorsey moved that Senate Bill No. 508 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 508**—An act to amend Section 8001 of the Education Code, relating to the Public School System.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out the second "and".

**Amendment No. 2**

On page 1, line 5, after "secondary", insert ", and adult".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 502**

Senator Dorsey moved that Senate Bill No. 502 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 502**—An act to amend Sections 8151, 8153, 8158, 8160, 8286, 8401, 8406, 8406.1, 8826, 9858, 11021, 11151, 11153, 11275, 11291, 11674, 11741, 13861, 18003, 18008, 18022, 18205, 18403, 18404, 19051, 19606.5, 19609, 19613, 19617, 20351, 20356, 20543, 21364, 21647, 22693, 22722, 22723, 22725, 23204, and 23208 of, to amend the headings of Article 1 of Chapter 1 and Article 1 of Chapter 7 of Division 9 of, to add Article 10 to Chapter 1 of Division 5 of, to add Section 11150 to, to repeal Sections 8152, 8154, 8154.1, 8253, 8254, 9618, 9646, 11656, 18053.5, 18055, 19620, and 21648 of, and to repeal Article 1.5 of Chapter 2 of Division 10 of, the Education Code, relating to the Public School System.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "8151," insert "8152,".

**Amendment No. 2**

In line 9 of the title, strike out "8152,".

**Amendment No. 3**

On page 1, line 3, after "shall", insert "continue in session or".

**Amendment No. 4**

On page 2, strike out lines 6 to 8, inclusive.

**Amendment No. 5**

On page 2, line 9, strike out "(e)", and insert "(d)".

**Amendment No. 6**

On page 2, line 12, strike out "(f)", and insert "(e)".

**Amendment No. 7**

On page 2, between lines 14 and 15, insert

"SEC. 15. Section 8152 of said code is amended to read:  
8152. *Notwithstanding any other provision of this article, the governing board of any school district may declare a holiday in the public schools under its jurisdiction when good reason exists.*"

**Amendment No. 8**

On page 4, line 50, strike out "or".

**Amendment No. 9**

On page 5, lines 1 and 2, strike out "who tells any pupil that it is required that any supplementary book or books may be purchased by pupils or parents,".

**Amendment No. 10**

On page 6, strike out line 33, and insert "and the maximum prices at which the books may be".

**Amendment No. 11**

On page 6, line 40, strike out "the purpose of", and insert "any or all of the following purposes:".

**Amendment No. 12**

On page 6, line 46, strike out "for the purpose of".

**Amendment No. 13**

On page 7, line 5, strike out "premium", and insert "respective".

**Amendment No. 14**

On page 7, line 6, after "deductions", insert "therefor".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 443**

Senator Dorsey moved that Senate Bill No. 443 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 443**—An act to repeal Sections 353, 1003, 1004, 1005, 1801, 1802, 1803, 1813, 1830, 1831, 1832, 1833, 1834, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1901, 1943, 1944, 2108, 2154, 2155, 2158, 3122, 3123, 3124, 3125, 3126, 3128, 3130, 3131, 3132, 3133, 3152, 3222, 3637, 4121, 4122, 4123, 4124, 4126, 4127, 4128, 4622,

4623, 4624, and 4625 of, to amend Sections 3121, 3151, 4101, 4102, 4103, 4151, 4621, and 4626 of, to add Sections 1800, 1801, 1804, 1821, 1822, 1823, 1824, 1825, 1826, 1829, 1830, 1832, 1844, 1873, 1874, 1893, 1894, 1895, 1896, 1898, 1899, 1900, 1901, 1903, 1904, 1905, 1911, 1912, 2108, 3122, 3124, 4105, 4107, 4622, 4623, 4624, 4625, and 4948 to, to amend and renumber Sections 1002, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1861, 1902, 1921, 1941, 1942, 2151, 2152, 2153, 2156, 2157, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 3127, 3129, and 4125 of, to repeal Article 4 of Chapter 10 of Division 2 of, to repeal Article 5, Chapter 12, Division 2 of, to repeal the article headings of Articles 2, 3, 4 and 5, Chapter 4, Division 2 of, to repeal the chapter headings of Chapter 5.5, Division 2 of, to repeal the article heading of Article 2, Chapter 12, Division 2 of, to amend the chapter heading of Chapter 4, Division 2 of, to amend the article headings of Article 1, Chapter 4, Division 2, Articles 2 and 3, Chapter 10, Division 2, Article 1, Chapter 12, Division 2, Article 3, Chapter 12, Division 2 of, and to add new article headings to, Articles 2, 3, and 4, to Chapter 4, Division 2 of, the Education Code, relating to the Public School System.

Bill read second time.

#### **Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

##### **Amendment No. 1**

On page 2, line 39, of the printed bill, after "chapter", insert "other than Sections 1873 and 1874".

##### **Amendment No. 2**

On page 3, line 6, after "provided", insert "in this section or".

##### **Amendment No. 3**

On page 3, line 12, strike out "becomes", and insert "during the preceding fiscal year became".

##### **Amendment No. 4**

On page 4, line 24, before "superintendent", insert "county".

##### **Amendment No. 5**

On page 4, lines 24 to 27, inclusive, strike out "of the county having the greatest number of pupils who reside in the new district and who are currently enrolled in the elementary schools of the county", and insert "having jurisdiction over the district".

##### **Amendment No. 6**

On page 4, line 30, after "members", insert "within such 15-day period".

##### **Amendment No. 7**

On page 4, line 32, after "members", insert "within such 15-day period".

##### **Amendment No. 8**

On page 4, line 33, after "agree", insert "within such 15-day period".

##### **Amendment No. 9**

On page 5, line 4, after "February", insert "of any calendar year".

##### **Amendment No. 10**

On page 5, line 5, strike out "next succeeding".

##### **Amendment No. 11**

On page 5, line 5, after "May", insert "of such year".

##### **Amendment No. 12**

On page 5, line 7, after "February", insert "of any calendar year".



**Amendment No. 13**

On page 5, line 8, strike out "second succeeding".

**Amendment No. 14**

On page 5, line 9, after "May", insert "of the following year".

**Amendment No. 15**

On page 5, strike out lines 33 to 41, inclusive, and insert "1826. If a tie vote makes it impossible to determine either which of two candidates or more has been elected to the governing board or the term of office of a governing board member, the governing board shall forthwith notify the candidates who have received the tie votes to appear before it either personally or by a representative at a time and place designated by the governing board. The governing board shall at that time and place determine the tie by lot."

**Amendment No. 16**

On page 7, between lines 21 and 22, insert "The governing board may appoint not more than two additional judges of election for any precinct."

**Amendment No. 17**

On page 8, line 1, after "open", insert "at least".

**Amendment No. 18**

On page 8, line 3, after "attendance", insert "during the preceding fiscal year".

**Amendment No. 19**

On page 13, strike out line 22 and insert "the building in which the polls are located or within 100 feet of any entrance to the building."

**Amendment No. 20**

On page 13, line 49, after the comma, insert "that you reside in this school district precinct,".

**Amendment No. 21**

On page 14, line 1, after "a", insert "general election".

**Amendment No. 22**

On page 14, line 1, strike out "in", and insert "wholly or partially within".

**Amendment No. 23**

On page 15, strike out line 9.

**Amendment No. 24**

On page 15, lines 14 and 15, strike out "and no person is appointed and qualified within 15 days,".

**Amendment No. 25**

On page 15, line 21, strike out "any", and insert "the".

**Amendment No. 26**

On page 15, line 22, after "members", insert "if any,".

**Amendment No. 27**

On page 15, line 23, after "vacancies", insert "or elected".

**Amendment No. 28**

On page 22, line 23, after "be", insert "composed of five members".

**Amendment No. 29**

On page 22, line 25, strike out "boards", and insert "board members".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 37**

Senator Cunningham moved that Senate Bill No. 37 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 37**—An act to amend Section 74264 of the Government Code, relating to employees of the municipal court established in a district embracing the City of San Bernardino.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, strike out line 20 of the printed bill as amended in Senate March 10, 1955, and insert

"clerk -----	232	244	256	269	282".
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Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Government Efficiency.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 928

Senator Abshire moved that Senate Bill No. 928 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 928**—An act to amend Section 147 of the Welfare and Institutions Code, relating to the solicitation of charitable contributions.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 147 of", and insert "repeal Section 147.1 of, and to add Sections 147.1 and 147.5 to,".

**Amendment No. 2**

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 147.1 of the Welfare and Institutions Code is repealed.

SEC. 2. Section 147.1 is added to said code, to read:

147.1. This chapter does not apply to:

(1) A church or organization of churches of any denomination, or any nonprofit agency duly constituted by a church, churches, or denominations, to carry on religious education, interdenominational operations, or the like.

(2) An institution of learning authorized by the State to grant degrees.

(3) A hospital licensed by the State.

(4) Any institution licensed by the Department of Social Welfare.

SEC. 3. Section 147.5 is added to said code, to read:

147.5. Any person, nonprofit corporation or voluntary unincorporated association required to file an audit with the Department of Social Welfare pursuant to subsection (a) of Section 147.2, or a statement with the State Department of Social Welfare pursuant to subsection (b) of Section 147.2, shall make available to any person upon demand a copy of such audit or statement."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.20 p.m., on motion of Senator Cunningham, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 1126 was adopted by the following vote:

**AYES**—Senators Abshire, Berry, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert L. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Thompson, and Way—27.

**NOES**—None.

The roll was called on final passage.

**Call of the Senate**

Pending the announcement of the vote, Senator Cunningham moved a call of the Senate.

Motion carried. Time, 4.22 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1640**

Senator Gibson moved that Senate Bill No. 1640 be withdrawn from Committee on Water Resources for purpose of amendment, and referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1640**—An act to add Chapter 4 to Part 1 of Division 2 of the Water Code, relating to use of water and intrastate compacts in connection therewith.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill, insert

"1151. As used in this chapter 'entity' means any person, firm, association, organization, partnership, business trust, corporation, company, city, city and county, county, the State of California or any department, representative or agency thereof, including, but not limited to, any district, board, commission, or authority formed pursuant to state law, the United States or any department, representative, or agency thereof, or any other public agency, federal, state or local.

1152. As used in this chapter 'watershed of origin' means with respect to any application to appropriate water, the watershed in which the water originates."

**Amendment No. 2**

On page 1, line 14, strike out the blank and insert

**Amendment No. 3**

On page 1, strike out lines 19 to 25, inclusive, and insert "tion, the board shall publish notice of such application at least once a week for three consecutive weeks in a newspaper of general circulation in the watershed of origin, notifying all entities of the time, not less than 90 days after the last publication of notice, and the place at which may be presented such evidence and pertinent information as such entities deem necessary and desirable to show any need for use within the watershed

of origin, of the water sought to be appropriated. Such notice shall also be given by registered mail to the board of supervisors of each county any portion of which lies within the watershed of origin. At the same".

**Amendment No. 4**

On page 2, line 2, strike out "board of supervisors", and insert "entity".

**Amendment No. 5**

On page 2, line 4, strike out "the board of supervisors", and insert "any entity so desiring".

**Amendment No. 6**

On page 2, strike out line 5, and insert "any need for use within the watershed of origin for the water sought to be appropriated insofar as those".

**Amendment No. 7**

On page 2, line 23, strike out "which has made a showing of need," and insert "with respect to which there has been made a showing of need for the water sought to be appropriated, an intrastate compact".

**Amendment No. 8**

On page 2, line 26, after "originates.", insert "The board is authorized to execute the intrastate compact on behalf of this State."

**Amendment No. 9**

On page 2, line 27, strike out "one year", and insert "90 days".

**Amendment No. 10**

On page 2, line 29, after "water", insert ", if any,".

**Amendment No. 11**

On page 2, line 31, strike out "which has made a showing of need".

**Amendment No. 12**

On page 2, strike out lines 32 to 36, inclusive, and in line 37 strike out "1164", and insert "1163".

**Amendment No. 13**

On page 2, line 40, after "notified.", insert "Such notice shall be effected in the same manner as provided for the giving of notice of an application by the board in Section 1156."

**Amendment No. 14**

On page 2, line 41, strike out "1165", and insert "1164".

**Amendment No. 15**

On page 2, after line 46, insert

"1165. Any intrastate compact or determination by the board shall contain with respect to the application for water for use in other than the watershed in which it originates, such terms and conditions as in the judgment of the board with best conserve and utilize in the public interest the water sought to be appropriated and shall reject an application when in its judgment the proposed appropriation would not best conserve the public interest. Such an application shall not be subject to terms or conditions or rejected under Sections 1253 or 1255 of the Water Code.

1166. The board shall adopt such rules and regulations as it deems necessary to carry out the provisions of this chapter.

1167. With respect to any application filed prior to the effective date of this chapter which, if filed thereafter, would be subject to the provisions of Chapter 4 of Part 1 of Division 2 of the Water Code, if there is a protest to such application pending on the ninety-first day after the effective date of this act, the department shall so notify the board and the board shall proceed with respect to the application under the provisions of Chapter 4 of Part 1 of Division 2 of the Water Code in the same manner as though the application had been filed after the effective date of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.



**REPORTS OF STANDING COMMITTEES****Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 100

Senate Bill No. 106

Senate Bill No. 102

Senate Bill No. 620

Senate Bill No. 104

Senate Bill No. 693

Senate Bill No. 105

Senate Bill No. 694

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 103

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 692

Senate Bill No. 832

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 1200

Assembly Bill No. 596

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

MILLER, Chairman

Above reported bills ordered to second reading.

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 1104

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

ERHART, Vice Chairman

Above reported bill ordered to second reading.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 45

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 47

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 256	Assembly Bill No. 274
Assembly Bill No. 257	Assembly Bill No. 275
Assembly Bill No. 258	Assembly Bill No. 276
Assembly Bill No. 259	Assembly Bill No. 277
Assembly Bill No. 261	Assembly Bill No. 278
Assembly Bill No. 265	Assembly Bill No. 279
Assembly Bill No. 267	Assembly Bill No. 280
Assembly Bill No. 268	Assembly Bill No. 282
Assembly Bill No. 270	Assembly Bill No. 283
Assembly Bill No. 271	Assembly Bill No. 284
Assembly Bill No. 272	Assembly Bill No. 287
Assembly Bill No. 273	Assembly Bill No. 538

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 256**—An act to amend Section 656 of the Elections Code, relating to the qualifications for precinct officers.

Referred to Committee on Elections.

**Assembly Bill No. 257**—An act to amend Section 657 of the Elections Code, relating to the qualifications for precinct officers.

Referred to Committee on Elections.

**Assembly Bill No. 258**—An act to amend Section 665 of the Elections Code, relating to appointment of election officers.

Referred to Committee on Elections.

**Assembly Bill No. 259**—An act to amend Section 675 of the Elections Code, relating to notice to inspectors showing polling place and persons appointed.

Referred to Committee on Elections.

**Assembly Bill No. 261**—An act to add Section 682.1 to the Elections Code, relating to changing polling places.

Referred to Committee on Elections.

**Assembly Bill No. 265**—An act to amend Section 5501 of the Elections Code, relating to digests of election laws.

Referred to Committee on Elections.

**Assembly Bill No. 267**—An act to amend Section 5902 of the Elections Code, relating to comparison of signature and address of applicant for absent voter's ballot.

Referred to Committee on Elections.

**Assembly Bill No. 268**—An act to add Section 5902.1 to the Elections Code, relating to absent voter's ballot.

Referred to Committee on Elections.

**Assembly Bill No. 270**—An act to amend Section 7200 of the Elections Code, relating to mode of disposal.

Referred to Committee on Elections.

**Assembly Bill No. 271**—An act to amend Section 7201 of the Elections Code, relating to preservation of ballot packages.

Referred to Committee on Elections.

**Assembly Bill No. 272**—An act to amend Section 7204 of the Elections Code, relating to spoiled, canceled, unused ballots.

Referred to Committee on Elections.

**Assembly Bill No. 273**—An act to amend Section 7207 of the Elections Code, relating to package subject to inspection.

Referred to Committee on Elections.

**Assembly Bill No. 274**—An act to amend Section 7209 of the Elections Code, relating to return to county clerk, city clerk, secretary or any other person in charge of an election.

Referred to Committee on Elections.

**Assembly Bill No. 275**—An act to amend Section 7801 of the Elections Code, relating to canvass of absent voter ballots.

Referred to Committee on Elections.

**Assembly Bill No. 276**—An act to add Section 7841.5 to the Elections Code, relating to the comparison of signatures in canvassing of absent voter ballots in municipal district elections.

Referred to Committee on Elections.

**Assembly Bill No. 277**—An act to amend Section 9750 of the Elections Code, relating to time for notice.

Referred to Committee on Elections.

**Assembly Bill No. 278**—An act to amend Section 9751 of the Elections Code, relating to form of notice.

Referred to Committee on Elections.

**Assembly Bill No. 279**—An act to amend Section 9752 of the Elections Code, relating to sample ballots.

Referred to Committee on Elections.

**Assembly Bill No. 280**—An act to amend Section 9753 of the Elections Code, relating to polling place cards.

Referred to Committee on Elections.

**Assembly Bill No. 282**—An act to add Section 9754.1 to the Elections Code, relating to the publication of the list of election officers and polling places at municipal elections.

Referred to Committee on Elections.

**Assembly Bill No. 283**—An act to add Section 9755.1 to the Elections Code, relating to the publication of the list of election officers and polling places at municipal elections.

Referred to Committee on Elections.

**Assembly Bill No. 284**—An act to amend Section 9756 of the Elections Code, relating to nomination of candidates for elective offices.

Referred to Committee on Elections.

**Assembly Bill No. 287**—An act to amend Section 11120 of the Elections Code, relating to filling vacancy when recall prevails.

Referred to Committee on Elections.

**Assembly Bill No. 538**—An act to add Section 10054.5 to the Elections Code, relating to the consolidation of elections.

Referred to Committee on Elections.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.39 p.m., on motion of Senator Cunningham, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 1126 passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1710

Senator Desmond moved that Senate Bill No. 1710 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1710**—An act to amend Sections 5500, 5537, and 5538 of, and to add Sections 5500.1, 5537.1, 5537.2 and 5541 to, the Business and Professions Code, relating to architecture.

Bill read second time.

##### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, lines 12 and 13 of the printed bill, strike out "design, including aesthetic and structural design", and insert "and design".

##### Amendment No. 2

On page 1, line 13, strike out "in con-"; strike out lines 14 and 15; and in line 16, strike out "appurtenant thereto, or the accessories thereto,".

##### Amendment No. 3

On page 2, lines 10 and 11, strike out "any person from making plans or drawings for his own buildings, or".



**Amendment No. 4**

On page 2, between lines 18 and 19, insert:

"Nothing in this chapter shall require the registration, for the purpose of practicing architecture, by an individual, a member or a firm or partnership or by an officer of a corporation on or in connection with property owned or leased by the individual, firm, partnership, or corporation, unless the architectural work to be performed involves the public health or safety or the health and safety of the employees of the individual, firm, partnership or corporation."

**Amendment No. 5**

On page 2, lines 27 and 28, strike out "to practice engineering".

**Amendment No. 6**

On page 2, line 29, strike out "so"; and strike out lines 30 to 32, inclusive, and insert a period.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1825**

Senator Burns moved that Senate Bill No. 1825 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1825**—An act to amend Section 7666 of the Business and Professions Code, relating to funeral directors and embalmers.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 7666", and insert "Sections 7666 and 7686.5".

**Amendment No. 2**

On page 1, after line 27, insert

"SEC. 2. Section 7686.5 of said code is amended to read:  
7686.5. All accusations against licensees shall be filed with the board within one year after the performance of the act or omission alleged as the ground for disciplinary action, *except in the case of misrepresentation or fraud.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1864**

Senator Byrne moved that Senate Bill No. 1864 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1864**—An act to add Section 17703 to the Business and Professions Code, relating to premium stamps.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 11703 to", and insert "Chapter 3 to Part 3 of Division 7 of".

**Amendment No. 2**

In line 2 of the title, strike out "premium stamps", and insert "the regulation of the issue, sale, gift or other disposition, or use of trading stamps, as herein defined, for or with the sale of tangible personal property or services; providing for the escheat to the State of the redeemable face value of trading stamps not redeemed within a specified period of time; providing for penalties for the violation of this act; and providing remedies for the enforcement of this act".

**Amendment No. 3**

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Chapter 3 is added to Part 3 of Division 7 of the Business and Professions Code, to read:

**CHAPTER 3. TRADING STAMPS****Article 1. General Provisions and Definitions**

17750. This chapter shall be known as "The Trading Stamp Act of 1955."

17751. The Legislature hereby declares that the issuance, gift, use, sale or other disposition of trading stamps is affected with the public interest; that the purposes of this chapter are to regulate the issuance, gift, use, sale or other disposition of trading stamps, to protect the public against fraud and deception and against default in the redemption of trading stamps, to foster and encourage fair and open competition and to prevent the realization of excessive profits at the expense of the public by those who are engaged in or responsible for the original issue, gift, use, sale or other disposition of trading stamps which results from the fact that many trading stamps are never produced and surrendered for redemption. This chapter shall be liberally construed so that its beneficial purposes will be achieved.

17752. As used in this chapter:

- (a) "Person" includes firm or corporation.
- (b) The masculine gender includes the feminine and neuter genders.
- (c) "Goods" means and includes any form of tangible personal property.
- (d) "Trading stamps" means and includes any form of stamp, cash discount stamp, coupon, ticket, certificate, card, receipt or any similar device or devices, which is, either directly or indirectly, issued, sold, given or otherwise furnished or delivered by any person to any other person in connection with or as a part of the sale and purchase of any goods or services or which is designed or intended to be used for such purpose and which entitles the purchaser receiving the same with such sale and purchase of goods or services, or the holder thereof, to procure or otherwise receive from any person money, goods or any thing of value, free of or without charge, or for less than the face value of such money, or for less than the actual or stated retail market price or value of such goods or thing of value, as the case may be, upon the production or presentation of any number or a stated number of said stamps, cash discount stamps, coupons, tickets, certificates, cards, receipts or other similar devices; but an offer made or endorsed by a manufacturer upon, as a part of or within the original wrapper or container in which goods are sold, of a premium or a reward for the return to the manufacturer of such goods or any dealer in such goods of all or any part of that wrapper or container or any coupon placed in or attached to such wrapper or container is not a trading stamp.

**Article 2. Regulations**

17755. No person shall issue, give, use, sell or otherwise distribute or furnish, or offer to issue, give, use, sell or otherwise distribute or furnish trading stamps, unless said trading stamps shall have legibly printed or written upon the faces thereof the redeemable value thereof, expressed in cents or fractions of cents, as the case may be. The redeemable value so printed or written upon the face of each trading stamp shall not be less than the actual value of such stamp, as determined by the issuer, for premium redemption purposes. Such printed or written value shall be regarded as the stated value of such stamp for the purposes of this chapter.

17756. Any person who issues, gives, sells or otherwise distributes or furnishes any trading stamp to any merchant or dealer in goods or any supplier of services, shall, upon production thereof, redeem the same either in tangible personal property, or in cash in good and lawful money of the United States of America, at the option of the holder thereof, and any number of such trading stamps shall be so redeemed at the value in cents or fractions of cents printed upon the faces thereof, and it shall not be necessary for the holder thereof to have or present for redemption any stipulated number of such trading stamps before demand for redemption may be made, if the aggregate stated value of said stamps is not less than one cent.

17757. Any person engaged in any trade, business or calling who gives, distributes, delivers or furnishes to any person dealing with him, in consideration of or in connection with the sale of any tangible personal property, service or output of a service trade, any trading stamp shall, upon the refusal or failure of the person responsible for the original issuance or sale of the same to redeem the same as provided in Section 17756, be liable to the holder thereof for the stated value thereof, and shall, upon presentation, redeem the same either in tangible personal property, or in cash in good and lawful money of the United States of America, at the option of the holder thereof, and in such case any number of such trading stamps shall be so redeemed at the value in cents or fractions of cents printed upon the faces thereof, and it shall not be necessary for the holder thereof to have or present for redemption any stipulated number of such trading stamps before demand for redemption may be made, if the aggregate stated value of said stamps is not less than one cent.

17758. Each person operating a store, office or other place of business at or from which trading stamps are issued, given, used, sold or otherwise disposed of in connection with the sale of tangible personal property, services or the output of a service trade, shall place and maintain, in a conspicuous position in such store or place of business, a clear and legible sign bearing the words "Trading Stamps Not Good if Not Redeemed Within One Year From Printed Date of Issue." All books and other devices furnished for the collection of trading stamps by holders thereof shall also bear or contain a similar statement which shall appear in bold type in a conspicuous place on each such book or other device.

17759. From and after the effective date of this chapter, each trading stamp thereafter issued, given, used, sold or otherwise disposed of within this State which is not presented for redemption and redeemed within one year after its date of issue shall thereupon become unclaimed property and all rights of the holder of such stamp shall revert and belong to the State and the holder of such stamp shall no longer possess or have any rights under or by reason of any such stamp. In order to carry out and enforce the foregoing reversion and escheat provisions, each trading stamp issued, given, used, sold or otherwise disposed of after the effective date of this chapter shall have printed legibly on its face the date of issue (which date shall not be later than the date on which it is issued, given, used, sold or otherwise distributed in, with or for the sale of any goods or services) and the name of this State; and each person who makes or is responsible for the original issue, gift, sale, use or other disposition of trading stamps shall make and maintain records of (a) the trading stamps so issued, given, used, sold or otherwise distributed; (b) the date or dates of their issue; and (c) the trading stamps redeemed by or for them within one year after their date or dates of issue, so that such records will disclose accurately the total number of trading stamps so issued, given, used, sold or otherwise distributed within this State which are not presented for redemption and redeemed within one year after their date or dates of issue.

17760. Each person who makes or is responsible for the original issue, gift, sale, use or other disposition of trading stamps shall file with the State Treasurer, on or before March 15, 1957, a sworn report, in such form as shall be prescribed by the State Treasurer, stating (a) the total number of trading stamps so issued, given, used, sold or otherwise distributed by such person within this State between the effective date of this chapter and December 31, 1956; (b) the total number of trading stamps referred to in clause (a) above which were not presented for redemption and redeemed within one year after their date or dates of issue; (c) the stated value or values of said trading stamps, as imprinted on their faces; and (d) such other information as the State Treasurer may reasonably require for the purpose of determining the number and value of the stamps subject to the reversion and escheat provisions contained in this chapter. Sworn reports in similar form shall be filed by each such person with the State Treasurer annually on or before the fifteenth day of March of each succeeding year for each preceding calendar year; provided, that in those cases in which any person or his predecessor in interest, has filed one or more of the reports provided for in this section, each report after the initial report shall account for and include the total number of trading stamps originally issued, given, used, sold or otherwise distributed by such person or his predecessor in interest within the period covered by the last preceding report which were not presented for redemption and redeemed within one year after their date or dates of issue.

17761. At the time of filing the report provided for in Section 17760, the person making such report shall pay to the State Treasurer a sum of money equal to the aggregate stated values of all trading stamps originally issued, given, sold, used or otherwise distributed by such person or his predecessor in interest within or before (but not before the effective date of this chapter) the period for which such report is made, which were not presented for redemption and redeemed within one year after their date or dates of issue, to the extent that liability for the payment to the State Treasurer of the stated value of said unredeemed trading stamps has not already been satisfied. The State Treasurer shall enforce the collection and recovery of all amounts payable under the provisions of this section by instituting such legal



actions and using such process as are prescribed or available for the collection and recovery of any obligation owing or payable to this State. All payments received by the State Treasurer pursuant to this section shall be credited to the General Fund.

#### Article 3. Penalties and Enforcement

17770. Any person who, for himself or for another person, violates any of the provisions of this chapter is guilty of a misdemeanor for each single violation and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) or by imprisonment not exceeding six months or by both said fine and imprisonment. Each separate violation shall be a separate offense and each day of the continuance of such violation shall be deemed a separate offense.

17771. The Attorney General may maintain an action to enjoin a continuance of any act or acts in violation of any provision of this chapter and shall be entitled to recover in such action from the defendant the cost of suit. Upon the third conviction for the violation of any of the provisions of this chapter by any corporation, it shall be the duty of the Attorney General to institute proper suits or quo warranto proceedings in any court of competent jurisdiction for the forfeiture of its charter, rights, franchises or privileges and powers exercised by such corporation and to permanently enjoin it from transacting business in this State. If, in such action, the court finds such corporation has been convicted of not less than three violations of any of the provisions of this chapter, it shall enjoin said corporation from doing business in this State permanently or for such time as the court shall order, or it shall annul the charter or revoke the franchise of such corporation.

#### Article 4. Constitutionality

17780. If any section, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter. The Legislature hereby declares that it would have passed this chapter, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sentences, clauses or phrases thereof be declared unconstitutional."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1187

Senator Byrne moved that Senate Bill No. 1187 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1187**—An act to amend Section 34 of the Agricultural Code, relating to plant and animal industry and the products thereof.

Bill read second time.

#### Motion to Amend

Senator Byrne moved the adoption of the following amendments:

#### Amendment No. 1

In the first line of the title of the printed bill, strike out "amend Section 34 of", and insert "add Section 35.12 to".

#### Amendment No. 2

In line 2 of the title, strike out "plant and animal industry and the products thereof", and insert "the Department of Agriculture Building Fund".

#### Amendment No. 3

On page 1, strike out all of lines 1 to 10, inclusive, and insert

"SECTION 1. Section 35.12 is added to the Agricultural Code, to read:

35.12. When money from the Department of Agriculture Building Fund is used for investment purposes in the purchase of property and in the construction of buildings, and appurtenant facilities or in the purchase of property, or in the construction of buildings, and appurtenant facilities for the use of the Department of



Agriculture, or for the use of the Department of Agriculture and other state agencies, the Director of Agriculture may do any and all things necessary to protect the investment including, but not limited to, purchasing insurance against the loss of or damage to the property or the loss of use and occupancy of the property. Any transaction entered into by the Director of Agriculture under this section shall be subject to the approval of the Department of Finance."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 86	Assembly Bill No. 1066
Assembly Bill No. 101	Assembly Bill No. 1068
Assembly Bill No. 119	Assembly Bill No. 1069
Assembly Bill No. 165	Assembly Bill No. 1120
Assembly Bill No. 166	Assembly Bill No. 1147
Assembly Bill No. 167	Assembly Bill No. 1148
Assembly Bill No. 332	Assembly Bill No. 1151
Assembly Bill No. 353	Assembly Bill No. 1152
Assembly Bill No. 377	Assembly Bill No. 1617
Assembly Bill No. 378	Assembly Bill No. 1618
Assembly Bill No. 413	Assembly Bill No. 1797
Assembly Bill No. 433	Assembly Bill No. 1804
Assembly Bill No. 726	Assembly Bill No. 1975
Assembly Bill No. 727	Assembly Bill No. 1976
Assembly Bill No. 917	Assembly Bill No. 2007
Assembly Bill No. 982	Assembly Bill No. 2015
Assembly Bill No. 983	Assembly Bill No. 2016
Assembly Bill No. 1000	Assembly Bill No. 2022
Assembly Bill No. 1001	Assembly Bill No. 2142
Assembly Bill No. 1002	Assembly Bill No. 2144
Assembly Bill No. 1065	Assembly Bill No. 2145

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 86**—An act to amend Sections 8201, 8203.1, 8203.3, 8209, and 8211 of, and to add Section 8205.1 to, the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

**Assembly Bill No. 101**—An act to amend Section 818 of the Agricultural Code, relating to potato standards.

Referred to Committee on Agriculture.

**Assembly Bill No. 119**—An act to amend Section 13554 of the Revenue and Taxation Code, relating to inheritances on community property.

Referred to Committee on Judiciary.

**Assembly Bill No. 165**—An act to amend Section 117j of the Code of Civil Procedure, relating to notice of entry of judgments and time for appeals in small claims actions.

Referred to Committee on Judiciary.

**Assembly Bill No. 166**—An act to repeal Sections 72302 and 72303 of, to amend Sections 72301 and 72304 of, the Government Code, to

amend Section 1269b of, and to add Section 1269c to, the Penal Code, all relating to municipal and justice courts, authority to fix and accept bail, and deposit in lieu of bail.

Referred to Committee on Judiciary.

**Assembly Bill No. 167**—An act to add Section 1459 to the Penal Code, relating to the form of undertakings of bail filed in inferior courts by admitted surety insurers.

Referred to Committee on Judiciary.

**Assembly Bill No. 332**—An act to add Section 17333 to the Public Utilities Code, relating to annexation of territory by the Fallbrook Public Utility District.

Referred to Committee on Local Government.

**Assembly Bill No. 353**—An act to amend Section 460 of the Penal Code, relating to the crime of burglary.

Referred to Committee on Judiciary.

**Assembly Bill No. 377**—An act to amend Sections 630 and 630.5 of the Probate Code, relating to summary probate proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 378**—An act to amend Section 6321 of the Business and Professions Code, relating to fees payable for law libraries.

Referred to Committee on Judiciary.

**Assembly Bill No. 413**—An act to amend Section 9084.5 of the Insurance Code, relating to fraternal fire insurers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 433**—An act to amend Section 836 of the Penal Code, relating to arrests by peace officers.

Referred to Committee on Judiciary.

**Assembly Bill No. 726**—An act to amend Section 11501 of the Government Code, relating to administrative hearings.

Referred to Committee on Business and Professions.

**Assembly Bill No. 727**—An act to amend Section 11523 of the Government Code, relating to administrative hearings.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 917**—An act to amend Section 6010 of the Public Utilities Code and to add Section 6010.1 to the Public Utilities Code, relating to the filing of a surety bond in connection with the award of franchises.

Referred to Committee on Public Utilities.

**Assembly Bill No. 982**—An act to add Section 1765.2 to the Insurance Code, relating to surplus line brokers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 983**—An act to add Section 1765.3 to the Insurance Code, relating to surplus line brokers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1000**—An act to amend Sections 16000 and 16002 of the Financial Code, relating to credit union charges and assessments.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1001**—An act to amend Sections 14405, 14454, and 14501 of the Financial Code, relating to directors and other officials of credit unions.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1002**—An act to add Articles 3 and 4 to Chapter 7 of Division 5 of the Financial Code, relating to credit unions.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1065**—An act to amend Sections 336.3, 344.1, 346.1, and 346.2 of the Agricultural Code, relating to location of cattle brands.

Referred to Committee on Agriculture.

**Assembly Bill No. 1066**—An act to amend Section 336.6 of the Agricultural Code, relating to applications for cattle brands.

Referred to Committee on Agriculture.

**Assembly Bill No. 1068**—An act to amend Sections 396 and 399 of the Agricultural Code, relating to sale of estrays.

Referred to Committee on Agriculture.

**Assembly Bill No. 1069**—An act to amend Sections 354.1 and 380 of the Agricultural Code, relating to fees for inspection of animals.

Referred to Committee on Agriculture.

**Assembly Bill No. 1120**—An act to add Section 95 to the Agricultural Code, relating to state, district and county fairs.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1147**—An act to repeal Section 4 of Chapter 14 of the Statutes of 1953, relating to the Insurance Commissioner.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1148**—An act to amend Section 10 of the Insurance Code, relating to the definitions contained therein.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1151**—An act to amend Sections 10831.5 and 10882 of the Insurance Code, relating to mutual life and disability insurers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1152**—An act to amend Section 11524 of the Insurance Code, relating to grants and annuities societies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1617**—An act to add Section 949a to the Code of Civil Procedure, relating to court jurisdiction over child custody and removal from the State pending appeal.

Referred to Committee on Judiciary.

**Assembly Bill No. 1618**—An act to amend Section 25 of the Civil Code, relating to minors.

Referred to Committee on Judiciary.

**Assembly Bill No. 1797**—An act to add Sections 1192.1 and 1192.2 to the Penal Code, relating to pleas of guilty.

Referred to Committee on Judiciary.

**Assembly Bill No. 1804**—An act to amend Section 987a of the Penal Code, relating to compensation of counsel appointed by a court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

Referred to Committee on Judiciary.

**Assembly Bill No. 1975**—An act to repeal Sections 118, 794, and 794.5 of, to amend Sections 792 and 802 of, and to add Section 802.1 to, the Fish and Game Code, relating to the taking of abalones for commercial purposes.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1976**—An act to repeal Sections 783, 784, 801.5 and 971 of, and to add Sections 783, 801.5, 970.5 and 971 to, the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2007**—An act to amend Sections 3710, 3710.1, 3710.2, 3711, 3712, and 3715 of the Labor Code, relating to workmen's compensation insurance.

Referred to Committee on Labor.

**Assembly Bill No. 2015**—An act to amend Section 5252 of the Welfare and Institutions Code, relating to feeble-minded persons and other incompetents not insane.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2016**—An act to amend Sections 2684 and 2685 of the Penal Code, relating to transfer of prisoners to state hospitals.

Referred to Committee on Judiciary.

**Assembly Bill No. 2022**—An act to add Section 2615 to the Business and Professions Code, relating to registered physical therapists.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2142**—An act to amend Section 12101 of the Financial Code, relating to the Check Sellers and Cashers Law.

Referred to Committee on Financial Institutions.



**Assembly Bill No. 2144**—An act to amend Section 12308 of the Financial Code, relating to maximum fees to be charged under Check Sellers and Cashers Law.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 2145**—An act to amend Section 12310 of the Financial Code, relating to the sale of checks payable to bearer by a check seller or cashier.

Referred to Committee on Financial Institutions.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 9	Assembly Bill No. 1155
Assembly Bill No. 204	Assembly Bill No. 1156
Assembly Bill No. 264	Assembly Bill No. 1308
Assembly Bill No. 281	Assembly Bill No. 1525
Assembly Bill No. 285	Assembly Bill No. 1526
Assembly Bill No. 512	Assembly Bill No. 1565
Assembly Bill No. 516	Assembly Bill No. 1675
Assembly Bill No. 631	Assembly Bill No. 1676
Assembly Bill No. 663	Assembly Bill No. 1725
Assembly Bill No. 740	Assembly Bill No. 1745
Assembly Bill No. 761	Assembly Bill No. 1807
Assembly Bill No. 796	Assembly Bill No. 1905
Assembly Bill No. 809	Assembly Bill No. 2430
Assembly Bill No. 810	Assembly Bill No. 2494
Assembly Bill No. 871	Assembly Bill No. 2687
Assembly Bill No. 933	Assembly Bill No. 3283
Assembly Bill No. 1109	Assembly Bill No. 3318
Assembly Bill No. 1154	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 9**—An act to add Section 29332 to the Government Code, relating to a stores purchase revolving fund for counties.

Referred to Committee on Local Government.

**Assembly Bill No. 204**—An act to amend Sections 5000, 5075, 5150, 5251, 5258, 5356, 6601, 6620, 6659, 6700, 6703, and 6733 of the Welfare and Institutions Code, relating to the discharge of patients from state hospitals.

Referred to Committee on Social Welfare.

**Assembly Bill No. 264**—An act to amend Section 3819 of the Elections Code, relating to designation of offices held by or occupations of candidates.

Referred to Committee on Elections.

**Assembly Bill No. 281**—An act to amend Section 9754 of the Elections Code, relating to list of nominees.

Referred to Committee on Elections.

**Assembly Bill No. 285**—An act to amend Section 9760 of the Elections Code, relating to time for filing papers.

Referred to Committee on Elections.

**Assembly Bill No. 512**—An act to add Section 17065 to the Education Code, relating to authorizing the cancellation of work permits of minors subject to continuation education.

Referred to Committee on Education.

**Assembly Bill No. 516**—An act to amend Section 8 of Chapter 29 of the Statutes of 1946 (First Extraordinary Session), relating to the availability of moneys appropriated for the acquisition of housing facilities for veterans and families of servicemen.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 631**—An act to amend Sections 13671, 13841.3 and 14071 of the Education Code, relating to school district employees.

Referred to Committee on Education.

**Assembly Bill No. 663**—An act to amend Section 2733.5 of the Business and Professions Code, relating to professional nurses.

Referred to Committee on Business and Professions.

**Assembly Bill No. 740**—An act to amend Sections 560 and 675 of, and to repeal Section 675a of, the Code of Civil Procedure, and to repeal Section 2938 of the Civil Code, relating to the recordation of legal transactions.

Referred to Committee on Judiciary.

**Assembly Bill No. 761**—An act to amend Section 24431 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 796**—An act to repeal Sections 23324, 23326, and 23956 of, to amend Sections 23320, 23321, 23328, 23329, 23430, 23452, and 25761 of, and to add Section 23333 to, the Business and Professions Code, relating to alcoholic beverage license fees, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 809**—An act to add Article 4.5 to Chapter 5, Division 8, of the Education Code, relating to the attendance of pupils and the apprehension of truants.

Referred to Committee on Education.

**Assembly Bill No. 810**—An act to amend Section 17003 of the Education Code, relating to attendance upon continuation education classes.

Referred to Committee on Education.

**Assembly Bill No. 871**—An act to amend Section 5371 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Referred to Committee on Transportation.

**Assembly Bill No. 933**—An act to amend Sections 3087.5, 3088.5, 3473.2 and 3474.5 of the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1109**—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Referred to Committee on Judiciary.

**Assembly Bill No. 1154**—An act to add Section 4905.2 to the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 1155**—An act to add Section 4230 to, and to amend Section 4232 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 1156**—An act to amend Sections 4621, 4622, 4623, 4624, and 4626 of, and to add Section 4623.5 to the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 1308**—An act to amend Section 5642 of the Public Resources Code, relating to the election of trustees of park, recreation and parkway districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 1525**—An act to add Section 9266 to the Public Resources Code, relating to general powers of a soil conservation district.

Referred to Committee on Local Government.

**Assembly Bill No. 1526**—An act to amend Section 22077 of the Water Code, relating to powers and purposes of irrigation districts.

Referred to Committee on Water Resources.

**Assembly Bill No. 1565**—An act to add Section 610.5 to the Fish and Game Code, relating to possession of fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1675**—An act to amend Section 850 of the Labor Code, relating to working hours of pharmacy employees.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1676**—An act to amend Section 851 of the Labor Code, relating to working hours of pharmacy employees.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1725**—An act to amend Section 4982 of the Education Code, relating to reorganization of school districts.

Referred to Committee on Education.

**Assembly Bill No. 1745**—An act to amend Sections 31645, 31724, and 31765.1 of, and to add Section 31627.2 to, the Government Code, relating to the retirement of county employees.

Referred to Committee on Local Government.

**Assembly Bill No. 1807**—An act to amend Section 5701 of the Welfare and Institutions Code, relating to license fees of private institutions.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1905**—An act to add Section 12648.1 to, and to amend Section 12657 of, the Water Code, relating to flood control, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Assembly Bill No. 2430**—An act to amend Section 8153 of the Education Code, relating to school holidays.

Referred to Committee on Education.

**Assembly Bill No. 2494**—An act to add Sections 15031.5 and 15500.4 to, and to amend Sections 15500 and 15501 of, the Health and Safety Code, relating to housing and buildings on the same lot.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2687**—An act to amend Section 28107 of the Government Code, relating to compensation for public service in a county of the seventh class.

Referred to Committee on Local Government.

**Assembly Bill No. 3283**—An act to add Section 5006.2 to the Public Resources Code, relating to the State Park System.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3318**—An act to amend Section 25660 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 120

Assembly Bill No. 121

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 120**—An act to amend Section 25006 of the Corporations Code, relating to the definition of the word "broker" under the Corporate Securities Law.

Referred to Committee on Financial Institutions.



**Assembly Bill No. 121**—An act to amend Section 25102 of the Corporations Code, relating to securities subject to the Corporate Securities Law.

Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2526

Assembly Bill No. 2538

Assembly Bill No. 2839

Assembly Bill No. 2840

Assembly Bill No. 3261

Assembly Bill No. 3490

Assembly Bill No. 3540

Assembly Bill No. 3594

Assembly Bill No. 3775

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 2526**—An act to add Sections 1488, 1489 and 1490 to the Probate Code, relating to discharge of sureties.

Referred to Committee on Judiciary.

**Assembly Bill No. 2538**—An act to amend Section 750 of the Code of Civil Procedure, relating to actions to quiet title.

Referred to Committee on Judiciary.

**Assembly Bill No. 2839**—An act to amend Section 1194.5 of the Insurance Code, relating to investments by insurance companies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 2840**—An act to amend Section 1192.4 of the Insurance Code, relating to investments by insurance companies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 3261**—An act to amend Sections 6440, 6441, 6442, 6443, 6460, 6461, 6462, 6463, 6504, and 6508 of the Streets and Highways Code (Improvement Act of 1911), relating to the time of payment by the property owner and payment to the bond holder.

Referred to Committee on Local Government.

**Assembly Bill No. 3490**—An act to amend Section 1194.8 of the Insurance Code, relating to excess fund investments of insurers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 3540**—An act to amend Section 559 of the Code of Civil Procedure, relating to attachment.

Referred to Committee on Judiciary.

**Assembly Bill No. 3594**—An act to amend Section 9087 of the Insurance Code, relating to fraternal fire insurers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 3775**—An act making an appropriation to the Attorney General for investigative purposes, to take effect immediately.

Referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 67

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 67**—Relative to the passing of the Honorable John A. Pettis.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 632

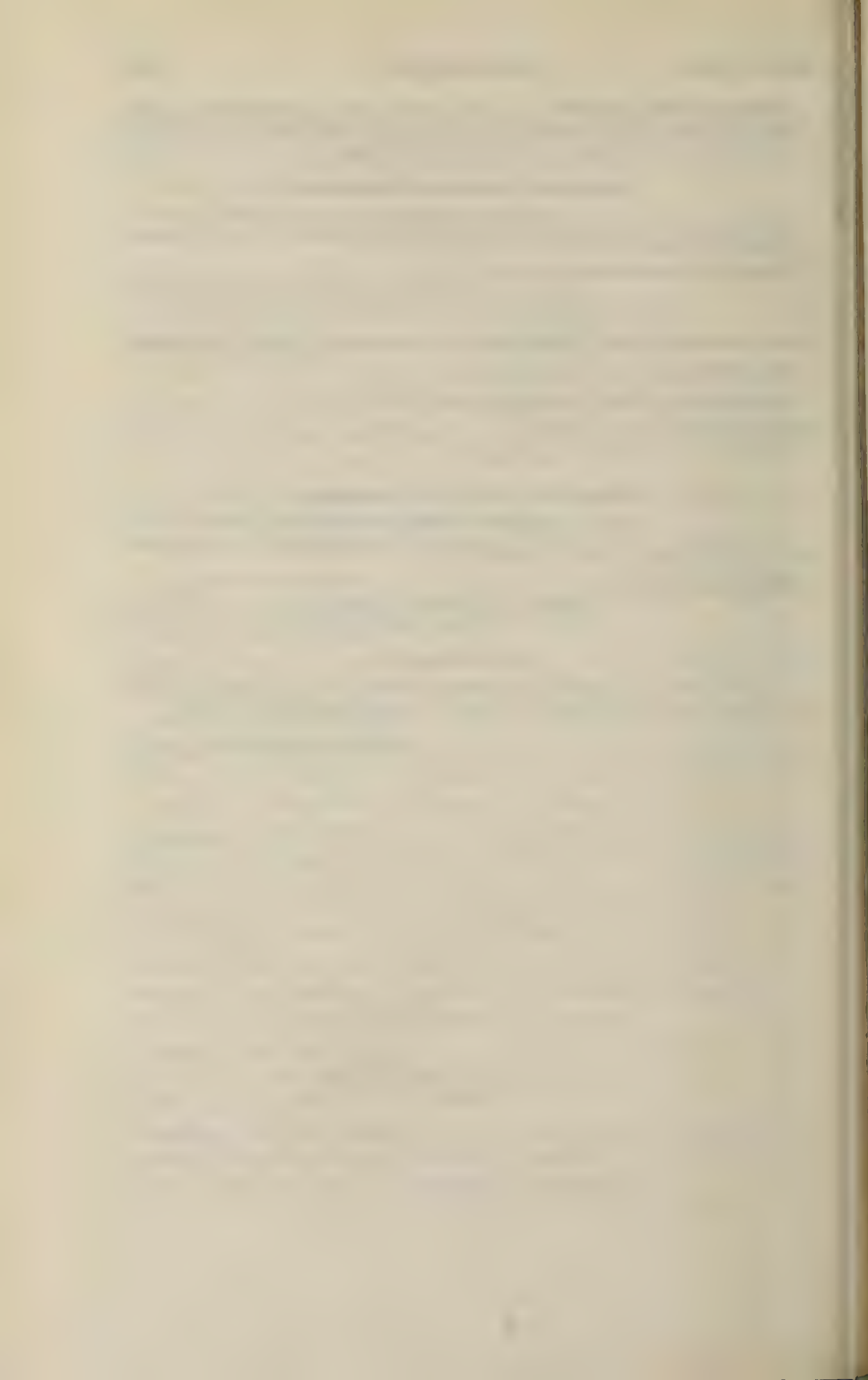
Assembly Bill No. 633

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### ADJOURNMENT

At 4.45 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 1.30 p.m., Tuesday, March 22, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-FIRST LEGISLATIVE DAY

FORTY-SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, March 22, 1955

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Abshire, on motion of Senator Breed, due to legislative business.

Senator Ward, on motion of Senator Breed, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Leitch of Placerville.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher G. L. Bettman, parent Mrs. Don Walcott, and the following eighth grade students from Corning Elementary School: David Boles, Tom Grandeen, Cecil Hardy, Bruce Printy, Gary Strack, Barbara Anderson, Brenda Berry, Doris Brush, Dolores Davis, Mary Lou Driscoll, Fredia



Duncan, Lesley Geijsbeek, June Griswold, Patsy Guice, Janice Hein, Artie Herring, Mary Irwin, Shirley Jones, Betty King, Gretchen Mace, Sue Martine, Delila McCulloch, Linda Poole, Linda Pryatel, Carol Robison, Thea Rochford, Cynthia Shannon, Charlotte Simon, Mary Spaletta, Marlyce Stedman, Delight Westfall, and Sharon Wolcott.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Central Contra Costa Republican Women: Mesdames David J. Pye, R. J. Wallace, Martin Wallace, P. B. Williamson, Ralph B. Blodgett, Louis J. McKannay, R. W. K. Ulm, John F. Jordon, A. J. Bohnney, W. R. Aebersold, A. C. Pritchard, D. G. Denning, Wm. Hansen, M. F. Ohman, Robert Cook, M. S. Petullo, Howard B. Richman, Thos. M. Barrows, C. R. Hayden, and Miss Marguerite Moore.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Variety Club, Tent No. 32: Mesdames Arthur Barnett, Rotus Harvey, Rodda Harvey, Jess E. Levin, Morgan Walsh, Darrell Pischoff, Samuel E. Sobel, John Parsons, and Manuel Levin.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Grace Pence and Mrs. Warren Cook of Palo Alto, West Wuichet of Los Altos, and Walter Miller of Menlo Park.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following adults and students from Castro Valley School District: James E. Kerr, principal; Bill Wilde, vice principal; Mrs. Grace Niemeziek, Mrs. Gertrude Turner, Joe Kappeler, teachers; Linda Agee, Lynn Alexander, Sue Bertotti, Roger Davis, Jeanette Degler, Helene Dudoit, Judy Emerich, Mike Falkenstein, Paul Frates, Marilyn Goldman, Alan Groulx, Jack Hanley, Gary Holt, Ronald Hughes, Selma Hussey, George Kennedy, Gary Kremer, June Lawrence, Patrice Paul, Jackie Powell, Gary Roger, Claudie Robbins, Richard Silva, Patricia Smith, Larry Soule, Doug Slatham, Helen Weber, Kenneth Swanson, Sandy Vanier, Lloyd White, Lyle White, Robert Agness, Alice Archer, Judy Barrette, John Bellsmith, Jonathan Benjamin, Pat Bennick, Shiela Bliss, Barbara Brauer, Juanita Bryan, David Court, Donald DeFratus, Leslie Duck, Karen Fitzpatrick, Sara Holfiltz, Fred Holm, Alma James, Kathy Lambert, Geraldine Leiva, Kent Leshner, James Lunsford, Lynn McFadden, Gary McKay, Robert McMillan, Gary Martin, Jane Mattson, Margaret Needham, William Owen, Myrtle Peck, Frank Perry, Dennis Price, Jean Raudio, Marilyn Rodrigues, Abby Sulprizio, and Cheryl Vanier.

On request of Senators Richards and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Sylvia Natapoff of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Miss Noble, Mr. Phipps, Mrs. Donna Johnson, vice principal Don McGee, and the following students from the Edendale School, San Lorenzo School District: Linda Alicea, Ronald Andre, Joyce Armijo, Robert Barnes, Ella Brown, Gene Collier, Larry DelGuidice, Elmer Dimenco, Barbara Erickson, Michael Hagerty, Larry Hemphill, Angelo Hernandez, Raymond Hughes, Carolyn Jackson, Paul Johnson, Janet

Lamm, Bonnie McDowell, Dennis Macedo, Albert Magorno, Larry Martinez, Betty Milton, Sharon Nickals, Mary Page, JoAnn Rasmussen, Judy Roff, Juanita Ruiz, Charlene Vukas, Rex Williams, James Worley, Eugene Ashmore, Robert Balanco, Linda Brooking, Judith Dalke, Ray Daughters, Gerald Edie, Linda Farrar, Jack Feris, Sandra Funk, Lyle Gruggel, Edward Guttery, Sharon Harris, Elizabeth Hartman, Barbara Havlena, John Hyder, Lynn Johnson, Charles Larsen, Eddie Mallibert, Marsha Martinez, Delores Mayo, Kenneth Miguel, Karen Moore, Robert Preszler, Patrick Roda, Geraldine Sanchez, Michael Silva, Gale Steele, Vickie Stewart, Sarah Thatcher, Rae Velasco, Joan Wells, and Edgar Wilhite.

On request of Senators Richards and Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Eiji Sakabe and his mother Mrs. Konoe Sakabe of Los Angeles, and Miss Gail Montgomery of San Francisco.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Anthony E. Septinelli, supervisor, Services for the Blind of Sacramento.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Edward D. Cooley, president of the Republican Women's Club of Modesto and the following 10 members: Mrs. Everell M. LeBaron, Mrs. Eddie D. Hall, Mrs. H. S. Walton, Mrs. Dan Soranno, Mrs. Charles Dorsch, Mrs. Ivan Leech, Mary Ruth Lynch, Mrs. David L. Arata, Mrs. Frank M. Graham and Mrs. Helen L. Blankenship.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ann Coldani of Stockton.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Carson and Ralph Wieg, and the following eighth grade students from Bret Harte School, Hayward Elementary School District: Lawrence Alvarez, Harry Asher, Gwen Butler, Richard Cardenas, Billie Ellen Cisna, Carole Dafnis, Lyle Davis, Jimmie Dunbar, Don Frazier, Nancy Frisbie, William Garrison, Kathleen Hagen, Gary Hess, Lavina Howard, Jim Hunt, Cheryl Le Cocq, Jimmy McWilliams, Fred Marino, Lydia Marino, Dick Martin, Clifford Mello, Charles Moore, Carol Northup, Sharon Reinikka, Jack Russell, Eddy Samuel, Teddy Santiago, Wanda Tipton, Ruth Varnell, Kenny Wilkinson, Eugene Batsel, Annie Bradbury, Janice Bradbury, Donovan Noble, Harold Allen, Sylvia Chattock, Linda Christiansen, Betty Culbertson, Dennis De Freitas, Peter DeMuri, Wayne Drury, Susan Ferguson, Lawrence Gatterer, Patricia Greig, Andrea Hansen, Henry Herrera, Thomas Hill, John Hobson, Martin Houk, Gary Jensen, Juanita Jones, Terry Jones, Patricia Miller, Joan Mortensen, Margo Nelson, Ronald Ortega, Larry Owens, Barbara Ragsdale, Joan Redfield, Morgan Reed, Kenneth Richards, Steven Russo, JoAnn Schlecht, Donna Simmons, Bonnie Stewart, Richard Stoddard, Duane Sutcliffe, Thomas Upchurch, and Kathy Williams.

On request of Senators Grunsky and Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to

Mr. and Mrs. Walter H. Nagle, Mrs. Miller, Mrs. Lee Maddux, Miss Myrtle Sacry, and Miss Ethel Sacry, all of Santa Rosa.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jack Barbeau of Sacramento.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Eugene Williams of San Diego.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Halden C. Broaders of Exeter.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 53	Senate Bill No. 709
Senate Bill No. 54	Senate Bill No. 710
Senate Bill No. 674	Senate Bill No. 784
Senate Bill No. 699	Senate Bill No. 785
Senate Bill No. 703	Senate Bill No. 1228
Senate Bill No. 704	

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 270	Senate Bill No. 1701
Senate Bill No. 786	Senate Bill No. 1842
Senate Bill No. 1387	

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 477
Senate Bill No. 611
Senate Bill No. 1312

And reports the same correctly re-engrossed.

WARD, Chairman

### Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 196
Assembly Bill No. 64

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Assembly Bill No. 2573
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Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Assembly Bill No. 1946

Assembly Bill No. 145

Assembly Bill No. 2353

Assembly Bill No. 2536

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 541

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to second reading.

## Committee on Transportation

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 113

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 7; noes 3; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 572

Senate Bill No. 1915

Senate Joint Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bills ordered to second reading.

Above reported resolution ordered to third reading.

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 139

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 8; noes 1; absent 4.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 141

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bill ordered to second reading.



**Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 645

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 7; committee vote: Ayes 5; absent 1.

DORSEY, Chairman

Above reported bill re-referred to Committee on Finance.

**Committee on Public Health and Safety**

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1322

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to second reading.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS****Senate Bill No. 701**—An act to amend Section 5091 of the Penal Code, relating to the State Correctional System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 2, line 6, of the printed bill, strike out "1948", and insert "1954".

**Amendment No. 2**

On page 2, line 10, strike out "1948", and insert "1954".

**Amendment No. 3**

On page 2, line 15, strike out "31, 1948", and insert "1954".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Motion to Re-refer Senate Bill No. 701**

Senator Hulse moved that Senate Bill No. 701 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 708**—An act to amend Section 2022 of the Penal Code, relating to the California State Prison at San Quentin.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary.

**Amendment No. 1**

On page 1, strike out lines 5 and 6 of the printed bill, and insert "to provide for the imprisonment of male offenders."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1679**—An act to amend Section 25241 of the Water Code, relating to irrigation district revenue bonds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 882**—An act to amend Section 395.1 of the Military and Veterans Code, relating to the return and re-entry to public employment after termination of military service, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 883**—An act to amend Sections 340, 416, and 562 of, and to add Section 342 to, the Military and Veterans Code and to repeal Section 561 of said code, relating to the State Militia, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1334**—An act to amend Sections 1040 and 1041 of the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 293**—An act to amend Section 1191 of the Military and Veterans Code, relating to the powers of memorial districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 648**—An act to add Section 960.5 to the Military and Veterans Code, relating to veterans graves.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 100**—An act to add Sections 24204.1 and 24204.2 to, and to amend Section 24208 of, the Financial Code, relating to bonds of licensees under the California Small Loan Law.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 102**—An act to add Section 15102.1 to the Financial Code, relating to credit unions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 104**—An act to amend Section 348 of the Code of Civil Procedure, relating to limitation of action for deposit of money or other property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 105**—An act to amend Section 18600 of the Financial Code, relating to industrial loan companies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 106**—An act to amend Section 18610 of the Financial Code, relating to annual reports of industrial loan companies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 620**—An act to amend Section 10270 of, and to add Section 10270.1 to, the Insurance Code, relating to tuition refund insurance.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 693**—An act to add Article 4 to Chapter 17 of Part 1 of Division 2 of the Financial Code, relating to conservatorships of savings and loan associations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 694**—An act to amend Sections 7150 and 7154 of the Financial Code, relating to loans by savings and loan associations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 103**—An act to add Section 28301.1 to the Corporations Code, relating to the Retirement Systems Law.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Financial Institutions:

##### Amendment No. 1

On page 1, lines 5 and 6 of the printed bill, strike out "ineffective unless filed", and insert "effective upon being filed".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 692**—An act to amend Sections 5053, 5510, 6002, 6004, 6561, 6907, 7152, 7155, 7156, 7172, and 8403 of, and to add Sections 5613 and 6705.5 to, the Financial Code, relating to savings and loan associations and the administration of the law with respect thereto.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 832**—An act to amend Sections 1307, 1390, 1391, 1392, 1398, 1399, and 1401, and the title of Article 6 of Chapter 2, Part 2, Division 1, of the Insurance Code, relating to reciprocal insurers.

Bill read second time.

##### Motion to Amend

Senator Cobey moved the adoption of the following amendments:

##### Amendment No. 1

In line 2 of the title of the printed bill, strike out "Chapter 2", and insert "Chapter 3".

##### Amendment No. 2

On page 1, line 15, strike out "Chapter 2", and insert "Chapter 3".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1200**—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

##### Amendment No. 1

On page 1, lines 27 and 28, of the printed bill, strike out "in accordance with the provisions of Section 1367,".

**Amendment No. 2**

On page 1, line 30, after "system", insert "in securities, other than corporation shares, whether or not such securities are herein expressly authorized and whether or not they qualify hereunder, in which in the informed opinion of the board or officer charged with the investment of funds of such systems respectively it is prudent to invest savings funds."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1104**—An act to add Sections 1047, 1048, and 1049 to the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "commandant", insert "subject to the approval of the Director of Veterans Affairs".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 596**—An act to amend Section 6860 of the Government Code, and Section 1360 of the Financial Code, relating to authorized investments for all public and private funds and their use as security for the performance of any act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and".

**Amendment No. 2**

In line 2 of the title after "Code", insert "and Section 1179 of the Insurance Code".

**Amendment No. 3**

On page 2, after line 31, insert

"SEC. 3. Section 1179 of the Insurance Code is amended to read:

1179. Such insurers may invest in farm loan bonds, consolidated farm loan bonds, collateral trust debentures, consolidated debentures, or other obligations issued under the Federal Farm Loan Act, approved July 17, 1916, as amended, (Title 12 U. S. C. Sections 636 to 1012 inclusive, and Sections 1021 to 1129 inclusive), and the Farm Credit Act of 1933, as amended. (Title 12 U. S. C. Sections 1131 to 1138 f inclusive). Under this section such insurers may invest in farm loan bonds and consolidated farm loan bonds issued by Federal Land Banks, consolidated collateral trust debentures and all other debentures issued by federal intermediate credit banks, debentures issued by the Central Bank for Cooperatives and consolidated debentures issued by banks for cooperatives."

Amendments read, and adopted.

Bill ordered printed, and to third reading.



## ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 883, 620, 693, 692, 1842 and 1387 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 883, 620, 693, 692, 1842 and 1387 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 335**—An act to amend Section 31030 of the Water Code, relating to the authorization of revenue bonds by county water districts and declaring the urgency thereof to take effect immediately.

Bill read third time.

## Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, and Way—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, and Way—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1699**—An act to amend Section 21201 of the Financial Code, relating to pawnbrokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

## Motion to Retain Place on File

Senator Hulse moved that Senate Bill No. 1558 be passed on file and retain its place on file.

Motion carried.

**Senate Bill No. 1312**—An act to add Section 21197 to the Water Code, relating to county water districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 678**—An act to add Section 21151 to the Government Code, relating to appointments of retired members of the State Employees' Retirement System.

Bill read third time.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Burns moved a call of the Senate.

Motion carried. Time, 2.10 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 477**—An act to amend Sections 809 and 811 of, and to repeal Sections 810 and 810.5 of, the Fish and Game Code, relating to clams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 674**—An act to amend Section 17044 of the Business and Professions Code, relating to loss leaders in the Unfair Practices Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 270**—An act to amend Section 6093.4 of the Harbors and Navigation Code, relating to harbor districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 786**—An act to amend Section 71383 of the Government Code, relating to audits of municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—28.  
NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 1701**—An act to amend Section 5075 of the Penal Code, relating to membership of the Adult Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, and Way—27.  
NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 53**—An act to amend Section 204a of the Code of Civil Procedure, relating to jury and deputy jury commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 54**—An act to amend Section 25 of the Civil Code, relating to minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 703**—An act to amend Section 3320 of the Penal Code, relating to the Superintendent of the California Institution for Women.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 704**—An act to repeal Section 2076 of the Penal Code, relating to the residence of a warden of a state prison.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1228**—An act to amend Section 476a of the Penal Code, relating to passing checks and other commercial paper with insufficient funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 699**—An act to amend Section 11175 of the Penal Code, relating to the Uniform Act for Out-of-state Probationer or Parolee Supervision.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 709**—An act to amend Section 182 of the Penal Code, relating to the punishment for conspiracy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—30.

NOES—Senator Desmond—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 710**—An act to amend Section 2070 of, and to repeal Section 2083 of, the Penal Code, relating to the records of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold



T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 784**—An act to amend Section 1309 of the Penal Code, relating to exonerated bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 785**—An act to amend Section 680-4 of the Government Code, relating to deposit of money in the county treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 684**—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, and J. Howard Williams—21.

NOES—Senators Donnelly, Ed. C. Johnson, Sutton, and Way—4.

Bill ordered transmitted to the Assembly.

## RESOLUTIONS

The following resolution was offered:

By Senator Cobey:

### Senate Resolution No. 83

Relating to congratulating Russell Cooney, City Manager of Merced

WHEREAS, The Members of the Legislature of the State of California wish to commend Russell Cooney, City Manager of Merced, upon his selection, in July, 1954, in a nation-wide competition sponsored by the National Municipal League to select one person serving in an administrative capacity in state or local government, to attend a 13-week Advanced Management Program Seminar given by the Harvard Graduate School of Business Administration during the Fall of 1954; and

WHEREAS, A native of Nebraska, Mr. Cooney has studied at the University of Southern California and the Los Angeles City College. Prior to taking office as City Manager of Merced, a position he has held for the past three and one-half years, he was Personnel Director for the City of Pasadena; and

WHEREAS, Mr. Cooney's selection by the National Municipal League is an excellent commentary on his outstanding ability and character not only as a devoted public servant but also as a private individual; now, therefore, be it

*Resolved by the Senate of the State of California, That the Members of the Senate of the State of California do hereby, with great pleasure and pride, extend to Russell Cooney, City Manager of Merced, their heartiest congratulations upon his selection for the National Municipal League fellowship. He has set a goal at which other public officials in this State should aim; and, be it further*

*Resolved, That the Secretary of the Senate be hereby directed to prepare and transmit a suitable copy of this resolution to Mr. Russell Cooney and to the City Council of Merced.*

Resolution read, and, on motion of Senator Cobey, unanimously adopted.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.10 p.m., on motion of Senator Burns, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 678 passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, and Way—25.

NOES—Senators Desmond, Dilworth, Donnelly, Grunsky, Hulse, Miller, Murdy, and J. Howard Williams—8.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 98**—An act to amend Section 1743 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Robert I. McCarthy.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 316**—An act to amend Sections 796.1, 796.2, and 796.9 of the Agricultural Code, relating to citrus fruit.

Bill read third time, and presented by Senator Murdy.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Murdy moved a call of the Senate.

Motion carried. Time, 3.20 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 3081

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bill was read the first time:

**Assembly Bill No. 3081**—An act to amend Section 7 of the American River Flood Control District Act (Chapter 808 of the Statutes of 1927), relating to the American River Flood Control District.

Referred to Committee on Local Government.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 49  
Assembly Bill No. 665  
Assembly Bill No. 872  
Assembly Bill No. 1005

Assembly Bill No. 1008  
Assembly Bill No. 2435  
Assembly Bill No. 3317

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 49**—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class.

Referred to Committee on Local Government.

**Assembly Bill No. 665**—An act to add Section 206.5 to the Civil Code, and to amend Section 270c of the Penal Code, relating to the duty of a child to support its parents.

Referred to Committee on Judiciary.

**Assembly Bill No. 872**—An act to add Section 5102 to the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Referred to Committee on Local Government.

**Assembly Bill No. 1005**—An act to amend Sections 4901.2, 4902.05, 4905, 4911.1, 4912, 4915.3, 4917, 4920, 4941.1, and 4941.2 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 1008**—An act to add Sections 3401.1 and 3401.2 to, to repeal Articles 2, 3, and 4, comprising Sections 3431 through 3494, of Chapter 11 of Division 2 of, to add Article 2, comprising Sections 3410 through 3421, to Chapter 11 of Division 2 of, to repeal Articles 13, 13.5, 14, 15, 16, and 17, comprising Sections 3741 through 3841, of Chapter 11 of Division 2 of, to amend Sections 3896, 3897, and 3942 of, to repeal Section 3943 of, and to repeal Article 22, comprising Sections 3961 through 3973, of Chapter 11 of Division 2 of the Education Code, relating to high school district organization.

Referred to Committee on Education.

**Assembly Bill No. 2435**—An act to amend Section 30701 of, and to add Section 30701.5 to, the Water Code, relating to county water districts.

Referred to Committee on Local Government.

**Assembly Bill No. 3317**—An act to amend Section 24200 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 45**—Relative to the California Fryer Festival;

**Senate Concurrent Resolution No. 47**—Relative to the purchase of avocados by state institutions;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-second day of March, 1955, at 3 p.m.

WARD, Chairman

### Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

**Senate Bill No. 1608**

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill re-referred to Committee on Finance.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were introduced, and read:

**Senate Constitutional Amendment No. 27:** By Senator Regan—Proposed amendment to Article VI of the Constitution, relative to adding Section 10b to, and amending Section 9 thereof, relating to the Judicial Department.

Referred to Committee on Judiciary.

**Senate Joint Resolution No. 20:** By Senator Regan—Relative to payments in lieu of taxes by the Federal Government.

Referred to Committee on Rules.



Secretary J. A. Beek at the Desk

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.25 p.m., on motion of Senator Murdy, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 316 passed by the following vote:

AYES—Senators Berry, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—23.

NOES—Senator Short—1.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 317**—An act to amend Sections 796.6 and 796.8 of the Agricultural Code, relating to citrus fruit.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Grunsky, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Thompson, and Way—22.

NOES—Senators Berry and Teale—2.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator Harold T. Johnson moved a call of the Senate.

Motion carried.

Time, 3.31 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 445**—An act to repeal certain obsolete and superseded acts, relating to plant and animal industry and the products thereof.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 446**—An act to repeal certain obsolete and superseded acts, relating to family relationships and rights and duties incident thereto.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 447**—An act to repeal certain obsolete and superseded acts, relating to the regulations of business, professions, and commercial enterprises.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 448**—An act to repeal an obsolete and superseded act, relating to trusts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 449**—An act to repeal certain obsolete and superseded acts, relating to contractual matters, including negotiable instruments, chattel mortgages, powers of attorney, and accord and satisfaction.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 450**—An act to repeal an obsolete and superseded act, relating to the status of the common law in California.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 451**—An act to repeal certain obsolete and superseded acts, relating to the use and transfer of real property and the rights of creditors therein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 452**—An act to repeal an obsolete and superseded act, relating to revision of the Civil Code.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 453**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of a system of state and local government.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 454**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of the system of State Government.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 455**—An act to repeal certain obsolete and superseded acts, relating to the regulation and conduct of elections.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 456**—An act to repeal certain obsolete and superseded acts, relating to financial institutions and financial transactions.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 457**—An act to repeal certain obsolete and superseded acts, relating to procedures in civil actions and proceedings.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 458**—An act to repeal certain obsolete and superseded acts, relating to the formation, powers, and duties of corporations and associations.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 459**—An act to repeal certain obsolete and superseded acts, relating to the establishment, maintenance, government, and operation of schools and institutions of learning.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 460**—An act to repeal certain obsolete and superseded acts, relating to the protection and preservation of fish and game.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 461**—An act to repeal certain obsolete and superseded acts, relating to the organization, operation, and maintenance of county governments.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 462**—An act to repeal certain obsolete and superseded acts, relating to cities.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 463**—An act to repeal certain obsolete and superseded acts, relating to a system of courts of the State and judges, officials, attaches, and employees thereof.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 464**—An act to codify Section 41 of Chapter 641 of the Statutes of 1953, relative to savings and loan associations, by adding Section 5025 to the Financial Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 465**—An act to codify Sections 2 and 3 of Chapter 514 of the Statutes of 1929, relating to criminal offenses, by adding Article 3 to Chapter 12 of Title 13 of Part 1 of the Penal Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 466**—An act to codify Chapter 728 of the Statutes of 1911, relating to cancellation of tax liens on any sixteenth of thirty-sixth section or legal subdivision thereof, by adding Article 4 to Chapter 4 of Part 9 of Division 1 of the Revenue and Taxation Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 467**—An act to codify Section 9 of Chapter 681 of the Statutes of 1941, relating to the sales and use taxes, by adding Section 6007.5 to the Revenue and Taxation Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 468**—An act to repeal certain obsolete and superseded acts, relating to the estates of decedents, missing persons, and wards.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 469**—An act to repeal certain obsolete and superseded acts, relating to harbors, ports, and navigation, and matters incidental thereto.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 470**—An act to repeal certain obsolete and superseded acts, relating to the preservation of the public health and safety, including the health and safety of persons, the custody and disposition of dead bodies, the safety and protection of property, and matters incidental thereto.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 471**—An act to repeal certain obsolete and superseded acts, relating to insurance.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 472**—An act to repeal certain obsolete and superseded acts, relating to labor and employment relations including the regulation of the importation and immigration of foreign nationals and others.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy,

Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 473**—An act to repeal certain obsolete and superseded acts, relating to the armed forces and militia of the State and to civilian defense.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 474**—An act to repeal certain obsolete and superseded acts, relating to crimes and criminal procedure.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 475**—An act to codify Chapter 157 of the Statutes of 1911, Chapter 3 of the Statutes of 1911 (First Ex. Sess.), and Chapter 109 of the Statutes of 1925, relating to water, including irrigation district bonds and watershed protection by adding Section 20066 to, and by adding Article 5 to Chapter 1, Part 2, Division 2 of, the Water Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 476**—An act to repeal certain obsolete and superseded acts, relating to natural resources and public lands, the conservation, utilization and supervision thereof, and matters incidental thereto.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 477**—An act to repeal certain obsolete and superseded acts, relating to and regulating public utilities and other regulated businesses and matters incidental thereto, including publicly owned utilities.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 478**—An act to repeal certain obsolete and superseded acts, relating to taxation and the raising of revenue.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 479**—An act to repeal certain obsolete and superseded acts, relating to streets, highways, roads, bridges, and ferries in this State.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 480**—An act to repeal certain obsolete and superseded acts, relating to public employment offices.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 481**—An act to repeal certain obsolete and superseded acts and sections of acts, relating to the administration and enforcement of laws regulating or concerning the use, operation, or registration of vehicles used upon the public streets and highways of this State.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 482**—An act to repeal certain obsolete and superseded acts, relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, and the establishment and operation of public districts relating to water.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 483**—An act to repeal certain obsolete and superseded acts, relating to protection, care, and assistance to children, aged, and blind persons.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 484**—An act to codify Chapter 479 of the Statutes of 1927, relating to inmates of the Preston School of Industry, by adding Section 1125.5 to the Welfare and Institutions Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 486**—An act to codify Section 2 of Chapter 550 of the Statutes of 1941, Chapter 1127 of the Statutes of 1931, Chapter 1755 of the Statutes of 1953, Section 3 of Chapter 922 of the Statutes of 1945, and Chapter 1319 of the Statutes of 1947, relating to natural resources, the conservation, utilization, and supervision thereof, and

matters incidental thereto, by adding Sections 504.5, 4446, 4502.5, 4502.6, and 6321.5 to, adding Article 3.5 to Chapter 1, Division 5 of, and amending Section 5031 of, the Public Resources Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 490**—An act to codify Section 2 of Chapter 1276 of the Statutes of 1947, relating to the creation of the Marine Research Committee in the Department of Fish and Game, by adding Section 1015.1 to the Fish and Game Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 491**—An act to codify Chapter 4 of the Statutes of 1949, Chapter 86 of the Statutes of 1949, and Chapter 406 of the Statutes of 1949, relating to the system of publicly supported higher education, by adding Chapters 3.1, 3.2 and 3.3 to Division 10 of the Education Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 492**—An act to codify Chapter 500 of the Statutes of 1861, Chapter 281 of the Statutes of 1865-6, Chapter 268 of the Statutes of 1873-4, Section 2 of Chapter 269 of the Statutes of 1905, and Section 7 of Chapter 29, Sections 61 and 63 of Chapter 743 and Sections 199 and 200 of Chapter 744 of the Statutes of 1933, relating to civil actions and civil procedure, by adding Sections 81, 116, 182, 262.11, 690.51, 690.52, 934, 967, 972, and 1927.5 to, and by amending Sections 12a and 675a of, the Code of Civil Procedure, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 493**—An act to codify Section 2 of Chapter 27 of the Statutes of 1889, relating to the collection of stud fees, by adding Section 3064.1 to the Civil Code, and repealing Chapter 27 of the Statutes of 1889.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 494**—An act to codify Section 3 of Chapter 1175 of the Statutes of 1953, relating to the removal of improvements from real property, by amending Section 1013.5 of the Civil Code, and repealing Section 3 of Chapter 1175 of the Statutes of 1953.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 495**—An act to codify Chapter 835 of the Statutes of 1937 and Sections 14 and 16 of Chapter 678 of the Statutes of 1917, relating to plant and animal industry and the products thereof, by adding Section 87.6 to the Agricultural Code; Article 18 to Chapter 2 of Division 3 of said code; and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.45 p.m., on motion of Senator Harold T. Johnson, further proceedings under the call of the Senate were dispensed with.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1038**

Senator Donnelly moved that Senate Bill No. 1038 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1038**—An act to amend Section 2863 of the Education Code, relating to the Public School System.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 2863 of", and insert "add Section 3151.1 to".

**Amendment No. 2**

In line 2 of the title, strike out "Public School System", and insert "election of members of governing boards of county high school districts".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 3151.1 is added to the Education Code, to read:  
3151.1. Whenever the boundaries of a county high school district are coterminous with the boundaries of a county, the board shall consist of one member from each supervisorial district in the county elected at large from the district.

On or before the first day of January preceding the expiration of the term of a member in office on the effective date of this section the board shall, by resolution adopted by the board, determine the supervisorial district from which his successor shall be elected."

**Amendment No. 4**

On page 1, strike out lines 2 to 10, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 593**

Senator Robert I. McCarthy moved that Senate Bill No. 593 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 593**—An act to amend Section 74502 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Bill read second time.

**Motion to Amend**

Senator Robert I. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "74502", insert "74503, 74504 and 74507".

**Amendment No. 2**

On page 1 of the printed bill, strike out lines 3 to 13, inclusive, and insert  
"74502. Clerk: Salary. There shall be one clerk who shall also serve as secretary to the judges and who shall be paid a minimum salary of one thousand dollars

(\$1,000) monthly during the first year of service, a salary of one thousand one hundred dollars (\$1,100) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of one thousand two hundred dollars (\$1,200) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment. *Whenever any vacancy occurs after the effective date hereof, the judges, or a majority of them, notwithstanding any other provisions of the Government Code, shall appoint one clerk who shall also serve as secretary to the judges, and who shall hold office at their pleasure, and who shall receive the salary hereinabove provided.*

SEC. 2. Section 74503 of said code is amended to read:

74503. (a) There shall be one deputy clerk who shall be jury commissioner and who shall perform such other duties as assigned by the judges of the court and who shall be paid a minimum salary of seven hundred thirty-five dollars (\$735) monthly during the first year of service, a salary of seven hundred sixty dollars (\$760) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of seven hundred eighty dollars (\$780) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment. *Whenever any vacancy occurs after the effective date hereof, the judges, or a majority of them, notwithstanding any other provisions of the Government Code, shall appoint one deputy clerk who shall be jury commissioner, and who shall hold office at their pleasure, and who shall perform such other duties as assigned by the judges of the court, and who shall receive the salary hereinabove provided.*

*The clerk shall appoint*

(b) One deputy clerk who shall be chief division clerk, traffic department, and who shall be paid a minimum salary of seven hundred dollars (\$700) monthly during the first year of service, a salary of seven hundred twenty-five dollars (\$725) monthly after the first year of service commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of seven hundred fifty dollars (\$750) monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

(c) One deputy clerk who shall be chief division clerk, civil department, and who shall be paid a minimum salary of seven hundred dollars (\$700) monthly during the first year of service, a salary of seven hundred twenty-five dollars (\$725) monthly after the first year of service commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of seven hundred fifty dollars (\$750) monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

(d) One deputy clerk who shall be chief division clerk, criminal department, and who shall be paid a minimum salary of six hundred seventy dollars (\$670) monthly during the first year of service, a salary of seven hundred dollars (\$700) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment and a maximum salary of seven hundred twenty-five dollars (\$725) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(e) One deputy clerk who shall be chief division clerk, accounting department, and who shall be paid a minimum salary of six hundred seventy dollars (\$670) monthly during the first year of service, a salary of seven hundred dollars (\$700) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment and a maximum salary of seven hundred twenty-five dollars (\$725) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

SEC. 3. Section 74504 of said code is amended to read:

74504. The clerk shall also appoint (a) Five deputy clerks who shall be assistant of chief division clerks and who shall be paid a minimum salary of five hundred seventy-five dollars (\$575) monthly during the first year of service, a salary of six hundred dollars (\$600) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of six hundred twenty-five dollars (\$625) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(b) One deputy clerk who shall be paid a minimum salary of five hundred fifty-five dollars (\$555) monthly during the first year of service, a salary of five hundred sixty-five dollars (\$565) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of five hundred seventy-five dollars (\$575) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(c) Twenty-two deputy clerks who shall be paid a minimum salary of five hundred dollars (\$500) monthly during the first year of service, a salary of five hundred twenty-five dollars (\$525) monthly after the first year of service, commencing on the first

day of the month following the first anniversary of his appointment, and a maximum salary of *five hundred fifty dollars (\$550)* monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

(d) *Fifteen* deputy clerks who shall be paid a minimum salary of *four hundred thirty dollars (\$430)* monthly during the first year of service, a salary of *four hundred fifty dollars (\$450)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of *four hundred seventy dollars (\$470)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(e) *Sixteen* deputy clerks who shall be paid a minimum salary of *four hundred dollars (\$400)* monthly during the first year of service, a salary of *four hundred ten dollars (\$410)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of *four hundred twenty dollars (\$420)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(f) *Nineteen* deputy clerks who shall be paid a minimum salary of *three hundred seventy dollars (\$370)* monthly during the first year of service, a salary of *three hundred eighty dollars (\$380)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of *three hundred ninety-five dollars (\$395)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(g) *Twenty-four* deputy clerks who shall be paid a minimum salary of *three hundred twenty-five dollars (\$325)* monthly during the first year of service, a salary of *three hundred forty-five dollars (\$345)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of *three hundred sixty-five dollars (\$365)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(h) *Two* information clerks who shall be paid a minimum salary of *three hundred dollars (\$300)* monthly during the first year of service, a salary of *three hundred twenty-five dollars (\$325)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of *three hundred fifty dollars (\$350)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of her appointment.

SEC. 4. Section 74507 of said code is amended to read:

74507. Whenever a position described in *Sections 74503(b) to 74505, inclusive*, becomes vacant, the appointing officer shall request the civil service commission to certify him for appointment the highest person on the list of eligibles of male or female sex as indicated in the request of the appointing authority. Lists of eligibles for such promotive positions, subsequent to those lists in existence on September 19, 1947, shall be composed only of persons holding the next lower rank or ranks of deputy clerks in such municipal courts. Monthly compensation shall determine that such deputy clerks are of the next lower rank or ranks. Temporary appointees shall receive the salary set opposite the title of their respective positions. Temporary appointments to promotive positions shall be made from the next lower rank or ranks."

Amendments read, and adopted

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1190

Senator Byrne moved that Senate Bill No. 1190 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1190**—An act to amend Section 12105 of the Business and Professions Code, relating to weights and measures.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "12105", and insert "12701".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 12701 of the Business and Professions Code is amended to read:

12701. [Each public weighmaster shall pay a license fee of ten dollars (\$10) for the fiscal year or any part thereof to the department for the locality of the place of principal business and an additional license fee of two dollars and fifty cents (\$2.50) for each additional locality where service as a public weighmaster is rendered.]

On and after July 1, 1956, each public weighmaster shall pay a license fee for the fiscal year or any part thereof to the department for each locality where service as a public weighmaster is rendered, such license fee to be according to the following schedule:

(a) If the weighing instrument or device used by the public weighmaster for the purpose of ascertaining weight has a weighing platform with a length of:

(1) Twenty feet or less, the fee shall be ----- \$10

(2) In excess of 20 feet, but not exceeding 39 feet, the fee shall be ----- 20

(3) Exceeding 39 feet, the fee shall be ----- 30

(b) If the weighing instrument or device is a tank scale, or hopper scale, or automatic scale, or crane scale, the fee shall be ----- 20

(c) If the weighing instrument or device used for the purpose of ascertaining the weight does not have a weighing platform, or is not a tank scale, or a hopper scale, or an automatic scale, or a crane scale, the fee shall be ----- 20

(d) If the quantity attested to on a state certificate of weights and measures concerns measure or count, and no attestation is made concerning the weight of the commodity or article, the fee shall be ----- 20

An additional license fee of [one dollar (\$1)] five dollars (\$5) for each fiscal year or part thereof shall be paid for each deputy public weighmaster and for each additional license fee the department shall issue a deputy's certificate.

Persons previously licensed to be public weighmasters shall, between May 1st and July 1st of each year, pay each required license fee for the fiscal year commencing with July 1st of such year, which shall be for all or any part of such year. Failure of a person previously licensed to renew his license on or before July 1st of any one year shall ipso facto forfeit his right to serve as a public weighmaster. No license shall be issued to a person who has so failed to renew his license and forfeited his right to serve as a public weighmaster until written application shall have been made by him to the department and accompanied by a restoration fee in an amount twice that required as the regular license fee or fees.

Before any license is issued to any public weighmaster, the applicant shall execute and deliver to the director a surety bond in the sum of one thousand dollars (\$1,000) executed by the applicant as principal and by a corporate surety company qualified and authorized to do business in this State as surety. Said bond shall be conditioned upon the faithful and honest compliance with the provisions of this chapter. Said bond shall be to the State in favor of every person availing himself of the services and certifications issued by a public weighmaster.

The department, after a hearing, may refuse to issue or may revoke a public weighmaster license issued to any person who cannot capably or reliably perform the duties of a public weighmaster, or who has not capably or reliably performed the duties of a public weighmaster, and it may, after a hearing, refuse to renew a public weighmaster license to any person who has not capably or reliably performed the duties of a public weighmaster.



The department, after a hearing, may refuse to issue, or may revoke, or may refuse to renew a deputy public weighmaster certificate issued to any person who cannot capably or reliably perform the duties of a deputy public weighmaster, or who has not capably or reliably performed the duties of a deputy public weighmaster.

The proceedings of the hearings referred to in this section shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

Sec. 2. This act shall become operative on July 1, 1956."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1753

Senator Robert I. McCarthy moved that Senate Bill No. 1753 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1753**—An act to amend Section 23661 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

##### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 12, of the printed bill, strike out "in the amounts herein specified".

##### Amendment No. 2

On page 1, line 13, after "State", insert "from without the United States".

##### Amendment No. 3

On page 1, line 13, after "use", insert "which are exempt from payment of duty".

##### Amendment No. 4

On page 1, line 14, after "the", insert "existing".

##### Amendment No. 5

On page 1, line 14, after "law", insert ", nor in the case of alcoholic beverages brought into this State from another state in the same amount and for the same purposes as may be brought into the country during a comparable period exempt from payment of duty under the existing provisions of federal law".

##### Amendment No. 6

On page 1, strike out lines 15 to 20, inclusive, and insert "shall be exempt from state licensing restrictions".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1091

Senator Collier moved that Senate Bill No. 1091 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1091**—An act to amend Sections 6006.5, 6015, 6452, and 6453 of, and to add Sections 6021 and 6248 to, the Revenue and Taxation Code, and to add Section 148.5 to the Vehicle Code, relating to sales and use taxes in respect to motor vehicles and to registration of motor vehicles.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendment:

**Amendment No. 1**

On page 4 of the printed bill, as amended in the Senate on March 14, 1955, strike out lines 24 to 37, inclusive, and insert

"148.5. Payment of Sales and Use Taxes. The department shall refuse to register or transfer any vehicle sold at retail to the applicant unless there is filed with the application a certificate of sales and use tax clearance with respect thereto issued by the State Board of Equalization. The filing of a certificate of tax clearance, however, shall not be required in the case of a vehicle sold by a dealer who is certificated under Section 206 of this code and who holds a valid seller's permit under the provisions of the Sales and Use Tax Law."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1246

Senator Parkman moved that Senate Bill No. 1246 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1246**—An act to add Chapter 4 to Division 3 of the Health and Safety Code, relating to Pet Birds and Public Health, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended, strike out lines 10 to 14, inclusive.

**Amendment No. 2**

On page 1, line 15, strike out "2101", and insert "2100".

**Amendment No. 3**

On page 1, line 19, strike out ".0148", and insert "148".

**Amendment No. 4**

On page 1, line 20, strike out "2102", and insert "2101".

**Amendment No. 4a**

On page 1, line 22, strike out "2101", and insert "2100".

**Amendment No. 5**

On page 2, line 1, strike out "2103", and insert "2102".

**Amendment No. 5a**

On page 2, line 2, strike out "2101", and insert "2100".

**Amendment No. 6**

On page 2, line 3, strike out "department", and insert "board".

**Amendment No. 7**

On page 2, line 5, strike out "2104", and insert "2103".

**Amendment No. 8**

On page 2, line 7, strike out "department", and insert "board".

**Amendment No. 9**

On page 2, line 10, strike out "2105", and insert "2104"; and in line 17, strike out "2106", and insert "2105".

**Amendment No. 10**

On page 2, line 20, strike out all of lines 20 to 25, inclusive.

**Amendment No. 11**

On page 2, line 26, strike out "2107", and insert "2105".

**Amendment No. 12**

On page 2, line 32, strike out "2108", and insert "2106"; and strike out "Each person, firm, association, or corporation", and insert "All manufacturers".

**Amendment No. 13**

On page 2, line 33, strike out "2101", and insert "2100".

**Amendment No. 14**

On page 2, line 36, strike out "not exceeding", and insert "approximating".

**Amendment No. 15**

On page 2, strike out all of lines 41 to 52, inclusive.

**Amendment No. 16**

On page 3, line 1, strike out "2112", and insert "2107".

**Amendment No. 17**

On page 3, strike out lines 3 to 13, inclusive.

**Amendment No. 18**

On page 3, line 14, strike out the figures "2115", and insert "2108".

**Amendment No. 19**

On page 3, line 15, strike out the words "September 6, 1955.", and insert "October 1, 1955."

**Amendment No. 20**

On page 3, line 16, strike out "fifty thousand dollars (\$50,000)" and insert "ten thousand dollars (\$10,000)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 839**

Senator Burns moved that Senate Bill No. 839 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 839**—An act to be known as Fresno Metropolitan Flood Control Act creating a district subject to the approval of the voters within the district, to be known as Fresno Metropolitan Flood Control District, for the purpose of acquiring and constructing facilities for flood control and the drainage of flood, storm and waste waters

and the conservation of any thereof, and providing for the government and powers of said district.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10 of the printed bill, following the colon, insert "Commencing at the Northwest corner of Section 8 in Township 13 South, Range 20 East, Mount Diablo Base and Meridian; thence East along the North boundary of Sections 8, 9, 10, 11, and 12, same township and range, and the West half of Section 7 in Township 13 South, Range 21 East, to the North one quarter corner of said Section 7; thence South along the North and South center line of said Section 7 to the South one quarter corner of said Section 7; thence East along the North boundary of Sections 18 and 17 in Township 13 South, Range 21 East, to the intersection with the Westerly boundary of the right of way of the Helm Canal; thence Southeasterly along the Southwesterly boundary of the right of way of the Helm Canal to the intersection with a line parallel with and 50 feet West from the East boundary of said Section 17; thence South along a line parallel with and 50 feet West from the East boundary of Sections 17 and 20 in Township 13 South, Range 21 East, to the South boundary of said Section 20; thence East along the South boundary of said Section 20, a distance of 20 feet; thence South along a line parallel with and 30 feet West of the East boundary of Sections 29 and 32, Township 13 South, Range 21 East, to the intersection with the South boundary of the Northeast quarter of the Northeast quarter of said Section 32; thence South 4° 32' West a distance of 381.2 feet to a point 60 feet West of the East boundary of said Section 32; thence South along a line parallel with and 60 feet West from the East boundary of said Section 32, to a point 225 feet North from the South boundary of the Northeast quarter of said Section 32; thence South 10° 05' East a distance of 228.5 feet to a point on the South boundary of the Northeast quarter of said Section 32, 20 feet West of the East one quarter corner of said Section 32; thence South along a line parallel with and 20 feet West of the East boundary of Section 32 in Township 13 South, Range 21 East, and Section 5 in Township 14 South, Range 21 East, to the South boundary of the Northeast quarter of the Northeast quarter of said Section 5; thence East 20 feet to the East boundary of said Section 5; thence South along the East boundary of said Section 5 to the intersection with the Northerly boundary of the right of way of the Fancher Creek Canal; thence Southwesterly along the Northwesterly boundary of said right of way to the intersection with the South boundary of said Section 5; thence West along the South boundary of Sections 5 and 6, in Township 14 South, Range 21 East, to the Southwest corner of said Section 6; thence South along the East boundary of Sections 12, 13 and 24 in Township 14 South, Range 20 East, to the Southeast corner of said Section 24; thence West along the South boundary of said Section 24, to the West boundary of the right of way of U. S. Highway No. 99; thence Northwesterly along the Southwesterly boundary of said highway right of way to the intersection with the East and West center line of Section 23 in Township 14 South, Range 20 East; thence West along the East and West center line of Sections 23, 22, and the East half of Section 21, in Township 14 South, Range 20 East, to the center one quarter corner of said Section 21; thence North along the North and South center line of Sections 21 and 16 in Township 14 South, Range 20 East, to the center one quarter corner of said Section 16; thence West along the East-West center line of Sections 16, 17 and 18 in Township 14 South, Range 20 East, to the center one quarter corner of said Section 18; thence North along the North and South center lines of Sections 18, 7, and 6 in Township 14 South, Range 20 East to the center one quarter corner of said Section 6; thence East along the East and West center line of Sections 6 and 5 in Township 14 South, Range 20 East, to the intersection with the Westerly boundary of the right of way of the "D" Street Freeway of the California Division of Highways; thence Northwesterly along the Southwesterly boundary of said right of way across Section 5 in Township 14 South, Range 20 East and Sections 32, 31 and 30 in Township 13 South, Range 20 East to the intersection with the North and South center line of said Section 30; thence North along the North and South center line of said Section 30 and along the West boundary of the Southeast quarter of Section 19 in Township 13 South, Range 20 East, to the center one quarter corner of said Section 19; thence West along the South boundary of the Northwest quarter of said Section 19 to the Southwest corner of the East half of the Northwest quarter of said Section 19; thence North along the West boundary of the East half of the Northwest quarter of said Section 19 to the North boundary of said Section 19; thence East along the North boundary of said Section 19 to the Northeast corner of said section; thence North along the West boundary of Sections 17 and 8, in Township 13 South, Range 20 East, to the Northwest corner of said Section 8, the point of beginning."



**Amendment No. 2**

On page 11, line 1st, following the period, insert: "Also the board may order the construction of flood control works, storm drains and appurtenances and improvement works in the whole or any portion of any of the streets, highways or public places within the district, or in any portion or parts of any portion of the district, and the cost thereof may be assessed upon the lands benefited, all in the manner provided in the Street Improvement Act of 1913. The Street Improvement Act of 1913 is applicable to this district."

**Amendment No. 3**

On page 11, line 11, strike out "and", and insert "and"; in line 14, strike out first "and", and insert "and"; and in line 15, strike out "and", and insert "and".

**Amendment No. 4**

On page 11, following line 30, insert

"The Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply to proceedings taken under the authority of this section."

Amendments read and adopted

Bill ordered printed and re-referred to Committee on Local Government.

**ADJOURNMENT**

At 2.50 p.m., on motion of Senator John F. McCaskey, the President declared the Senate adjourned until 2 p.m., Wednesday, March 23, 1955

JOHN F. I.E.A. Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-SECOND LEGISLATIVE DAY

FORTY-THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, March 23, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dale C. Williams, on motion of Senator McBride, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ed Frank, City Manager, Petaluma.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frank Roberts and Harry Roberts of San Leandro.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Beverly Weson of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs.

Mayers, Mr. Weston, Mrs. Tamara Taylor, Robert Freeman, and the following students from the Edendale School, San Lorenzo School District: Sheila Abbott, Bernette Alves, Beverly Anderson, Charles Bender, Ruth Christensen, Barbara Cunningham, Charles Fisher, Judy Fontano, Barbara Frembling, William Hallinan, Janice Hanshaw, Betty Huyter, Wayne Kislingbury, Joan Madden, Marvin Meyer, John Miltenberger, Thomas Monk, Floyd O'Leary, Arlene Peterson, William Rowe, Martin Scheurer, Flo-Ann Schrott, George Silva, Patrick Smith, Richard Souza, Macqueline Sullivan, James Tanabe, William Todd, Karen Tommla, David Treanor, Stanley Ando, Joyce Antonucci, Frances Aschen, Anthony Barnes, Karen Bistline, Judith Clark, Ronald Ferdig, Darnell Gonsalves, Charles Gravely, Wilda Hansen, Kathleen Kovork, Richard Krueger, Karleen Kunzman, Richard Kuramoto, Johnny Labot, Harlan Maass, Helen Millsap, Bonnie Pearce, Joyce Powell, Ronayne Rasmussen, Gary Roberts, Byron Russi, Carol Sezauer, Clayton Silva, Sally Simkins, Sharon Stoicich, Kenneth Tarr, Judyth Trimble, Gary Vierra, Shirley Wells, Barbara Westerfield, and Carlisle Winnie.

On request of Senators Dilworth and Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gerald A. Smith of Bloomington.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. B. Corrie of Richmond, Max E. Weyer of El Cerrito, Bruce Howard of Orinda, Alan H. Johnston of Crockett, Leslie E. Carbert of Concord, Harry L. Morrison, Jr., of Martinez, and Ernest R. Casell of Martinez.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Edward Merrill of Santa Ana.

On request of Senators Murdy and McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Howard Lorbeer of Santa Paula.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stephen Edwards of San Bernardino.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William H. Krabiell of Ventura.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sam Ray, Jr., Treasurer and Public Administrator of Mendocino County.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructors Gene Brendlin, Dr. I. J. Wilk and students Richard Andrews, Thomas Clark, Ronald Collins, and Richard Russell from California Polytechnic College.

On request of Senators John F. McCarthy and Parkman and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the San Mateo Building and Trades Council: Mike B. O'Connor, Frank E. Olson, Kenneth M. Hower, Sam Abruseati, Douglas Dave Stone, Oscar

F. Person, Henry Schwab, W. R. Laing, Wm. Varley, and Wm. Dickrickson.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Oakland Traffic Club Group, Sacramento Valley Traffic Club Group, Whitton P.-T. A., Charles A. Whitton Public School staff and students from the Charles A. Whitton School: *Oakland Traffic Club Group*—Jack P. Sanders, Marvyn Fauria, John Sutherland, Cliff Reeves, Jr., Lou Agnew, Bill Braun, Spencer Jewell, George Eaton, Al Westingto, Lou Wolters, Bill Dyer, Wm. Curtis, Carl Mangum, Mrs. J. Sutherland, Dorothy Sykes, Mae Wolters, Shirley Wolters, and E. Adams; *Sacramento Valley Traffic Club Group*—Harold Marshall, Ken Prettyman, Edward Gahl, O. V. Gibson, Jack Barbeau, and Walt Pitchford; *Whitton P.-T. A.*—Archie Elliot, Mrs. Archie Elliot, Raymond Gonzales, Mrs. F. Gonzales, Mrs. Lilly B. Bonner, and M. Emery; *Charles A. Whitton Public School Staff Members*—Miss Angeline Golubin, Principal, Mrs. Georgia Banks, Mrs. Margery Cockroft, Mrs. Edith Baptie, Miss Geneva Spurr, Mrs. Esther Johnson, Miss Geneva Gates, Mrs. Lola Ussery, and Lyle Wright; *Students*—Spencer Adair, Dick Andrews, Lily Mae Bassett, John Benish, Dee Anne Brewer, Jim Carey, Robert Castro, Bill Chiswell, Susan Cohen, James Crawford, Bonnie Cremer, David Day, Bruce Flood, Betty Gee, Ricky Glica, Janice Elliot, Ben Gonzales, Clifford Hubbs, James Johnson, Etta Lou Krause, Gary Lee, Arthur Lewis, Ronald Lorenz, Dolores Martin, Bob Montgomery, Jess Munnerlyn, Ernest Noble, James Pate, Bartlett Johnson, Dick Perdriau, David Poulsen, Arthur Quiales, Kenneth Ross, Larae Shandrew, Janet Swanson, Dennis Stoops, Beda Talbert, and Jerry Trejo.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mr. Baxter, Mrs. Worden, and the following students from the Bret Harte School: Albert Apadaca, Clarence Edner, Franklin William Hague, Victor Heal, John Hunt, Bruce Jund, Dayre Lomas, Oscar Olivera, Ronald Rusher, Leslie Silveira, Leroy Toney, Clayton Woods, Noel Luna, Vic Blakeley, Thomas Smith, Lewis Arnold, Jeffrey Cabral, Danny Barrett, Carol Caldoraro, Margaret Freeauf, Lonni Fogt, Betty Gregg, Doretta Hawkins, Carol Ann Keltner, Karen Kenealy (Carlini), Patsy L. Maxey, Colleen McKenzie, Jo Ellen Rasmussen, Karen Skarphol, Twyla Sloan, Glenna Thompson, Sherril Widsteen, Kathlyn Ware, Stella Ward, Raymond Astin, Frank Camilleri, Steve Cassera, Douglas Dolin, Carl Downing, James Gwynn, Douglas Hallen, Roger Hamilton, Ray Hirschman, Gary Martin, Gary Montez, Elvin Nunes, Ray Nuttall, Brent Posten, Jack Sorensen, John Stine, Rudy Vokoun, John Weir, Darrell Wieck, Connie Buchanan, Judy Clapham, Barbara Fontes, Doreen Gordon, Sandy Hokit, Theresa Houk, Beverly Huber, Arlene Kaastrup, Maxine Lowe, Trudy Maehler, Judy Nunes, Stephanie Shaw, Bonnie Silva, Dorothy Stone, Leona Stubblefield, and Sandra Thayer.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Harold Swan, former Senator from Sacramento; Arthur A. Brooks, Jr. from Beverly Hills, and Robert Wash, County Counsel for Fresno County.



On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul Taylor, former Councilman and Mayor of Sacramento.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Keith Lyde, District Attorney from Butte County.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF AGRICULTURE  
SACRAMENTO, March 14, 1955

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol, Sacramento 14, California*

DEAR MR. BEEK: Pursuant to the provisions of Section 30.6 of the Agricultural Code, I am pleased to transmit to you a Report on Artificial Insemination of Bovine Animals for the year 1954.

Very sincerely yours,

W. C. JACOBSEN, Director

Report ordered printed in the Appendix to the Senate Journal.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 23, 1955

*To the Honorable Members of the Senate*  
*of the California Legislature*

GREETINGS: On January 1, 1955, pursuant to Chapter 20 of the Statutes of 1954, the Department of Alcoholic Beverage Control came into existence.

I have been extremely pleased with the accomplishments of the Department during the brief two and one-half months that it has been in operation. On the basis of what has occurred thus far, I can assure you California's alcoholic beverage control laws are now being effectively administered. The Legislature is to be commended on its fine work in submitting the proposal for the creation of this new department to the voters at the last general election; and the people of California are to be complimented upon their overwhelming endorsement of the plan.

I am particularly proud of the fact that every top-level appointee in the new department is a career employee selected from the State Civil Service System. These men have been chosen because of outstanding reputations for honesty and ability. Their years of civil service experience insure the highest type of professional administration.

The department has adopted a policy of conducting all its activities out in the open. Adequate publicity has been given to every action, and nothing has been decided in secrecy. This open, straightforward and honest approach has already gone far in restoring public confidence in this phase of our State's business.

The department has developed new investigative procedures to obtain thorough information on the nature of the business proposed, and the moral character and competency of every potential licensee. No longer are licenses issued "for the record only" or to vacant lots where the

applicant has no intention of proceeding to establish a bona fide business. The practice of obtaining a license for speculative purposes has become almost impossible under the close scrutiny which is now being given to each application. No longer can persons with serious criminal records procure licenses and use their premises as centers of illegal activity.

A bolder and more vigorous enforcement program has been inaugurated. Where once there appeared reluctance to proceed, the new department is acting promptly and consistently on all types of violations.

The department has undertaken investigations of alleged irregular practices by former employees. As a result, at least 12 persons have been suspended or dismissed from state service on charges ranging from the acceptance of gifts from licensees to outright bribery. All remaining employees have been instructed that the department's business will be conducted on the basis of strict honesty and integrity.

Departmental officers have met with representatives of various peace officer groups and with numerous organizations representing the alcoholic beverage industry; and in each instance it has clearly indicated its desire to cooperate with all law enforcement agencies, recognize the needs and desires of the industry, and protect the interests of the public at large.

I know the members of the Legislature share my desire to do everything possible to help the department solve the many perplexing problems which 21 years of licensed alcoholic beverage activity has created in California. To this end, I submit the following suggestions:

#### I. Personnel

Director Russell S. Munro advises me that in his opinion the great majority of the personnel of the new department are honest, capable public servants. However, the position of liquor control officer is one of the lowest paid law enforcement classes of comparable responsibility in California.

The salary range for liquor control officer is \$341 to \$415 per month. The majority of these officers work in large cities and have or should have responsibilities at least equal to those of city patrolmen. Yet, patrolmen's salaries in several large cities are much more attractive. For example, the following cities pay their patrolmen the amounts indicated:

Oakland	\$395-\$425
Los Angeles	\$375-\$440
Berkeley	\$369-\$400
San Francisco	\$390-\$440

In addition, several law enforcement classes in the state service have higher pay ranges. For example:

State highway traffic officer	\$358-\$436
Special investigator	\$376-\$458
Narcotic inspector I	\$376-\$415

Because of these conditions the recruitment of promising young officers is difficult, and even after having been employed, quite a few experienced officers have transferred to other governmental agencies when afforded the opportunities for better pay.

In Section 23001, Business and Professions Code, the legislation has defined the purposes of the Alcoholic Beverage Control Act as follows:

“\* \* \* an exercise of the police powers of the State for the protection of the safety, welfare, health, peace, and morals of the people of the State, to eliminate the evils of unlicensed and unlawful manufacture, selling and disposing of alcoholic beverages, and to promote temperance in the use and consumption of alcoholic beverages. It is hereby declared that *the subject matter of this division involves in the highest degree* the economic, social, and moral well-being and the safety of the State and of all its people \* \* \*” (Emphasis added)

I agree with the Legislature that the administration of our alcoholic beverage control laws involves in the highest degree the general welfare of the people of California. Therefore, it is my desire that there be developed a force of liquor control officers which will come to be recognized as the most effective in the Country.

This can only be accomplished through careful recruitment of good personnel combined with effective training.

Mr. Munro has advised me that he intends to establish a meaningful and comprehensive training program. He also intends to request the Legislature to authorize increased peace officer powers. This will enable the department to take action against those licensees who abuse the privilege of their licenses by the commission of various crimes upon licensed premises which do not constitute violations of the Alcoholic Beverage Control Act. Presently, the liquor control officers are limited in their authority to violations of the Alcoholic Beverage Control Act.

In addition, I am asking Mr. Munroe to undertake, with the State Personnel Board, a revision of civil service specifications for liquor control officer as well as other related classes in the department. Such adjustments in salary ranges as the new concept of the classes may indicate will naturally follow. The civil service status of persons already in these classes will, of course, be protected.

I strongly recommend approval of these three proposals: an effective training program, increased peace officer powers, and higher pay. I am convinced such forward-looking steps eventually will give us the high-caliber enforcement team we so badly need in this most important job of liquor control.

## II. Food Law

Section 22 of Article XX of the State Constitution includes the following provision:

“Intoxicating liquors, other than beers, shall not be consumed, bought, sold, or otherwise disposed of for consumption on the premises, in any public saloon, public bar or public barroom within the State; provided, however, that subject to the aforesaid restriction, all intoxicating liquors may be kept and may be bought, sold, served, consumed, and otherwise disposed of in any bona fide hotel, restaurant, cafe, cafeteria, railroad dining or club car, passenger ship, or other public eating place, or in any bona fide club after such club has been lawfully operated for not less than one year.”



In 1946, the California Supreme Court interpreted this clause of our Constitution in the case of *Covert v. State Board of Equalization*, 29 Cal. 2d 125. In summary, the court ruled that a bona fide public eating place must meet the following requirements:

1. There must be equipment, supplies and personnel appropriate to a restaurant.
2. There must be a real offer to sell food whenever the premises are open for business.
3. There must be actual and substantial sales of food.

I am advised by numerous sources that the above requirements are too vague, complex, and unreasonable to be enforced uniformly throughout the State.

What kind and type of equipment, what quantity or kind of supplies, and what sort of a staff would be required to constitute compliance with this opinion?

By requiring that a real offer to sell food be made, is it intended that a cook and waiter must be on duty prepared to serve hot meals during all hours that alcoholic beverages are served? If so, I understand that many of our major hotels and cafes are not complying.

Further, what is meant by "substantial sales of food"? Restaurant A may sell \$1,000 worth of food and \$4,000 worth of liquor per month. Thus, its food sales equal only 20 percent of the gross. Restaurant B, on the other hand, may sell \$800 worth of food and \$1,200 worth of liquor. Its food sales are 40 percent of the gross although smaller in dollar value than those of Restaurant A. Which is making "substantial sales" of food?

In order to clarify these and other related problems, I urge that the Legislature give consideration to more clearly defining by statute what constitutes a public eating place in order for an establishment to qualify for a license to sell and serve alcoholic beverages.

It has been suggested that the food requirement should be eliminated entirely. I do not advocate legalizing the open saloon, but I believe that the Legislature should consider presenting the question to the people in the form of a proposed constitutional amendment clarifying and revising the present act. In this way, the voting public could clearly express itself on the subject.

In any event, I am convinced the time has come to evolve a clear and workable policy to guide the department in regulating on-sale premises. I am advised that a literal enforcement of the present law as interpreted by the Supreme Court could result in punitive actions against at least 75 percent of our major hotels, cafes and taverns.

### III. Off-sale Fees

Retail package stores are charged quarterly fees according to volume of sales. Each proprietor must maintain voluminous records and submit sales reports to the department every 90 days. State auditors check these sales at a cost of approximately \$180,000 each year.

Currently, there are 9,341 establishments licensed for general off-sale privileges. The proprietors pay \$121 on July 1st of each year, which authorizes gross sales of distilled spirits in package form not exceeding \$10,000. Sales reports are filed at the end of each subsequent quarter, and additional fees are assessed at the rate of \$11 for each \$1,000 in



excess of \$10,000. This creates a complicated bookkeeping problem, both for the department and the proprietor.

To replace the present cumbersome system, I suggest a flat fee be charged annually for each off-sale general license. In this way, the State would save approximately \$180,000 annually in auditing fees, and each proprietor would be relieved of bothersome and costly record keeping and report making.

I have requested the department to study this problem and suggest a standard fee which would maintain our revenues without bringing an excessive burden on any individual licensee.

#### IV. License Transfers

Recently, there has been considerable publicity regarding the transfer of liquor licenses from person to person for a financial consideration. Apparently this has become a recognized and approved procedure.

Personally, I see no reason why these licenses should be, in effect, negotiable paper. Records of the department indicate the undesirable results of unrestricted transferability, including excessive profiteering, bribery, and peddling.

Some licensees paid \$525 to the State and then transferred their licenses to other persons for as much as \$23,000 each.

State officers allegedly have been bribed to arrange for licenses to be issued for \$525 and then resold for huge profits.

Some persons have gained control of numerous licenses and have engaged in a regular business of peddling and re-peddling these licenses for repeated profits.

I am convinced these practices should be stopped as soon as possible. However, I recognize that most people obtained their licenses in good faith to conduct legitimate businesses. Since many of them paid high prices for these licenses, I feel they should have a reasonable opportunity to recover or amortize the purchase price. I believe, therefore, the department should retain its present authorization to approve a license transfer when a legitimate business is sold or moved to another location. Nothing should be done which would destroy the inherent "good will" value in the sales price of a bona fide establishment.

In order to begin action against the evils of transfer, legislation should be developed to accomplish the following objectives:

1. To eliminate the transfer for profit of old licenses, on a reasonable and gradual basis; and
2. Immediately, to prohibit the transfer for profit of new licenses.

#### V. Temporary On-sale License

Section 22 of Article XX of the State Constitution provides in part:

" \* \* \* the privilege of keeping, buying, selling, serving, and otherwise disposing of intoxicating liquors \* \* \* shall be licensed and regulated under the applicable provisions of the Alcoholic Beverage Control Act."

Various private and public clubs, associations, and miscellaneous groups frequently sponsor meetings, conventions, and parties at which alcoholic beverages are served. Oftentimes, this is done, although the premises has no license authorizing the use of alcoholic beverages. Thus, the sponsoring group may be violating the law, even though it has no intention of doing so.

To remedy this situation, I recommend that the department be authorized to issue temporary on-sale licenses to legitimate applicants for one-day social events. This would legalize what currently may be an illegal though generally accepted custom.

If such a license is not authorized, the department may have the unpleasant duty of taking action against persons who are unintentionally and unknowingly violating the law.

Undoubtedly there will be other problems which may arise from time to time affecting the new department. I shall consider it a privilege to work with you in seeking mutually acceptable and beneficial solutions to those problems.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

Message read, and ordered printed in the Journal.

# REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 882

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 100

Senate Bill No. 102

Senate Bill No. 104

Senate Bill No. 105

Senate Bill No. 106

Senate Bill No. 293

Senate Bill No. 648

Senate Bill No. 694

Senate Bill No. 1334

Senate Bill No. 1679

Senate Joint Resolution No. 18

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 103

Senate Bill No. 708

Senate Bill No. 832

Senate Bill No. 1104

Senate Bill No. 1200

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 46

Assembly Concurrent Resolution No. 61

Assembly Concurrent Resolution No. 60

Assembly Concurrent Resolution No. 67

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

BURNS, Vice Chairman

Above reported resolutions ordered to third reading.

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 38

Senate Bill No. 828

Senate Bill No. 1099

Senate Bill No. 1100

Senate Bill No. 1108

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 117

Senate Bill No. 635

Senate Bill No. 633

Senate Bill No. 719

Senate Bill No. 634

Senate Bill No. 852

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 949

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 629

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 22, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 467

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bill ordered to second reading.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

## Committee on Education

## SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 23

Senate Bill No. 272

Senate Bill No. 391

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 211

Senate Bill No. 273

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 367

Senate Bill No. 472

Senate Bill No. 470

Assembly Bill No. 628

Senate Bill No. 471

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1813

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 441

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 840

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

DONNELLY, Chairman

Above reported bill ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 504

Senate Bill No. 675

Senate Bill No. 676

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bills ordered to second reading.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 90

Senate Bill No. 698

Senate Bill No. 91

Senate Bill No. 700

Senate Bill No. 172

Senate Bill No. 701

Senate Bill No. 294

Senate Bill No. 717

Senate Bill No. 313

Senate Bill No. 722

Senate Bill No. 331

Senate Bill No. 818

Senate Bill No. 365

Senate Bill No. 1252

Senate Bill No. 468

Senate Bill No. 1291

Senate Bill No. 580

Senate Bill No. 1560

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 314

Assembly Bill No. 489

Assembly Bill No. 485

Assembly Bill No. 496

Assembly Bill No. 487

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 546

Senate Bill No. 947

Senate Bill No. 705

Senate Bill No. 760

Senate Bill No. 946

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1203

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 148

Has had the same under consideration, and reports the same back with amendments  
with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:  
Senate Bill No. 539  
Senate Bill No. 1804

Has had the same under consideration, and reports the same back with the recom-  
mendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 75

Has had the same under consideration, and reports the same back with the recom-  
mendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 1889

Has had the same under consideration, and reports the same back with amendments  
with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 19	Senate Bill No. 799
Senate Bill No. 762	Senate Bill No. 1065
Senate Bill No. 796	Senate Bill No. 1759

Has had the same under consideration, and reports the same back with the recom-  
mendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bills ordered to second reading.

## RESOLUTIONS

The following resolution was offered:

By Senator John F. McCarthy:

## Senate Resolution No. 84

Relative to challenging the members of the Assembly to a game of baseball

WHEREAS, In the past various resolutions have been introduced on the subject  
of a baseball game between the Members of the Senate and the Members of the  
Assembly in a spirit of levity; and

WHEREAS, It is now time that a serious challenge should be extended by the  
Senate to the Assembly; and

WHEREAS, The Members of the Senate have agreed upon the following lineup:

First base	Miller—Dilworth
Second base	Robert I. McCarthy—Coombs
Third base	Busch—Donnelly
Shortstop	Grunsky—Cunningham
Left field	Harold T. Johnson—Berry
Center field	Teale—Breed
Right field	Thompson—Cobey
Catcher	Byrne
Pitchers	John F. McCarthy—Burns—Way
Cashier	Hulse
Ticket chairman	J. Howard Williams
Chief usher in charge of usherettes	Brown
Equipment manager	Lieutenant Governor Harold J. Powers
Public relations	Gibson
Business manager	Parkman
Transportation and Parking	Collier
Groundskeeper	Montgomery
Manager	Ward
Scorekeeper	Desmond
Announcer	Dorsey
Bat boy	Short
First aid	Kraft
Lighting	Ed. C. Johnson
Insurance	McBride
Scout	Regan
Towels	Richards
Special agent	Murdy
Cushion rentals	Sutton
Program	Erhart
Concessions	Abshire
Utility	Dale C. Williams

now, therefore, be it

*Resolved by the Senate of the State of California,* That the Senate does hereby challenge the Assembly to a game of baseball to be played at 4 p.m. on April 21, 1955, in the Sacramento Baseball Park; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit a copy of this resolution to the Speaker of the Assembly and to the Chief Clerk of the Assembly.

Resolution read and, on motion of Senator John F. McCarthy, unanimously adopted.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1583	Assembly Bill No. 136
Assembly Bill No. 365	Assembly Bill No. 388
Assembly Bill No. 366	Assembly Bill No. 1956
Assembly Bill No. 2804	Assembly Bill No. 2311
Assembly Bill No. 135	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 1583**—An act to amend Section 1260 of the Fish and Game Code, relating to taking of deer with bow and arrow, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 365**—An act amending Section 31204 of and adding Section 31559 to the Government Code, relating to public retirement systems.

Referred to Committee on Local Government.

**Assembly Bill No. 366**—An act adding Sections 31470.7, 31478, 31479, 31480, 31641.1, 31641.2, 31641.3, 31641.4, 31641.8, and 31641.9 to, and amending Section 31641 of, the Government Code, relating to county retirement systems.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2204**—An act to add Section 13831.3 to the Education Code, relating to school district employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 135**—An act to amend Section 583 of the Vehicle Code, relating to moving vehicles stopped, parked, or left standing on a highway.

Referred to Committee on Transportation.

**Assembly Bill No. 136**—An act to amend Section 591 of the Vehicle Code, relating to illegal parking.

Referred to Committee on Transportation.

**Assembly Bill No. 388**—An act to add Section 702 to the Vehicle Code, relating to the loading of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 1956**—An act to amend Section 158 of the Vehicle Code, relating to display of license plates.

Referred to Committee on Transportation.

**Assembly Bill No. 2311**—An act to amend Section 595 of the Vehicle Code, relating to leaving motor vehicles unattended upon highways.

Referred to Committee on Transportation.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SACRAMENTO, CALIFORNIA, March 22, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 3, 1955, appointing

W. A. HICKS, to Deputy Director of Employment; also Chief of the Division of Accounts and Tax Collections, Department of Employment, and Member, California Employment Stabilization Commission;

JOHN J. SYNON, to the Industrial Accident Commission;

RALPH J. MCGILL, to the Alcoholic Beverage Control Appeals Board;

DONALD H. BONAR, to the Alcoholic Beverage Control Appeals Board;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

BURNS, Vice Chairman

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Desmond moved that the Senate confirm and consent to the appointment of W. A. Hicks as the Deputy Director of Employment; also Chief of the Division of Accounts and Tax Collections, Department of Employment, and Member, California Employment Stabilization Commission.



The President put the question, "Will the Senate confirm and consent to the appointment of W. A. Hicks as the Deputy Director of Employment; also Chief of the Division of Accounts and Tax Collections, Department of Employment, and Member, California Employment Stabilization Commission?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

**NOES**—None.

#### **Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of W. A. Hicks as the Deputy Director of Employment; also Chief of the Division of Accounts and Tax Collections, Department of Employment, and Member, California Employment Stabilization Commission.

### **CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**

#### **Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of John J. Synon as a member of the Industrial Accident Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of John J. Synon as a member of the Industrial Accident Commission?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

**NOES**—None.

#### **Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of John J. Synon as a member of the Industrial Accident Commission.

### **CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**

#### **Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Ralph J. McGill and Donald H. Bonar as members of the Alcoholic Beverage Control Appeals Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Ralph J. McGill and Donald H. Bonar as members of the Alcoholic Beverage Control Appeals Board?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Ralph J. McGill and Donald H. Bonar as members of the Alcoholic Beverage Control Appeals Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 22, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 1, 1955, appointing

RUSSELL S. MUNRO, as Director of Alcoholic Beverage Control; Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

BURNS, Vice Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Russell S. Munro as the Director of Alcoholic Beverage Control.

The President put the question, "Will the Senate confirm and consent to the appointment of Russell S. Munro as the Director of Alcoholic Beverage Control?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Russell S. Munro as the Director of Alcoholic Beverage Control.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Robert I. McCarthy moved that Senate Bill No. 275 be taken from the inactive file and placed on the second reading file.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Constitutional Amendment No. 28:** By Senator Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII, relating to property taxation.

Referred to Committee on Local Government.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Parkman:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 23433 to the Business and Professions Code, relating to alcoholic beverage licenses.

Respectfully submitted,

SENATOR PARKMAN

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

The Committee on Rules recommends that permission be granted to introduce the bills as requested, and that the bills be referred to Committee on Governmental Efficiency.

BURNS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

**Senate Bill No. 1980:** By Senator Parkman—An act to add Section 23433 to the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Governmental Efficiency.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Coombs:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 3.6 to Division 10 of the Education Code, relating to the expansion of publicly supported higher education by the establishment of a state college in the area of Napa County and Solano County.

Respectfully submitted,

SENATOR COOMBS

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Education.

BERRY, Vice Chairman

The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

**NOES**—None.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was introduced, and read the first time:

**Senate Bill No. 1981:** By Senator Coombs—An act to add Chapter 3.6 to Division 10 of the Education Code, relating to the expansion of publicly supported higher education by the establishment of a state college in the area of Napa County and Solano County.

Referred to Committee on Education.

#### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:  
By Senator Desmond:

##### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 23, 1955

**MR. PRESIDENT:** In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 23038 of the Business and Professions Code, relating to alcoholic beverage control.

Respectfully submitted,

SENATOR DESMOND

##### Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 23, 1955

The Committee on Rules recommends that permission be granted to introduce the bills as requested, and that the bills be referred to Committee on Governmental Efficiency.

WARD, Chairman

The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—33.

**NOES**—None.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was introduced, and read the first time:

**Senate Bill No. 1982:** By Senator Desmond—An act to amend Section 23038 of the Business and Professions Code, relating to alcoholic beverage control.

Referred to Committee on Governmental Efficiency.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 196**—An act to amend Sections 164 and 5106 of the Welfare and Institutions Code, relating to the Department of Mental Hygiene.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 541**—An act to amend Section 7100 of the Health and Safety Code, relating to dead bodies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 113**—An act to amend Section 2210.5 of the Streets and Highways Code, relating to federal aid for secondary highways.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

##### Amendment No. 1

On page 1, line 14, of the printed bill, after the period, insert "The department may advance funds from the State Highway Fund, if available, as necessary to permit award of contracts at any time after January 1st preceding the beginning of the fiscal year to which the federal apportionments apply."

##### Amendment No. 2

On page 1, line 17, after the period, insert "The increase in the State's share provided for by the 1955 Regular Session of the Legislature shall be available for apportionment beginning with the 1955-1956 Fiscal Year."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 572**—An act to add Section 541.5 to the Vehicle Code, relating to turning of vehicles near fire stations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1915**—An act to amend Section 674 of the Vehicle Code, relating to mirrors.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendment:

##### Amendment No. 1

On page 1, line 21, of the printed bill, as amended in Senate March 18, 1955, after "vehicle", insert "on the side".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1322**—An act to add Sections 9650.2 and 9717 to, and to amend Sections 9700.5 and 9766 of, the Business and Professions Code, and to add Sections 8732.1 and 8747.5 to the Health and Safety Code, relating to cemeteries.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

##### Amendment No. 1

On page 2, line 12, of the printed bill, as amended in Senate March 16, 1955, after "expenses", insert ", provided that the total sum shall not exceed the sum of five hundred dollars (\$500)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 64**—An act to repeal Part 2 of, and to add Part 2 and Part 2.1 to, Division 13 of the Health and Safety Code, relating to auto courts and resorts and auto and trailer parks, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2573**—An act to amend Section 17702 of the Health and Safety Code, relating to housing.

Bill read second time.

## Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

## Amendment No. 1

On page 1, line 21, of the printed bill, after the period, insert "Any city, city and county, or county may enact an ordinance to regulate or prohibit the installation, maintenance or use of such cabinet unit in any room other than a kitchen."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Assembly Bill No. 1946**—An act to amend Section 2559.5 of the Health and Safety Code, relating to tuberculosis, communicable disease, and public health.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2353**—An act to repeal Sections 7400, 7404, 7410, 10102, 10476, and the title of Chapter 6, Part 1, Division 7 of, to amend and renumber Sections 7401, 7402, 7405, 7406, 7407, 7411, and 7412 of, to amend Sections 7501, 10551, 10607, and 10617 of, and to add Sections 10483 and 10632 to, the Health and Safety Code, relating to vital statistics and public health.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 145**—An act to amend Section 1403 of the Health and Safety Code, relating to licensing of hospitals.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2536**—An act to amend Section 2147.5 of the Business and Professions Code, relating to the healing arts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 139**—An act to amend Section 709 of the Vehicle Code, relating to size, weight and loading of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 141**—An act to amend Sections 512, 512.2 and 516 of the Vehicle Code, relating to speed of vehicles and speed restrictions on highways, bridges or structures.

Bill read second time, and ordered to third reading.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 1558**—An act to add Article 8 to Chapter 1, Division 3 of the Public Resources Code, relating to oil and gas.

Bill read third time.

## Motion to Amend

Senators Dorsey and Ward moved the adoption of the following amendment:

## Amendment No. 1

On page 2 of the printed bill, strike out lines 7 and 8, and insert "pools on said subject matter. Neither a disapproval by the supervisor nor a recommendation by him shall constitute a basis for implying any obligation for producers of oil to comply with such a disapproval or recommendation."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 708**—An act to amend Section 2022 of the Penal Code, relating to the California State Prison at San Quentin.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1679**—An act to amend Section 25241 of the Water Code, relating to irrigation district revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 882**—An act to amend Section 395.1 of the Military and Veterans Code, relating to the return and re-entry to public employment after termination of military service, declaring the urgency thereof, to take effect immediately.

Bill read third time.

## Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy,

Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1334**—An act to amend Sections 1040 and 1041 of the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read third time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 1, of the printed bill, before "1040", insert  
"SECTION 1. Section 1040 of the Military and Veterans Code is amended to read:".

**Amendment No. 2**

On page 1, line 9, before "1041", insert  
"SEC. 2. Section 1041 of said code is amended to read:".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 293**—An act to amend Section 1191 of the Military and Veterans Code, relating to the powers of memorial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Motion to Excuse Senator Richards**

At 3.04 p.m., Senator Richards moved that he be excused to attend an Assembly committee meeting.

Motion carried.

**Senate Bill No. 648**—An act to add Section 960.5 to the Military and Veterans Code, relating to veterans graves.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 100**—An act to add Sections 24204.1 and 24204.2 to, and to amend Section 24208 of, the Financial Code, relating to bonds of licensees under the California Small Loan Law.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 102**—An act to add Section 15102.1 to the Financial Code, relating to credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 104**—An act to amend Section 348 of the Code of Civil Procedure, relating to limitation of action for deposit of money or other property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to Assembly.

**Senate Bill No. 105**—An act to amend Section 18600 of the Financial Code, relating to industrial loan companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 106**—An act to amend Section 18610 of the Financial Code, relating to annual reports of industrial loan companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breen, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 694**—An act to amend Sections 7150 and 7154 of the Financial Code, relating to loans by savings and loan associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 103**—An act to add Section 28301.1 to the Corporations Code, relating to the Retirement Systems Law.

**Motion to Re-refer Senate Bill No. 103**

Senator Hulse moved that Senate Bill No. 103 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 832**—An act to amend Sections 1307, 1390, 1391, 1392, 1398, 1399 and 1401, and the title of Article 6 of Chapter 3, Part 2, Division 1, of the Insurance Code, relating to reciprocal insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1200**—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1104**—An act to add Sections 1047, 1048, and 1049 to the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 18**—Relative to memorializing Congress to appropriate funds for the construction and improvement of highways necessary for civil defense purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1578**—An act to add Section 281.5 to the Agricultural Code, relating to bees and bee diseases.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 355

Senator Desmond moved that Senate Bill No. 355 be withdrawn from Committee on Government Efficiency and re-referred to Committee on Local Government.

Motion carried.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 902

Senator Gibson moved that Senate Bill No. 902 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 902**—An act to amend Section 8700 of the Business and Professions Code, relating to land surveying.

Bill read second time.

##### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 8700 of", and insert "add Section 8782 to, and to amend Section 8805 of".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### **Amendment No. 2**

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 8782 is added to the Business and Professions Code to read:

8782. The adjudication of insanity or mental illness, or the voluntary commitment or admission to a state hospital of any licensee for a mental illness shall operate as a suspension of the right to practice of any licensee holder under this chapter, such suspension to continue until restoration to or declaration of sanity or mental competence. The record of adjudication, judgment or order of voluntary commitment is conclusive evidence of such insanity or mental illness, and upon receipt of a certified copy of any such adjudication, judgment, voluntary commitment or order by the board it shall immediately suspend the license of the person adjudicated or committed and shall not restore such license to good standing until it shall receive competent evidence of restoration to or declaration of sanity and until it is satisfied that, with due regard for the public interest, said person's right to practice may be safely reinstated.

SEC. 2. Section 8805 of said code is amended to read:

8805. The amount of the fee prescribed by this chapter is that fixed by the following schedule:

- (a) The application fee is fifteen dollars (\$15).
- (b) The license fee is ten dollars (\$10).
- (c) The duplicate certificate fee is one dollar (\$1).
- (d) The annual renewal fee shall be fixed by the board at not more than [six dollars (\$6)] *eight dollars (\$8)* and not less than four dollars (\$4)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 919**

Senator Murdy moved that Senate Bill No. 919 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 919**—An act to add Article 7 to Chapter 3 of Part 2 of Division 6 of the Public Resources Code, relating to oil and gas leases on state-owned tide and submerged lands.

Bill read second time.

#### **Motion to Amend**

Senator Murdy moved the adoption of the following amendment:

#### **Amendment No. 1**

On page 1, line 20, of the printed bill, strike out "other", and insert "of the".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1037**

Senator Donnelly moved that Senate Bill No. 1037 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1037**—An act to amend Section 9601.1 of the Education Code, relating to the Public School System.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "9601.1", and insert "12139".

**Amendment No. 2**

In line 2 of the title, strike out "Public School System", and insert "standards for the issuance of teaching credentials".

**Amendment No. 3**

On page 1, line 1, strike out "9601.1", and insert "12139".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 4**

On page 1, between lines 2 and 3, insert "12139. Any standard for the granting of any credential, except [an emergency] a *provisional* credential, when adopted, shall remain in force for not less than four years."

**Amendment No. 5**

On page 1, strike out lines 3 to 8, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

WITHDRAWAL FROM COMMITTEE OF SENATE  
CONSTITUTIONAL AMENDMENT NO. 2

Senator Desmond moved that Senate Constitutional Amendment No. 2 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Constitutional Amendment No. 2**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Resolution read.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed measure, strike out lines 3 to 14, inclusive, and insert "The Legislature shall provide for the issuance of the following two types of licenses for premises where intoxicating liquors may be sold and served for consumption upon the premises. One of such types may be issued to bona fide eating places, as defined by the Legislature. The other type may be issued to taverns, and upon such premises it shall not be necessary to sell or serve food for consumption upon the premises. No person under the age of 21 years shall be permitted to enter and remain in any tavern without lawful business therein. In addition the Legislature shall provide, under such conditions as it may impose, for the issuance of licenses for

the sale and service of intoxicating liquors in railroad dining or club cars, passenger ships, common carriers by air, and in bona fide clubs after such clubs have been lawfully operated for not less than one year."

**Amendment No. 2**

On page 2, line 16, strike out "minor", and insert "person under the age of 21 years".

**Amendment No. 3**

On page 2, line 19, strike out "minor, and no minor", and insert "person under the age of 21 years, and no person under the age of 21 years".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 12**

Senator Dorsey moved that Senate Bill No. 12 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 12**—An act to amend Section 2668 of the Business and Professions Code, relating to physical therapists, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 2668 of", and insert "add Section 2626.1 to, and to amend Sections 2665 and 2668 of,".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 2626.1 is added to the Business and Professions Code, to read: 2626.1. Any person who met all of the requirements of Section 2626 for registration and was qualified to register as a physical therapist under the provisions of that section, but who failed to apply to register within the one year period prescribed in that section because of lack of knowledge or lack of notice of the registration requirements may be registered by the board without being required to take the examination prescribed by Section 2609 upon filing an application on or before December 31, 1955, and signing a proper affidavit to be prescribed by the board.

SEC. 2. Section 2665 of said code is amended to read:

2665. [One year from the effective date of this act,] No person not licensed under this chapter shall practice physical therapy in this State for compensation received or expected *after December 31, 1955* ; provided, however, that this prohibition shall not apply to any of the following:

(a) Any activities authorized by their licenses on the part of any persons licensed under this code or any initiative act;

(b) Registered physical therapists licensed under Chapter 5.6 of Division 2 of this code;

(c) The practice of physical therapy procedures by registered nurses when such practice is incidental to their conventional nursing duties and is performed under the direct orders and supervision of a person licensed in one of the healing arts;

(d) Any activities of nonregistered nurses permitted by Section 2731 of this code;

(e) Any person employed by any agency, bureau or division of the Government of the United States, while performing the duties of such employment;

(f) The demonstration of any physical therapy equipment by a salesman or merchant engaged in selling such equipment;

(g) The administration of massage, external baths or normal exercise.

SEC. 3. Section 2668 of said code is amended to read:"

**Amendment No. 3**

On page 1, line 8, strike out "January 1, 1956", and insert "December 31, 1955".

**Amendment No. 4**

On page 1, lines 22 and 23, strike out "the effective date of this act", and insert "December 31, 1955".

**Amendment No. 5**

On page 1, line 27, strike out "December 1, 1953", and insert "December 31, 1955".

**Amendment No. 6**

On page 2, line 4, strike out "have been", and insert "were".

**Amendment No. 7**

On page 2, lines 4, 5, and 6, strike out "for a period of one year or more immediately prior to the effective date of this act", and insert "on September 9, 1953".

**Amendment No. 8**

On page 2, line 7, strike out "the effective date of this act", and insert "September 9, 1953".

**Amendment No. 9**

On page 2, lines 8 and 9, strike out "complete courses of training within one year from the effective date of this act", and insert "completed their courses of training on or before September 9, 1954".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 1169, 1170, 1171, 1173, AND 1174**

Senator Byrne moved that Senate Bills Nos. 1169, 1170, 1171, 1173, and 1174 be withdrawn from Committee on Governmental Efficiency, and re-referred to Committee on Water Resources.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1080**

Senator Abshire moved that Senate Bill No. 1080 be withdrawn from Committee on Social Welfare, and re-referred to Committee on Agriculture.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1094**

Senator Sutton moved that Senate Bill No. 1094 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1094**—An act to add Section 203.6 to the Welfare and Institutions Code, relating to county hospitals.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "supervisors", insert "of counties of the fortieth to fifty-eighth class, inclusive,".

**Amendment No. 2**

On page 1, line 6, after "made", insert "voluntarily".

**Amendment No. 3**

On page 1, line 11, after "made", insert "voluntarily".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 565**

Senator Regan moved that Senate Bill No. 565 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 565**—An act to repeal Section 3 of Chapter 922 of the Statutes of 1945 and to amend Section 6901 of the Public Resources Code, relating to applications for erection of structures on tidelands or submerged lands or for depositing or removing material therefrom.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "to amend Section", and insert "Sections 6321.5 and".

**Amendment No. 2**

In line 3 of the title, after the comma, insert "to add Section 6818 to the Public Resources Code,".

**Amendment No. 3**

On page 1, line 3, after "2.", insert "Section 6321.5 of the Public Resources Code is repealed.  
SEC. 3."

**Amendment No. 4**

On page 1, strike out all of lines 4 through 23, inclusive, and insert "repealed.  
SEC. 3. Section 6818 is added to the Public Resources Code, immediately preceding the heading of Article 2 of Chapter 3 of Part 2 of Division 6 thereof, to read: 6818. All applications made to the commission pursuant to this chapter for erection of any permanent structure on tidelands or submerged lands or for depositing thereon or removal therefrom of any material shall be submitted by the commission to the Director of Natural Resources to make an examination and report concerning possible interference with the recreational use of lands littoral to the tidelands or submerged lands involved in such application. All such applications shall also be submitted by the commission to the Attorney General for approval as to compliance with the applicable provisions of law and of the rules and regulations of the commission. Should it be found by the commission that the action proposed in any such application would unreasonably interfere with the maintenance or use of the lands involved for recreational purposes or protection of shore properties, such application shall not be granted unless modified in a manner which may avoid such interference.

SEC. 4. Section 2 of this act becomes operative only if Section 6321.5 of the Public Resources Code is enacted by the Legislature at its 1955 Regular Session,



and in such case immediately subsequent to the time at which said Section 6321.5 takes effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1484**

Senator Parkman moved that Senate Bill No. 1484 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1484**—An act to amend Section 410 of the Education Code, relating to the superintendent of schools of a county of the tenth class.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, insert "thirteen thousand five hundred dollars (\$13,500)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1672**

Senator Donnelly moved that Senate Bill No. 1672 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1672**—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 2020 of", and insert "add Section 2181.07 to".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 2181.07 is added to the Welfare and Institutions Code, to read:

2181.07. For the purposes of this chapter, the earnings of the ineligible spouse of an applicant for or recipient of aid, to the extent that such earnings are needed to maintain such spouse and the minor children of the marriage in decency and health, shall not be considered income to such applicant or recipient. The liability of the ineligible spouse for the support of the applicant or recipient shall be determined in accordance with the scale contained in Section 2181 of this code."

**Amendment No. 3**

On page 1, strike out lines 2 to 19, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**MOTION TO PRINT OPINION OF LEGISLATIVE COUNSEL**

Senator Breed moved that the following Opinion of the Legislative Counsel regarding Senate Bill No. 280 be printed in the Journal.

Motion carried.

**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, March 14, 1955

*Hon. Arthur H. Breed, Jr.*

*Senate Chamber*

Subdivisions: Senate Bill No. 280—No. 7374

DEAR SENATOR BREED:

*Question*

Senate Bill No. 280 proposes to delete from the Subdivision Map Act (B. & P. C., Secs. 11500 to 11628, inclusive) the provisions permitting a subdivider to elect between filing a record of survey map or submitting a final map for approval by the governing body of the city or county in which the proposed subdivision is situated, and would require that the subdivider submit a final map and have it approved and recorded before he may sell or offer to sell any subdivision or any part thereof.

You have asked whether such a requirement would prevent cities or counties from requiring a subdivider to dedicate streets to the public as a condition precedent to the approval of the final map?

*Opinion*

In our opinion, the bill would not prevent a city or county from imposing such requirements as a condition precedent to the approval of a final map.

*Analysis*

It has been contended that in California the theory permitting the requirement of dedication as a condition to the approval of a final map is based upon the proposition that the subdivider makes a voluntary donation for the privilege of having the map recorded, and that if he does not desire to accede to such requirements, he has the alternative of conveying lots by use of a record of survey map. It has also been contended that if a subdivider is precluded from using a record of survey map, it would be unconstitutional to require dedications as a condition to the approval of a final map.

The leading case upon the power of cities and counties to require dedications of property as a condition precedent to the approval of a final map is *Ayres v. City Council of Los Angeles*, 34 Cal. 2d 31. There a subdivider claimed that to require him, as a condition precedent to the approval of a final map, to dedicate land in his proposed subdivision for the future widening of a street adjoining the subdivision

would be an unconstitutional exercise of the power of eminent domain as a taking of his property without the payment of compensation.

The court, in rejecting this contention, stated:

“\* \* \* A sufficient answer is that the proceeding here involved is not one in eminent domain nor is the city seeking to exercise that power. It is the petitioner who is seeking to acquire the advantages of lot subdivision and upon him rests the duty of compliance with reasonable conditions for design, dedication, improvement and restrictive use of the land so as to conform to the safety and general welfare of the lot owners in the subdivision and of the public. The well-considered observations in *Mansfield & Swett v. Town of West Orange*, 120 N.J.L. 145 (198 A. 225), also involving a subdivision proceeding, are pertinent in this connection. The court there recognized the distinction between the exercise of the sovereign power of eminent domain and the noncompensatory nature of reasonable restrictions in respect to private interests when they must yield to the good of the community. That these general principles apply in subdivision map proceedings is also demonstrated in the cases of *Ridgefield Land Co. v. City of Detroit*, 241 Mich. 468 (217 N.W. 58), and *Newton v. American Sec. Co.*, 201 Ark. 943, 948, (148 S.W. 2d 311), where the distinction was made between the exercise of authority in such proceedings and the exercise of the power of eminent domain. In each of those cases it was held that the requirement for the dedication of land to the widening of existing streets was not a compulsory taking for public use; but that where it is a condition reasonably related to increased traffic and other needs of the proposed subdivision it is voluntary in theory and not contrary to constitutional concepts.” (34 Cal. 2d 31, at page 42.)

Dissenting from this holding, Justice Carter stated:

“In the three cases relied upon by the majority (*Mansfield & Swett v. Town of West Orange*, *supra*; *Ridgefield Land Co. v. City of Detroit*, *supra*; and *Newton v. American Sec. Co.*, *supra*), it would seem that the only penalty provided for in the event that the proposed subdivision was not approved was that the plat could not be recorded. These cases do not involve a fine or imprisonment, or both, as contemplated by the Map Act.

“The construction placed upon the Subdivision Map Act by the majority has the effect of telling the subdivider that he may dedicate land to the city for the privilege of recording and selling—a matter which is not a privilege, but a *right*, in other situations, or let the land go idle, or sell it and go to jail, pay a fine, or both.” (34 Cal. 2d 31, at pages 47, 48.)

The contentions advanced above appear to be based upon an assumption that a subdivider can be compelled to devote a portion of his property for certain public uses only if a final map is presented for approval, and that no such requirements may be imposed if he elects to file a record of survey map. Actually, many requirements of this nature can also be imposed by a city or county as a condition to the approval of a record of survey map. The Subdivision Map Act provides that a record

of survey map filed by the subdivider shall conform, in respect to design,<sup>1</sup> to the tentative map approved by the local governing body (B. & P. C. Sec. 11575). In approving a record of survey map, the local governing body may also require the installation of such improvements<sup>2</sup> as are reasonably necessary for sewage disposal, lot access and local neighborhood traffic and drainage needs (B. & P. C. Sec. 11575). It, therefore, seems clear that no matter what type of map is filed by the subdivider, he can be required to meet reasonable conditions as a condition to approval of the map.

The decision in the *Ayres* case sustaining the right of cities and counties to require dedications is not based upon the proposition that the subdivider has an option to follow either the final map procedure or use a record of survey map in its place, and if the latter type is used, no conditions may be imposed which would compel the subdivider to devote a portion of his property for certain public purposes. In the three cases relied upon by the majority, only one, the *Newton* case, mentioned that the subdivider had an alternative method available by which he might convey his property. The decision in the *Ayers* case is based, rather, solely upon the proposition that a requirement of dedication is a valid exercise of the police power, or as the court succinctly puts it, one who is seeking to acquire the advantages of lot subdivision has the duty of complying with "reasonable conditions for design, dedication, improvement, and restrictive use of the land so as to conform to the safety and general welfare of the lot owners in the subdivision and of the public." (34 Cal. 2d 31, 42.)

It is our opinion, therefore, that the provisions of Senate Bill No. 280 would not prevent a city or county from requiring street dedications as a condition precedent to the approval of a final map.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By DONALD L. GILMOUR, Deputy

<sup>1</sup> "Design" is defined in the act as referring to street alignment, grades and widths, and widths of easements and rights of way for drainage and sanitary sewers and minimum lot area and width (B. & P. C. Sec. 11510).

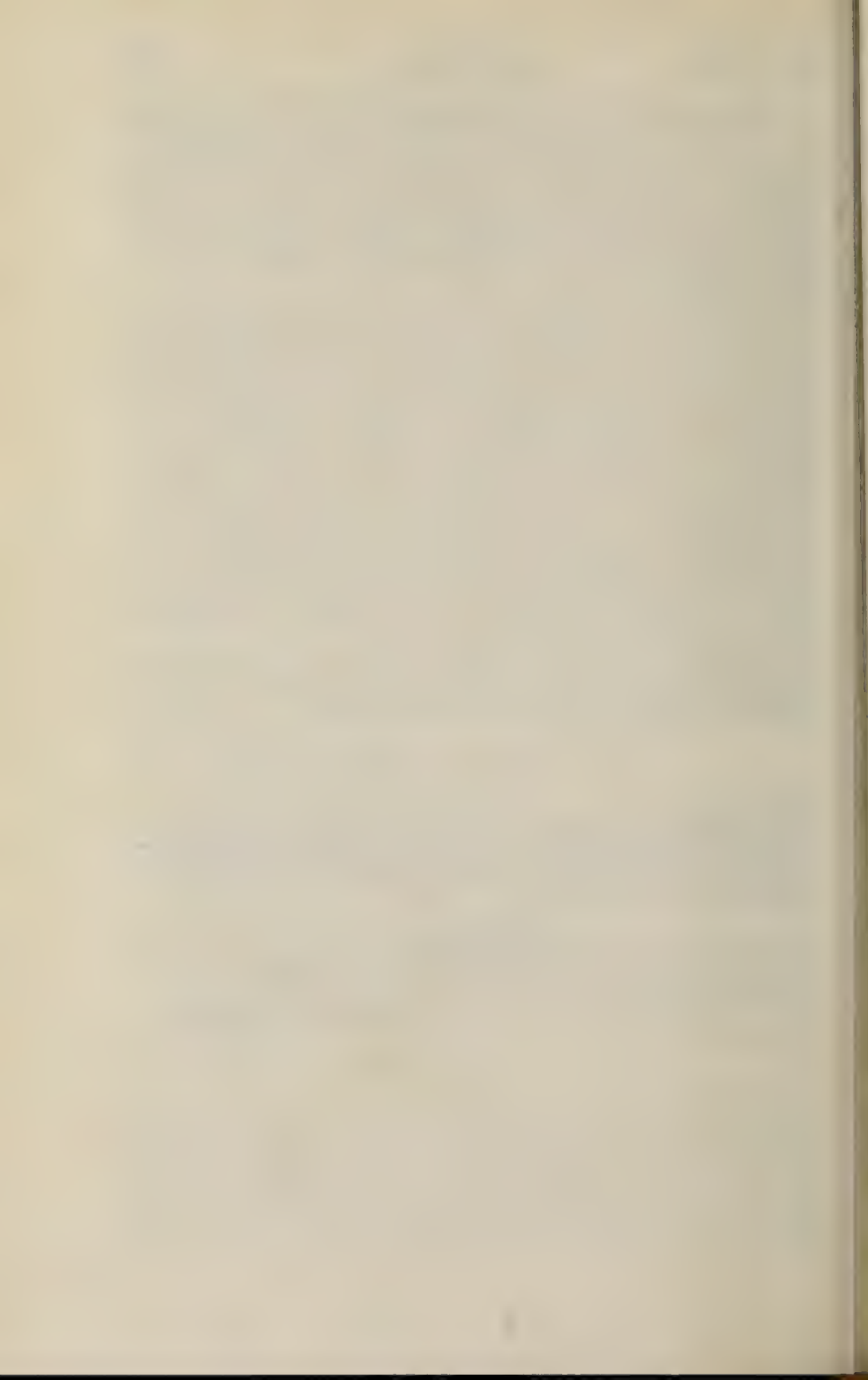
<sup>2</sup> "Improvement" is defined in the act as referring to only such street work and utilities to be installed, or agreed to be installed by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map or filing of the record of survey map thereof (B. & P. C. Sec. 11511).

#### ADJOURNMENT

At 3.45 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Thursday, March 24, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-THIRD LEGISLATIVE DAY

FORTY-FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, March 24, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Gibson, on motion of Senator Sutton, due to legislative business.

### REQUESTS FOR UNANIMOUS CONSENT

Senator Abshire asked for, and was granted, unanimous consent to have Senator J. Howard Williams excused as he has an appointment with the Governor at the Governor's request.

Senator Byrne asked for, and was granted, unanimous consent to have Senator Ed. C. Johnson excused as he is attending a meeting of the Wild Life Conservation Committee.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Grace Hood Rollins and Mrs. Ruth Lewis of Alhambra.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carol Neilson and Jim Bell, honor students from Tranquillity High School; Mrs. Al Maden of Fresno, Mrs. Waxom of Sacramento, Mildred Gillmore of Los Angeles, Montie Reed of Oakland, and H. W. Woddlle of Fresno.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Capt. Howard E. Bowman of Ventura.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Dorothy Paul, principal James R. Jordan, and the following students from Adeline E. Kent School, Kentfield: Susan Anderson, Michael Brock, Philip Brooks, John Chambers, Frank Cotton, Robin Dinkelspiel, Mary Frost, Delladee Graves, Jimmy Hausle, Mozelle Kearns, Phyllis Kearns, James Kilpatrick, Elizabeth Lancaster, Janice MacRae, Peter McCaughon, Lynda Monohan, Gene Neville, Anne Nimis, Howard Ours, Stephanie Rodrigo, Robert Sadler, Eddie Schulze, Susan Voss, Bob Von Gutman, Pat Waldo, Michael Wigell, Susan Wilsey, Peter Winter, Leslie Zuver, Donald Paynter, and Judy Minniman.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Clarence Young of Sacramento; Mrs. Clarence Crouser, Miss Betty Crouser, Supervisor Ed. R. Levin, and Karl J. Belser, all of San Jose.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fay D. Jones, Deputy (Captain) Sheriff of Kern County, Mrs. Matt Stamey of Burbank, Mrs. Gould Fitch of Bakerfield, and Mrs. Albert Boyce of Hollywood.

On request of Senators Collier and Dale C. Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Lederer and Roger Moyer of Alturas.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Eloise Hanson, James Hanson, Mrs. Florence Shinnon, Mrs. Horner Sergio, and the following students from Keyes Union School: Lela Arnold, Carol Blair, Sharon Blaylock, Alvin Brazil, Willard Britton, Frank Cadwell, Don Christopher, Colleen Clinkenbeard, Dean Clinkenbeard, Billy Crabtree, Carolyn Cunningham, Frances Easley, Joan Edwards, Larry Gomes, Ella Ruth Greer, Lewis Green, Paul Green, Toni Hatch, Benny Hodges, Betty Hopper, Ivan Huber, Barbara Hughes, Alice James, Gerald Linam, Norman Malik, Edward Mantzey, Martha Martinez, Mary Lou McCollum, David McCoy, John McPhee, Frank Mettert, Evelyn Meyers, Richard Mitchell, Harold Moore, Joe Morris, Linda Morris, Margaret Morris, Don Moss, Cynthia Nunes, Shirley Osborn, Jerry Parker, Donald Paul, Ronald Paul, Clyde Phillips, Geneva Rayburn, Juanella Reed, Earl Riley, Margaret Ritchey, Jimmy Robinson, Shirley Sansing, Jimmy Sergis, Bobby Stiles, Richard Taylor, Wilma Timpson, Bernice Tucker, Wanda Waller, Donald Welch, Melba Wilhite, and Kenneth Yonan.

On request of Senators Donnelly and Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Asa L. Caulkins of Stockton.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mr. Heifner, Robert Crooks, Richard Anderson, vice principal Don McGee, and the following students from the Edendale School, San Lorenzo School District: Gary Abreu, Robert Alameda, James Arthurs, Richard Boyer, Margaret Brown, Doyle Bryant, Patricia Crone, Carole Davidson, Ann Davis, Carol Gallet, Kathleen Glover, Galen Green, Janice Hanson, Nancy Harman, Juanita Hooker, Charlene Jacobson, Lowell King, Sharon Lay, Stephen Lewis, Tommy May, Bernard Morgan, Sonya Parker, Roselani Rightmire, Georgia Roberts, George Rodrigues, Robert Rodrigues, Jean Roe, Richard Silva, Raymond Terry, David Thomas, Mark Zorzi, Judy Alderson, Allan Berry, Delores Brown, George Bryant, Larry Carpentier, Carol Costa, Carl Cubillas, Veronica Coelho, June Freeland, August Freitas, Bernice Furtado, David Furtado, Janice Gee, Sondra Hayden, Shirley Hildreth, Harry Horton, Rudy Kretchmer, Ronald Linder, Raymond Lenz, Judith McCloskey, Linda Mallory, James Parker, Allen Powell, John Quinton, Lanny Ross, Lorraine Souza, Dennis Tyler, Edward VanPelt, Richard White, and Linda Whalin.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carlos Souza of Stockton.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mr. Tye, Ralph Wieg, Miss Vivian Roof, and the following students from the Bret Harte School: Ronald Blevins, Dan Carrigan, David Dean, Donald Feliciano, Johnny Hanson, Jim Henningsen, Jerry Howe, Dan Johnson, Charles Martin, Douglas Masson, Dewayne Metcalf, Ruben Paz, Gilbert Rodrigues, Wayne Rush, John Stevenson, Manuel Tachera, Henry Vierra, Mike Wright, Joan Borgstede, Joyce Crawford, Georgena Eskridge, Renee Freitas, Katherine Haley, Kathryn Hallen, Jane Highley, Carol Loyle, Barbara Mendonca, Evelyn Miller, Peggy Nored, Carolyn Popp, Louise Sheets, Maureen Shiells, Ann Simonds, Brenda Standley, Judy Tanner, Gary Aven, Charles Bailey, Larry Bates, Vivian Brower, Doyle Brown, Kathryn Brown, Sharon Christianson, Gail Foster, Bruce Ghezzi, Orville Ghilarducci, Sharolyn Helton, Thomas Hood, Alan Hunt, Stephen Jacoby, Joetta Kalakian, John Locatelli, Patricia McDonnell, Zeita Morford, Jacqueline Pluff, Douglas Prull, Jack Rawsley, Jon Rees, Thomas Savage, Deanne Schmidt, Gary Sellards, Bruce Smith, Marcia Stowers, Larry Stowers, Loretta Whitaker, and Douglas Young.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal James E. Kerr, teachers Mrs. Betty Annable, Merlin Mason, Mrs. Barbara Purington, and the following students from the Castro Valley School District: Diane Allen, Mike Allen, Susan Anderson, Remo Buti, Alan Canaday, Mike Cosner, Arlene DeMarco, Fred Goff, Douglas Greenfield, Terry Gustavson, Dennis Herbert, John Holden, Albert Jones, Mary Lou Kaufmann, Sandra Laird, Carol Livingston, Margaret



McCullough, Darlene Myers, Richard Myers, Kenneth Nicolls, Jon Osgood, Donald Phillips, Joyce Potter, Stanley Rhodes, Brad Robinson, Barbara Scott, Arlene Stanfield, Delores Stong, Bonnie Taylor, James Thomay, LuEllen Vlaardinger, Peter Walde, Linda Wise, Carolyn Thornley, Lois A'Perry, Gloria Gay, Sharon Gilbert, Barbara Harper, Jennifer Jameson, Linda Jorgensen, Beverly Josephs, June Nelson, Gwen Patton, Jackie Riley, Marlene Saracco, Pat Schleis, Scharlene Walker, Mary Wolf, Eugene Bradley, Larry Buttz, George Eaton, Bob Guy, Douglas Hankey, Gary Henderson, Peter Jurichovich, Bob Kerr, Wayne Kvistad, Wayne Kyer, Craig Preisendorf, Bill Ralph, Russell Rushing, Harvey Scatena, Vincent Weis, and Rex Wolf.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. B. Banard and Dr. and Mrs. DeHarris of San Jose.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James A. Guthrie and Roland Tornquist of San Bernardino.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gary Kilarr and John Rustigan of San Francisco.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Bidwell of Sacramento.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Fred Spears of Escondido.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 196

Senate Bill No. 541

Senate Bill No. 572

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 113

Senate Bill No. 1322

Senate Bill No. 1915

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1334

Senate Bill No. 1558

And reports the same correctly re-engrossed.

WARD, Chairman

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 706

Assembly Bill No. 962

Senate Bill No. 1744

Assembly Bill No. 2012

Assembly Bill No. 352

Assembly Bill No. 958

Assembly Bill No. 497

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 356

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 3; absent 1.

REGAN, Chairman

Above reported bill ordered to second reading.

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 1083

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 23

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**LETTER OF TRANSMITTAL***To the President of the Senate**The Speaker of the Assembly**and Other Members of the Senate and the Assembly*

GENTLEMEN: The Joint Interim Committee on Soil Conservation herewith submits its preliminary report for the 1955 General Session pursuant to the provisions of Senate Resolution No. 93 of the 1953 General Session.

The committee would like to express its thanks to the State Soil Conservation Commission and the California Association of Soil Conservation Districts for their splendid cooperation with the committee.

Respectfully submitted,

ASSEMBLYMAN FRANCIS C. LINDSAY, Vice Chairman

ASSEMBLYMAN REX M. CUNNINGHAM

ASSEMBLYWOMAN PAULINE L. DAVIS

ASSEMBLYMAN WILLIAM W. HANSEN

ASSEMBLYMAN LLOYD W. LOWREY

SENATOR JOHN F. THOMPSON, Chairman

SENATOR NATHAN F. COOMBS

SENATOR A. A. ERIHART

SENATOR ED. C. JOHNSON

SENATOR JOHN A. MURDY, JR.

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator Thompson moved that 750 additional copies of the report submitted by the Joint Interim Committee on Soil Conservation be printed for distribution.

Motion carried.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 38**—An act to add Section 5468 to the Public Resources Code, relating to county recreational districts comprising federally owned land and prescribing the powers and duties of such districts.

Bill read second time.

## Motion to Amend

Senator Cunningham moved the adoption of the following amendments:

## Amendment No. 1

In line 4 of the title of the printed bill, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

## Amendment No. 2

On page 1, line 3, after "districts", insert "formed on or after January 1, 1955, and".

## Amendment No. 3

On page 1, after line 18, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In many portions of the State the rapid increase in population has created many dangerous safety and sanitation situations in connection with crowded recreation facilities. This act would aid in the remedying of such dangerous situations, and it is therefore necessary that it take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 828**—An act to amend Sections 12186, 12187, 12189, and 12203 of the Government Code, relating to fees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1099**—An act to amend Section 16474 of the Government Code, relating to investment of Surplus Money Investment Fund money.

Bill read second time.

## Motion to Amend

Senator Donnelly moved the adoption of the following amendments:

## Amendment No. 1

In line 2 of the title of the printed bill, after "money", insert ", declaring the urgency thereof, to take effect immediately".

## Amendment No. 2

On page 1, after line 16, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In accordance with the present law the money in the Surplus Money Investment Fund is invested in government securities having maturity dates not in excess of one year. This means that the money will have to be reinvested upon the maturity

of such securities approximately May 15, 1955. Since the Federal Government is no longer offering this type of security the money must be reinvested at a 50 percent loss in yield. This bill will permit investment in securities which would maintain the present yield. Because of the millions of dollars involved a 50 percent loss in yield will be a substantial sum. It is therefore necessary that this bill have immediate effect to permit the timely reinvestment of such funds without such loss."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1100**—An act to amend Section 16305.5 of the Government Code, relating to deposit or investment of treasury trust account funds.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill, after "funds", insert ", declaring the urgency thereof to take effect immediately".

**Amendment No. 2**

On page 1, after line 15, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In accordance with the present law the money in the treasury trust accounts is invested in government securities having maturity dates not in excess of one year. This means that the money will have to be reinvested upon the maturity of such securities approximately May 15, 1955. Since the Federal Government is no longer offering this type of security the money must be reinvested at a 50 percent loss in yield. This bill will permit investment in securities which would maintain the present yield. Because of the millions of dollars involved a 50 percent loss in yield will be a substantial sum. It is therefore necessary that this bill have immediate effect to permit the timely reinvestment of such funds without such loss."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 117**—An act authorizing the transfer of a certain amount from the Division of Architecture Public Building Fund to the General Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In the title of the printed bill, strike out line 1, and insert "An act to amend Sections 18197 and 18198 of the Education Code, relating to fees for the approval of plans for school building construction, and providing for the transfer of excess accumulations thereof from the".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1, 2, 3, and 4, and insert

"SECTION 1. Section 18197 of the Education Code is amended to read:  
18197. The application shall be accompanied by a filing fee in amounts as determined by the Division of Architecture based on the estimated cost and according to the following schedule:

(a) For the first two hundred fifty thousand dollars (\$250,000), a fee of not more than one-half of 1 percent of the estimated cost.



(b) For all costs in excess of two hundred fifty thousand dollars (\$250,000) a fee of *not more than* one-fourth of 1 percent.

The minimum fee in any case shall be fifty dollars (\$50). If the actual cost exceeds the estimated cost by more than 10 percent, a further fee [of one-half of 1 percent of the amount by which the actual cost exceeds the amount of the estimated cost] shall be paid to the Division of Architecture, *based on the above schedule and computed on the amount by which the actual cost exceeds the amount of the estimated cost.*

SEC. 2. Section 18198 of said code is amended to read:

18198. All fees shall be paid into the State Treasury and credited to the Division of Architecture Public Building Fund, which fund is continued in existence, and are available without regard to fiscal years for the use of the Division of Architecture, subject to approval of the Department of Finance, in carrying out the provisions of this article.

*On May 1st of each year, the State Controller shall transfer from the Division of Architecture Public Building Fund to the General Fund money in said fund in excess of seven hundred fifty thousand dollars (\$750,000).*

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 633**—An act to add Section 3132 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3158 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 2, of the printed bill, strike out “, but not limited to,”.

##### Amendment No. 2

On page 2, line 3, strike out “, but not limited to,”.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 634**—An act to add Section 3131 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3157 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 6, of the printed bill, after “buildings”, insert “and appurtenant facilities”.

##### Amendment No. 2

On page 1, line 7, after “buildings”, insert “and appurtenant facilities”.

##### Amendment No. 3

On page 1, line 13, after “buildings”, insert “and appurtenant facilities”.

##### Amendment No. 4

On page 1, line 14, after “buildings”, insert “and appurtenant facilities”.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 635**—An act to amend Sections 3128 and 3154 of the Unemployment Insurance Code, relating to unemployment insurance.  
Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "Finance.", insert "All such rentals shall be deposited in the Unemployment Administration Fund."

**Amendment No. 2**

On page 1, line 8, after "investment", insert ", as determined by the Department of Employment,".

**Amendment No. 3**

On page 1, line 9, strike out "paid into", and insert "transferred to".

**Amendment No. 4**

On page 1, line 14, strike out "deposited", and insert "left".

**Amendment No. 5**

On page 1, line 15, strike out ", but"; and in line 16, strike out "not limited to,".

**Amendment No. 6**

On page 1, line 22, after "Finance.", insert "All such rentals shall be deposited in the Unemployment Administration Fund."

**Amendment No. 7**

On page 1, line 23, after "investment", insert ", as determined by the Department of Employment,".

**Amendment No. 8**

On page 1, line 23, strike out "paid into", and insert "transferred to".

**Amendment No. 9**

On page 1, line 29, strike out "deposited", and insert "left".

**Amendment No. 10**

On page 1, line 30, strike out ", but"; and in line 31, strike out "not limited to,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 719**—An act to add Section 11030.2 to the Government Code, relating to traveling expenses of retired state employees.  
Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 11030.2 to", and insert "amend Section 11030 of".

**Amendment No. 2**

In line 2 of the title, after "to", insert "expenses of state officers and employees, including".

**Amendment No. 3**

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 11030 of the Government Code is amended to read:  
11030. All elective constitutional officers, heads of departments, chiefs of divisions, assistants, deputies, agents, experts and other officers and employees of the State when away from their headquarters on state business, and the Lieutenant Governor and all Members of the Legislature when attending regular, special or extraordinary sessions of the Legislature, shall receive in addition to their salaries,

their actual necessary traveling expenses. *Retired state employees shall be paid their actual and necessary traveling expenses incurred in the performance of services, or the rendering of advice, at the request of the head of any state agency. This section shall not be construed to authorize the payment of compensation to, or deemed to be an employment of, a retired state employee.*"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 852**—An act to add Section 60623 to the Government Code, relating to community service districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1 of the printed bill, in line 7, strike out ", for".

##### Amendment No. 2

On page 1, line 8, strike out "their mutual benefit,".

##### Amendment No. 3

On page 1, line 8, after "supply", insert "to serve their inhabitants."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 629**—An act to add Chapter 16, comprising Sections 14820 to 14840 inclusive, to Division 7 of the Education Code, relating to social security coverage for employees of school districts, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, strike out lines 8 and 9 of the title of the printed bill, as amended in Senate March 14, 1955, and insert "for."

##### Amendment No. 2

On page 6, strike out lines 19 to 39, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 467**—An act to amend Section 1156 and to repeal Section 12420 of the Government Code, relating to payroll deductions for state officers and employees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 10, of the printed bill, after "insurance", insert "approved by the State Controller".

**Amendment No. 2**

On page 1, line 15, after "both", insert " , under any plan approved by the State Controller".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 391**—An act to amend Section 1829 of the Education Code, relating to the posting of the results of school district elections.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 211**—An act to add Article 3.5 to Chapter 6 of Division 4 of, and to add Sections 10301.4 and 10301.5 to, the Education Code, relating to junior high schools and the financial support of elementary schools, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 273**—An act to amend Section 9756 of the Education Code, relating to special day and evening classes for adults.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 367**—An act to add Section 12205 to the Education Code, relating to the issuance of temporary certificates.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 470**—An act to amend Section 8815 of the Education Code, relating to junior college classes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 471**—An act to amend Sections 7000.1, 7000.3, and 7190 of the Education Code, relating to correcting apportionments.

Bill read second time.

**Motion to Amend**

Senator Dilworth moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 17, 1955, after "of", insert " , and to add Section 7191 to,".

**Amendment No. 2**

On page 2, line 37, before "7191", insert

"SEC. 4. Section 7191 is added to said code, to read :".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 472**—An act to amend Section 7098 of the Education Code and to repeal Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1813**—An act to amend Section 4621 of the Education Code, relating to governing boards of unified school districts continuous with or including a chartered city or city and county.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 2, line 14, of the printed bill, strike out "three", and insert "two".

**Amendment No. 2**

On page 2, line 15, strike out "two", and insert "three".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1112**—An act to amend Section 4919 of the Education Code, relating to the reorganization of school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 2, line 4, of the printed bill, following "a", insert "unified".

**Amendment No. 2**

On page 2, line 6, following "the", insert "unified".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 441**—An act to add Sections 9124 and 9125 to the Education Code, relating to Opportunity Centers for the Blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "to add Sections 9124 and 9125 to", and insert "to repeal Section 9123 of, and to add Article 10, comprising Sections 9141 to 9143, inclusive, to Chapter 7 of Division 4 of,".

**Amendment No. 2**

In line 2 of the title, after "to", insert "teaching service and".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 9123 of the Education Code is repealed.

SEC. 2. Article 10 is added to Chapter 7 of Division 4 of said code, to read:

Article 10. Teaching Service and Opportunity Centers for the Adult Blind

9141. The Department of Education may appoint field officers or field workers to teach handicrafts to the adult blind of the State in their homes, in opportunity centers, or in other suitable places, and to give them such other instruction as may ameliorate their condition.

9142. In connection with the teaching service provided in Section 9141, the Department of Education, with the approval of the Director of Finance, may establish and maintain opportunity centers for the blind in communities where the active cooperation of local sponsoring organizations has been secured and in which fifty (50) or more adults who are blind, as blind is defined in Section 9183, indicate a desire to receive instruction in handicrafts and to make or assemble articles for sale in the local community or through the sales facilities of the California Industries for the Blind.

9143. The Department of Education, with the approval of the Director of Finance, may:

(a) Rent, lease, or otherwise provide suitable rooms or buildings to house the activities of the opportunity centers for the blind.

- (b) Employ such employees at the centers as it deems necessary.  
(c) Perform all necessary and proper acts to carry out the provisions of Section 5142 and of this section."

**Amendment No. 4**

On page 1, strike out lines 2 to 22, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 504**—An act to amend Sections 21362, 21364, 21367, 21368, 21371, 21372, 21381, 21382, 21383, 21384, 21391, 21392, 21393, 21395, and 21396 of, to add Sections 21364.1 and 21385 to, and to add Article 5 to Chapter 8 of Division 10 to, the Education Code, relating to the residential schools known as the California Academies for dependent, neglected and homeless children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the committee on Education:

**Amendment No. 1**

On page 6 of the printed bill, as amended in the Senate on March 15, 1955, line 4, strike out "and reported for each" and strike out all of lines 5 to 7, and insert "by dividing the total days attendance of all pupils in the academy by the number of days the academy is open during the fiscal year".

**Amendment No. 2**

On page 6, line 24, of the printed bill, as amended in Senate March 15, 1955, before "charge", insert "uniform".

**Amendment No. 3**

On page 6, line 25, after "child", insert "; and provided further, that if the charge is reduced in a particular case by the Director of Education pursuant to Section 21391, and the parent or guardian of such child pays such reduced amount, then the county shall only be required to pay the difference between the amount paid by the parent or guardian and the uniform charge fixed by the director, but not to exceed the amount otherwise required to be paid by the county".

**Amendment No. 4**

On page 6, strike out lines 38 to 42, inclusive, and insert "from which any moneys are received. All moneys deposited in the California Academies Fund are hereby appropriated without regard to fiscal years for the support of the California Academies in addition to such other funds as are appropriated therefor by the Legislature".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 675**—An act to amend Section 7002 of the Education Code, relating to county school service funds and the Public School System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 7002", and insert "Sections 5154 and 7001".

**Amendment No. 2**

In line 3 of the title, following "System", insert ", declaring the urgency thereof, to take effect immediately".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

### Amendment No. 3

On page 1, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 5154 of the Education Code is amended to read:

5154. The amount appropriated in Section 5153 shall be expended in accordance with the following schedule:

(a) Ninety-four cents (\$0.94) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for allowance to county school service funds pursuant to subdivision (a) of Section 7001.

(b) For the Fiscal Years [1953-54 and 1954-55] 1955-56 through 1958-59 three dollars and fifty-seven cents (\$3.57) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for allowance to county school service funds pursuant to subdivision (b) of Section 7001.

(c) Three dollars and twenty cents (\$3.20) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 3, Chapter 15, of this division, except Section 7018.1.

(d) Forty cents (\$0.40) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, for the purposes of Section 7018.1.

(e) Two dollars and twenty-five cents (\$2.25) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 12, Chapter 15, of this division.

(f) One dollar (\$1) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 13, Chapter 15, of this division.

(g) Five cents (\$0.05) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 14, Chapter 15, of this division.

(h) Twelve dollars (\$12) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 15, Chapter 15, of this division.

(i) One hundred forty-eight dollars and two cents (\$148.02) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, and elementary schools in the State and county school tuition funds on account of elementary school pupils, plus the difference between eight dollars and fourteen cents (\$8.14) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the State and to county school tuition funds and one dollar and sixty cents (\$1.60) multiplied by the average daily attendance during the preceding fiscal year credited to all high schools in the State and county school tuition funds on account of high school pupils, plus forty-three cents (\$0.43) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all kindergarten and elementary schools in the State and county school tuition funds on account of elementary school pupils.

(j) One hundred forty-nine dollars and sixty-two cents (\$149.62) multiplied by the average daily attendance during the preceding fiscal year credited to all high schools in the State and county school tuition funds on account of high school pupils for basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all high schools in the State and county school tuition funds on account of high school pupils.

(k) One hundred forty-eight dollars and two cents (\$148.02) multiplied by the average daily attendance during the preceding fiscal year credited to all junior college schools in the State for basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all junior college schools in the State.



SEC. 2. Section 7001 of said code is amended to read:

7001. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amounts as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 7002, shows is necessary, but:

(a) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for supervision of instruction in all grades and classes of elementary school districts *which during the next preceding fiscal year had less than 901 units of average daily attendance* shall not exceed the sum provided by law for such purpose or the amounts shown necessary by such budgets, for such purpose, whichever is the lesser.

(b) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for all other purposes[, including additional supervision of instruction in grades and classes of elementary districts and supervision of instruction in grades and classes of high school districts or junior college districts,] shall not exceed the sum provided by law for such purposes or the amounts shown necessary by such budgets, whichever is the lesser.

(c) *The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed, but not in excess of five hundred thousand dollars (\$500,000), to reimburse county superintendents of schools for expenses incurred in providing emergency education to pupils and making emergency financial grants to school districts pursuant to the provisions of Section 7205.*

(d) *The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed to reimburse county superintendents of schools for the actual and necessary travel expenses incurred in connection with cooperative county publication projects by the county superintendent of schools or members of his staff.*

SEC. 3. Section 7004 is added to said code, to read:

7004. The Superintendent of Public Instruction shall allow at such times as needed to the county school service fund of each county eligible to receive reimbursement from the amounts withheld pursuant to subdivisions (c) and (d) of Section 7001, the amounts claimed by the county superintendent of schools as expenditures from the county school service fund eligible for reimbursement.

SEC. 4. Section 7124.1 is added to said code, to read:

7124.1. The Superintendent of Public Instruction shall apportion at such times as needed the amounts allowed pursuant to Section 7004.

SEC. 5. This act shall become operative July 1, 1955.

SEC. 6. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

During the 1953 legislative session a termination date of June 30, 1955, was placed on the amount appropriated each year for allowances to county school service funds. In order that there will be money appropriated for the operation of county school service funds during the 1955-56 Fiscal Year, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 676**—An act to amend Section 7206 of the Education Code, relating to county school service funds and the Public School System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7206 of the Education Code", and insert "repeal Sections 1501, 1572, 1819, 4728, 7206, 7207, 9607.2, 9607.3, 9807, 9807.2, 9808, 9809.1, 10324, 10324.5, 10506, 10506.5, 13322, 13323, and 19131, and Article 5 of Chapter 1 of Division 2 (Sections 1101-1107, inclusive), Article 7 of Chapter 8 of Division 4 (Sections 9481-9485, inclusive), Article 2 of Chapter 9 of Division 4 (Sections 9641-9646, inclusive), Article 4 of Chapter 3 of Division 8 (Sections 16461-16463, inclusive), Article 10 of Chapter 4 of Division 8 (Sections 16791-16794, inclusive), Article 5 of Chapter 6 of Division 9 (Sections 18941-18946, inclusive), Article 3.5 of Chapter 7 of Division 9 (Sections



19101-19105, inclusive), and Article 4.5 of Chapter 7 of Division 9 (Sections 19141-19143, inclusive) of the Education Code; to add Chapter 8.1 to Division 4 of, and Section 364.1 to said code; and to amend Sections 9801.1, 9801.2, 9804, and 9807.1 of said code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Sections 1501, 1572, 1819, 4728, 7206, 7207, 9607.2, 9607.3, 9807, 9807.2, 9808, 9809.1, 10324, 10324.5, 10506, 10506.5, 13322, 13323, and 19131, and Article 5 of Chapter 1 of Division 2 (Sections 1101-1107, inclusive), Article 7 of Chapter 8 of Division 4 (Sections 9481-9485, inclusive), Article 2 of Chapter 9 of Division 4 (Sections 9641-9646, inclusive), Article 4 of Chapter 3 of Division 8 (Sections 16461-16463, inclusive), Article 10 of Chapter 4 of Division 8 (Sections 16791-16794, inclusive), Article 5 of Chapter 6 of Division 9 (Sections 18941-18946, inclusive), Article 3.5 of Chapter 7 of Division 9 (Sections 19101-19105, inclusive), and Article 4.5 of Chapter 7 of Division 9 (Sections 19141-19143, inclusive) of the Education Code are repealed.

SEC. 2. Chapter 8.1 is added to Division 4 of said code, to read:

#### CHAPTER 8.1. COUNTY SCHOOL SERVICE FUND SERVICES

##### Article 1. General Provisions

9501. The Legislature hereby declares that it is in the interest of the State and of the people for the office of the county superintendent of schools, through the county school service fund, to provide coordination of the educational program among districts under his jurisdiction and to provide professional and financial assistance to school districts which otherwise, because of size or location, would not be able to furnish a satisfactory program of education for their children. Such assistance is a matter of general concern inasmuch as the education of the children of the State is an obligation and function of the State.

In adopting this act, the Legislature considers that the coordination of the educational program constitutes the greatest continuing need to be met through the county school service fund. To meet this need the necessity is recognized to provide professional services to coordinate courses of study, guidance services, health services, special education, attendance activities, and advisory services in school business administration.

As an additional need, the Legislature recognizes the necessity to provide professional services in districts too small to supply such services for themselves economically and effectively, such as, (1) to prepare courses of study; (2) to supervise instructional practices; (3) to provide direct guidance services, health services, and attendance services normally provided in an educational program; (4) to provide for the purchase, distribution, and use of supplementary instructional materials and equipment; and (5) to provide educational opportunity to normal and special pupils who would otherwise be denied it. It is recognized further that providing for professional service is a transitory function of the county school service fund to be assumed by school districts when, through growth or reorganization, they will be able to perform the services for themselves.

It is the further intent of the Legislature that:

(a) Services involving the coordination of the educational program shall be provided, except as may be specifically authorized, at the district level, reserving to the district the opportunity and responsibility for internal improvement, and that such services will be provided in such a manner that recognition will be given to the responsibilities placed upon school districts by the Legislature to determine and administer their own educational program.

(b) Services to school districts which do not constitute coordination among districts shall be provided in such a manner that impetus will be given to strengthening school districts and to improving district organization to the end that more effective programs of education may be offered, and that the provision of services through the county school service fund shall not act to deter or delay any school districts from furnishing such services for themselves.

(c) Services to school districts shall be cooperatively provided by two or more county superintendents of schools without regard for county boundaries whenever a particular service may be so provided with economy and effectiveness.

(d) The direct operation of an educational program by the county superintendent of schools shall, except as specifically authorized by the Legislature, be limited to those emergency cases where children would otherwise be denied an opportunity for education.

9502. The county school service fund shall be used to pay for those services provided by the county superintendent of schools that are authorized by this chapter, and for such other purposes as are specifically authorized elsewhere in this code.

### Article 2. Coordination

9505. The county superintendent of schools may, with the approval of the county board of education and in accordance with regulations of the Superintendent of Public Instruction which he is hereby authorized to adopt, employ qualified personnel to provide for the coordination of courses of study, guidance services, health services, special education, attendance activities, and advisory services in school business administration activities among the school districts under his jurisdiction.

9506. The services described in Section 9505 shall, except in advisory services in school business administration activities, clerical, accounting, and stenographic services, be performed by persons who hold a valid credential of one or more of the following types issued by the State Board of Education:

- (a) Elementary or secondary school administration credential
- (b) Elementary or secondary school supervision credential
- (c) Special subject supervision credential
- (d) A credential which authorizes service similar to that authorized by one or more of the foregoing types of credentials.

Any person who is employed in the office of a county superintendent of schools on the effective date of this section and is performing any of the services described in this article may continue to perform such services without possessing the credential otherwise required as long as he remains continuously employed in his position.

### Article 3. Preparation of Courses of Studies

9510. The county superintendent of schools may, with the approval of the county board of education, provide for the preparation of courses of study to be used in the elementary school districts under his jurisdiction, except districts governed by a city board of education.

9511. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the governing board of any school district under his jurisdiction, other than specified in Section 9510, to provide for the preparation of courses of study by the county superintendent of schools for use in such districts. The agreement shall provide for the payment of the cost of services rendered.

9512. The services described in Sections 9510 and 9511 shall, except clerical, accounting, and stenographic services, be performed by persons who hold a valid credential of one or more of the following types issued by the State Board of Education:

- (a) Elementary school administration credential
- (b) Elementary school supervision credential
- (c) Special subject supervision credential
- (d) A credential which authorizes service similar to that authorized by one or more of the foregoing types of credentials.

Any person who is employed in the office of a county superintendent of schools on the effective date of this section and is performing the services described in this article may continue to perform such services without possessing the credential otherwise required as long as he remains continuously employed in his position.

### Article 4. Supervision of Instruction

9515. The county superintendent of schools may, with the approval of the county board of education, employ supervisors to supervise instruction in the elementary school districts under his jurisdiction which had less than 901 units of average daily attendance during the preceding fiscal year and in the elementary schools of unified school districts under his jurisdiction which had less than 1,501 units of average daily attendance during the preceding fiscal year. The services of supervisors shall be made available in such elementary and unified districts in which adequate supervision of instruction is not being provided by the district.

9516. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the governing board of any elementary school district under his jurisdiction for the supervision of instruction in the district by the county superintendent of schools. The agreement shall provide for the payment of the cost of providing the supervision of instruction. The county superintendent of schools shall transfer from the funds of the district to the county school service fund the amounts set forth in the agreement.

9517. The services described in Sections 9515 and 9516 shall be performed by persons who hold a valid credential issued by the State Board of Education authorizing such service.

### Article 5. Health Services

9520. The county superintendent of schools may, with the approval of the county board of education, employ one or more supervisors of health, as supervisors of health are defined in Section 16441, to provide health services to pupils in elementary school districts under his jurisdiction, which had less than 901 units of average daily attendance during the preceding fiscal year, to pupils in high school districts under his jurisdiction which had less than 301 units of average daily

attendance during the preceding fiscal year, and to pupils in the elementary schools of unified school districts under his jurisdiction which had less than 1501 units of average daily attendance during the preceding fiscal year.

9521. In lieu of employing supervisors of health, the county superintendent of schools may, with the approval of the county board of education; contract with the board of supervisors of the county in which he holds office for the provision of health services by employees of the county health department to pupils in the school districts specified in Section 9520.

9522. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the governing board of any school district under his jurisdiction for the provision of any or all health services to the district by the county superintendent of schools. The agreement shall provide for the payment of the cost of providing the services. The county superintendent of schools shall transfer from the funds of the district to the county school service fund the amounts set forth in the agreement.

9523. The services described in Sections 9520, 9521, and 9522 shall be performed by persons who hold a valid health and development credential issued by the State Board of Education; provided, however, that a psychologist may be employed to perform psychological services or may perform psychological services under contract if he is the holder of a valid school psychologist credential issued by the State Board of Education.

9524. A supervisor of health employed by the county superintendent of schools shall perform such duties in connection with the supervision of health of pupils as are prescribed by the county superintendent of schools. All rules governing health services provided pursuant to Sections 9520, 9521, or 9522 shall be made by the county superintendent of schools.

#### Article 6. Attendance Services

9525. The county superintendent of schools may, with the approval of the county board of education, employ personnel to supervise the attendance of pupils in elementary school districts under his jurisdiction which had less than 901 units of average daily attendance during the preceding fiscal year, in high school districts under his jurisdiction which had less than 301 units of average daily attendance during the preceding fiscal year, and in unified school districts under his jurisdiction which had less than 1501 units of average daily attendance during the preceding fiscal year, if the districts are not served by any district supervisor of attendance.

9526. The county superintendent of schools may, with the approval of the county board of education, provide for the supervision of the attendance of pupils in school districts under his jurisdiction other than specified in Section 9525. The county superintendent of schools shall transfer from the funds of the district to the county school service fund an amount equal to the actual cost of providing for the supervision of attendance.

9527. The services described in Sections 9525 and 9526 shall be performed by persons who hold a valid credential issued by the State Board of Education authorizing performance of the service.

#### Article 7. Guidance Services

9530. The county superintendent of schools may, with the approval of the county board of education, employ personnel to provide necessary guidance services to pupils in elementary school districts under his jurisdiction which had less than 901 units of average daily attendance during the preceding fiscal year, in high school districts under his jurisdiction which had less than 301 units of average daily attendance during the preceding fiscal year, and in unified school districts under his jurisdiction which had less than 1501 units of average daily attendance during the preceding fiscal year; provided, adequate guidance services are not being furnished by the district.

9531. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the governing board of any district for the provision of guidance services in the district by the county superintendent of schools. The agreement shall provide for the payment by the district of the cost of providing the guidance services. The county superintendent of schools shall transfer from the funds of the district to the county school service fund the amounts set forth in the agreement.

9532. The services described in Sections 9530 and 9531 shall be performed by persons who hold a valid credential issued by the State Board of Education authorizing performance of the service.

#### Article 8. Library Services

9535. (a) The county superintendent of schools may, with the approval of the board of supervisors and the county board of education, agree with the county librarian to take over all existing contracts for supplementary books and other material adopted for the course of study between the school districts and the county librarian entered into pursuant to the provisions of Article 4 of Chapter 7 of Division 9 of this code. Thereafter the county superintendent of schools shall generally perform such library services for the school districts as were theretofore performed by the county library.



(b) After the above agreement has been entered into, the governing board of any school district which had not yet joined the county library may enter into an agreement with the county superintendent of schools for the performance of supplementary book services for the school library.

(c) Whenever the county superintendent of schools performs supplementary book services for the school library of any district, the provisions of Article 4 of Chapter 7 of Division 9 of this code, so far as applicable, shall control. The county superintendent shall employ a librarian holding a valid credential in librarianship issued by the State Board of Education or having possession of a certificate showing completion of a year's work in an accredited library school. He shall also employ such assistants as may be necessary to carry on this service. The cost of the salaries of such librarian and assistants, and the other necessary expenses of maintenance of the library, including necessary supplies, equipment, and books, may be paid from the county school service fund.

9536. (a) The county superintendent of schools of any county in which no county library is maintained may, with the approval of the county board of education, establish and maintain a county school library service for such elementary school districts of the county as elect to participate in such service.

(b) Upon the governing board of any elementary school district electing to participate in such service, the governing board of the district shall enter into an agreement with the county superintendent of schools, and the provisions of Articles 4 and 5 of Chapter 7 of Division 9 of this code shall control and be applicable in the same manner as they apply to a school district which agrees to make the school library a branch of the county library.

(c) The county superintendent of schools shall have the same powers, duties, responsibilities, and jurisdiction with respect to the furnishing and performance of library services to elementary school districts which have elected to participate in the county school library service as may be exercised by a county library with respect to school district libraries which are branches thereof.

(d) Whenever the county superintendent of schools establishes and maintains a county school library service pursuant to subdivision (a) of this section, he shall employ a librarian holding a valid credential in librarianship issued by the State Board of Education or having possession of a certificate showing completion of a year's work in an accredited library school.

(e) The county superintendent of schools of two or more contiguous counties which have established county school library services under the provisions of this section may cooperate with each other and to that end may enter into agreements with each other, and may do any and all things necessary or convenient to aid and cooperate in carrying out the provisions of this section.

9537. The county superintendent of schools may, with the approval of the county board of education, agree with the proper authorities of the county to transfer funds from the county school service fund to the county library for the purchase of such books and other materials as are adopted by the body authorized to adopt courses of study for the school districts of the county.

9538. The county superintendent of schools of any county maintaining one or more emergency elementary schools may, if the county maintains a county library, enter into an agreement with the proper authorities of the county to establish a branch county library in each of the schools under such terms and conditions as may be agreed upon. The agreement may, among other matters, provide for the payment by the county superintendent of schools to the proper authorities for the use of the county library from the county school service fund of such money at such times as may be agreed upon. All money transferred shall be used solely by the authorities of the county library for the purchase of books and other materials as may be adopted by the county board of education and for the care and distribution of such books and other materials to school libraries which are branch county libraries.

9539. (a) The county superintendent of schools may establish a county teachers' library and expend from the county school service fund such amounts as are necessary for the purchase of books therefor and for the payment of the necessary expenses of maintenance thereof.

(b) If there is a county library in any county, the county superintendent of schools may enter into an agreement with the county library for the transfer to it of all books and other property belonging to the county teachers' library and may order such sums to be transferred from the county school service fund as are necessary for expenditure for the purchase and maintenance of books of professional interest to teachers. Thereupon the teachers' library shall be administered as a part of the county library.

#### Article 9. Audio-Visual Services

9545. (a) The county superintendent of schools may, with the approval of the county board of education, establish, conduct, and maintain facilities, for use in the elementary and secondary schools of the school districts under his jurisdiction that elect to participate in the use of the facilities, which provide for aural and visual curriculum materials, including the necessary salaries, supplies, materials, apparatus, and equipment and other necessary expenses.



(b) The county superintendent of schools shall, with the approval of the county board of education, enter into an agreement with the governing board of any district electing to participate which shall provide for payment by the district for the use of audio-visual facilities. The county superintendent of schools shall, with the approval of the county board of education, prescribe the method for determining the amount to be paid for the use of the facilities, but in no event shall the total payments made to the county superintendent of schools of any county by the school districts of that county be less than one-fourth in the Fiscal Year 1955-56, one-third in the Fiscal Year 1956-57, and one-half in the Fiscal Year 1957-58 and thereafter, of the total cost of the use of the facilities provided to the school districts electing to participate, except that the Superintendent of Public Instruction may provide county school service fund money in addition to the established ratio of support in those counties in which he determines that sparsity of population increases operational costs.

(c) Films and film strips shall be adopted by the county board of education before they are purchased by the county superintendent of schools.

9546. The services described in Section 9545, except clerical, accounting, and stenographic services, shall be performed by persons who hold a valid credential issued by the State Board of Education of one or more of the types specified in Section 9506.

Any person who is employed in the office of a county superintendent of schools on the effective date of this section and is performing any of the services described in this article may continue to perform such services without possessing the credential otherwise required as long as he remains continuously employed in his position.

9547. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the State, any political subdivision, or any agency of the State or of any political subdivision, to conduct and maintain distribution among schools of districts under the jurisdiction of the county superintendent of schools, under such conditions as are agreed upon, of aural and visual instruction materials and apparatus approved by the constituted educational authorities. The State, any political subdivision, or any agency of the State or of any political subdivision may enter into any agreement with a county superintendent of schools authorized by this article.

9548. The agreement may, among other matters, provide for the payment by the county superintendent of schools, at such times as are agreed upon, from the county school service fund to the State, political subdivision, or agency, of money for the distribution of materials and apparatus among the schools under his jurisdiction. All money transferred shall be used by the authorities of the State, political subdivision, or agency solely for the acquisition of aural and visual materials and apparatus as may be designated by the constituted educational authorities and for the care and distribution to schools of the county of the materials and apparatus.

9549. The county superintendent of schools and the State or any political subdivision, or any agency of the State or of any political subdivision, may acquire materials and apparatus for distribution pursuant to this article, by purchase, rental, lease, loan, or donation, if the materials and apparatus have been adopted as required by law.

9550. The governing board of any school district may contract with the county superintendent of schools having jurisdiction over the district, with the State, any political subdivision, or any agency of the State or of any political subdivision, for the rendering to the schools of the district of any service authorized by this article, and may pay for the service out of any funds of the district.

All funds paid by a school district to a county superintendent of schools for services rendered to the schools of the district shall be deposited in the county school service fund.

#### Article 10. Annual Meeting of School Trustees

9555. The county superintendent of schools may, with the approval of the county board of education, hold one trustees meeting in each year as follows:

(a) One school trustee of each school district of the county shall attend the meeting and participate in its proceedings.

(b) School trustees of each school district shall select the trustee who shall attend the meeting.

(c) Each trustee selected to attend the meeting shall be allowed his actual traveling expenses for not to exceed one day incurred in going to and returning from the meeting. The expenses shall be verified by the county superintendent of schools.

(d) The county superintendent shall notify each trustee of the county at least 10 days prior to calling of the trustees meeting of the time and place of the meeting.

(e) Each session of the trustees meeting may be called at any hour on the day specified and may continue for such time as those meeting see fit.

(f) The county superintendent shall draw his requisition on the county auditor who shall draw his warrant on the county school service fund to pay the expenses of holding the trustees meeting.

## Article 11. Institutes

9558. The county superintendent of schools may, with the approval of the county board of education, hold an annual teachers institute in each year as provided in Chapter 10, Division 7 of this code.

9559. The county superintendent of schools may, with the approval of the county board of education, hold an annual institute of noncertificated employees in each year as provided in Article 3, Chapter 13, Division 7 of this code.

## Article 12. Education of Physically Handicapped

9560. The county superintendent of schools of any county maintaining a school or special day classes for minors who are cerebral palsied, orthopedically handicapped, visually handicapped, or aurally handicapped may, with the approval of the county board of education, enter into an agreement with the governing board of any school district under his jurisdiction for the education, under such terms and conditions as are sent forth in the agreement, by the county superintendent of schools of such minors residing in the district.

9561. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the governing board of any school district under his jurisdiction for the education in remedial classes of physically handicapped pupils who are excused from regular classes for a portion of a class period. The cost of such education to the school district shall not exceed the actual cost thereof to the county superintendent of schools.

9562. The county superintendent of schools may, with the approval of the county board of education, provide for the education of physically handicapped minors who otherwise would be denied proper educational advantages. The education may be provided:

- (a) In emergency elementary schools;
- (b) By the employment of emergency teachers to provide special instruction in the regular schools of the districts of the county;
- (c) By the maintenance of special classes of secondary grade;
- (d) By the employment of home instructors to give individual instruction in the home or at the bedside in institutions;
- (e) By cooperation with the Bureau of Vocational Rehabilitation of the State Department of Education in the provision of individual instruction and coordination services; or
- (f) By contract with the county superintendent of schools of another county or with the governing board of any school district.

9563. Each county superintendent of schools providing for the education of physically handicapped children pursuant to this article shall report annually to the Superintendent of Public Instruction on forms provided by him the total average daily attendance of physically handicapped pupils by types of instruction provided, the cost of educating the pupils, and such other information as may be required, for each elementary and high school district in which the education is provided.

9564. The Superintendent of Public Instruction shall determine the amount of excess expense incurred by each county superintendent of schools for the education of physically handicapped pupils. "Excess expense" as used in this section means that amount by which the current expense of education incurred for physically handicapped pupils exceeds the amount to be apportioned under the provisions of Article 5 of Chapter 15 of Division 3 of this code to the county school service fund during the then current year on account of the average daily attendance of all pupils whose attendance is credited to the county school service fund at the level for which the excess expense is to be determined, exclusive of the average daily attendance of pupils in a juvenile hall school maintained by the county superintendent of schools during the preceding fiscal year.

9565. In determining the excess expense incurred by a county superintendent of schools for the education of physically handicapped minor pupils under Section 9564, the Superintendent of Public Instruction shall exclude all current expenses of the county superintendent of schools for the transportation of blind, deaf, cerebral palsied, and orthopedically handicapped pupils, referred to in Section 7018.1, to and from special day classes.

## Article 13. Education of Mentally Retarded

9570. (a) The county superintendent of schools shall establish and maintain special training schools or classes for mentally retarded minors who reside in the county and in elementary or unified school districts which have an average daily attendance of less than 901 and who come within the provisions of Section 9801.1. Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them.

(b) The county superintendent of schools may, with the approval of the county board of education, establish and maintain special training schools or classes for mentally retarded minors who reside in the county and who come within the provisions of Section 9801.1 and contract with an elementary or unified school district

with an average daily attendance of 901 or more, subject to such terms and conditions as may be agreed upon. The contract shall be approved by the county board of education and shall require the district to pay to the county school service fund of the county in which the district is located all costs of the education of such minors which are in excess of the amounts apportioned from the State School Fund for the average daily attendance of such minors.

Whenever a special training school or class is established under the provisions of this subdivision, the computations prescribed by Sections 7034 and 7037 shall not apply.

(c) The county superintendent of schools may, with the approval of the county board of education, establish and maintain special training schools or classes for mentally retarded minors who reside in the county and who come within the provisions of Section 9801.2.

9571. Each county superintendent of schools maintaining special training schools or classes for mentally retarded minors pursuant to subdivision (c) of Section 9570 may limit the number of minors to be admitted to such schools or classes. Any minor who becomes 18 years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time the school or class is maintained during the then current school year.

9572. Any county superintendent of schools otherwise required or authorized to maintain special training schools and classes under Section 9570 for mentally retarded minors may provide for the education of such minors in, and for the transportation of such minors to, special training schools or classes maintained by a school district under Chapter 11 of this division or by a county superintendent of schools under this article, subject to such terms and conditions as may be agreed upon. The agreement shall be approved by the county board of education.

9573. In lieu of entering into an agreement for the transportation of mentally retarded minors by the school district or county superintendent of schools, in the special training schools and classes of which the education of such minors is provided under Section 9807.1 or 9572, the school district or county superintendent of schools of the county required to provide for their education may provide such transportation.

9574. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded minors who come within the provisions of Section 9801.1 and for rental of property by the county superintendent of schools for special training schools or classes for such minors. Also, the county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the board of supervisors, on or before July 15th of each year, the amount of money required to be raised for the education of mentally retarded minors who come within the provisions of Section 9801.2. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors and by adding to the result the amount required for rental of property. The board of supervisors may include in such amount a sum for capital outlay.

The board of supervisors shall at the time of levying other county taxes levy a county tax for the education of mentally retarded minors who come within the provisions of Section 9801.1 upon the taxable property of the county sufficient to produce the amount required and may increase such tax in such amount as will produce the amount required for the education of mentally retarded minors who come within the provisions of Section 9801.2. The amount received from this tax shall be deposited in the county school service fund.

9575. The Superintendent of Public Instruction shall determine the amount of the excess expenses incurred by each county superintendent of schools for the education of mentally retarded minors. "Excess expense" as employed in this section includes the total current expenses of education incurred for mentally retarded minors instructed in special schools or classes, over the amount to be apportioned as basic state aid under the provisions of Article 5 of Chapter 15 of Division 3 of this code to the county school service fund during the then current fiscal year on account of all pupils whose attendance is credited to the county school service fund at the level for which the excess expense is to be determined, exclusive of the average daily attendance of pupils in a juvenile hall school maintained by the county superintendent of schools during the preceding fiscal year.

#### Article 14. Emergency Schools

9580. In order to provide elementary education for children residing in the county, or in order to provide elementary education for children of migratory laborers engaged in seasonal industries within the county, the county superintendent of schools may, with the approval of the county board of education, when funds are



not available from other sources and in his judgment it is necessary, do any one or more of the following acts:

(a) Establish and maintain one or more emergency elementary schools for the children.

(b) Provide one or more emergency teachers for the regular elementary schools of the districts in the county for the pupils.

(c) Provide transportation for the children to an elementary school.

In lieu of providing transportation of any pupil, the county superintendent of schools may, with the approval of the county board of education, pay to the parents or guardian of the pupil the cost of food and lodging for the pupil at a place convenient to an elementary school. The amount so paid shall not exceed the cost of providing for the transportation of the pupil to and from his home and the school.

The county superintendent of schools may, with the approval of the county board of education, pay the expenses incurred in providing all the facilities and services authorized in this section, including necessary capital outlays, from the county school service fund.

All emergency schools shall be maintained in accordance with standards prescribed by the Superintendent of Public Instruction.

9581. The county superintendent of schools shall draw requisitions upon the unobligated funds of any suspended school district under his jurisdiction to pay in whole or in part the expenses incurred for the maintenance of emergency schools in the district.

9582. The county superintendent of schools may, with the approval of the county board of education, insure all real and personal property constructed, purchased, or otherwise provided by him for emergency schools established by him.

9583. The county superintendent of schools may, with the approval of the county board of education, transfer or sell the real and personal property of any emergency school maintained by him to any elementary school district under his jurisdiction, or to any other political subdivision of the State within which the school is located, upon such terms and conditions as are agreed upon by the county superintendent of schools, with the approval of the county board of education, and the governing board or authority of the district or other political subdivision. Districts and other political subdivisions may enter into such agreements and acquire such property. Any funds received by the county superintendent of schools under this section shall be paid by him into the county school service fund.

#### Article 15. Miscellaneous

9590. The county superintendent of schools may, with the approval of the county board of education, expend county school service funds for the purpose of administering and accounting for the county school service fund, or he may, with the approval of the county board of education, contract with and pay the board of supervisors for services rendered in administering and accounting for the county school service fund.

9591. The county superintendent of schools may, with the approval of the county board of education, provide advisory services in the processing of special problems concerning credentials as designated by the State Department of Education.

9592. The county superintendent of schools may, with the approval of the county board of education, employ personnel to conduct projects in research that are in connection with curricular and special services of the county superintendent of schools and which have been approved by the county board of education.

9593. The county superintendent of schools may, with the approval of the county board of education, pay actual and necessary travel expenses incurred in connection with curricular and special services by the county superintendent of schools or by his designated staff members in accordance with regulations established by the Superintendent of Public Instruction.

9594. For the Fiscal Year 1956-57 and thereafter, the Superintendent of Public Instruction shall establish and maintain a comprehensive classification and compensation plan for all county school service fund positions in accordance with regulations which he is hereby authorized to adopt. The Superintendent of Public Instruction may enter into an agreement with a personnel agency for such services as are necessary to establish and maintain the comprehensive classification and compensation plan.

9595. The county superintendent may, if he deems it necessary, order a description of the boundaries of any district under his jurisdiction printed in pamphlet form and pay for the pamphlets out of the county school service fund.

9596. The cost of printing and distributing ballots, as required by Section 1818, to the various school districts under the jurisdiction of the county superintendent of schools shall be paid from the county school service fund.

SEC. 3. Section 364.1 is added to said code, to read:

364.1. The expense of providing housing for all the services of the county superintendent of schools shall be allowed by the board of supervisors of the county and paid out of the general fund of the county.

SEC. 4. Section 9801.1 of said code is amended to read:

9801.1. The education of mentally retarded minors who are of compulsory school age and who may be expected to benefit from special educational facilities designed to



make them economically useful and socially adjusted shall be provided for in the manner set forth in this chapter and in Article 13 of Chapter 8.1 of this division.

SEC. 5. Section 9801.2 of said code is amended to read:

9801.2. The education of mentally retarded minors who do not come within the provisions of Section 9801.1, who are five or more, and less than 18 years of age, and who may be expected to benefit from special educational facilities designed to educate and train them to further their individual acceptance, social adjustment, and economic usefulness in their homes and within a sheltered environment, may be provided for in the manner set forth in this chapter and in Article 13 of Chapter 8.1 of this division.

Each school district [or county superintendent of schools] maintaining special training schools or classes for such mentally retarded minors may limit the number of minors to be admitted to such schools or classes.

Any such minor who becomes 18 years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time such school or class is maintained during the then current school year.

SEC. 6. Section 9804 of said code is amended to read:

9804. One person in the Department of Education shall devote his entire time to the supervision of training of mentally retarded minors. The department shall employ such other persons as are necessary to carry out the purposes of this chapter and of Article 13 of Chapter 8.1 of this division.

SEC. 7. Section 9807.1 of said code is amended to read:

9807.1. The governing board of any school district otherwise required or authorized to maintain special training schools and classes under Sections 9802 and 9802.1 for mentally retarded minors may provide for the education of such minors in, and for the transportation of such minors to, special training schools or classes maintained by another school district under this chapter or by a county superintendent of schools under [this chapter] Article 13 of Chapter 8.1 of this division, subject to such terms and conditions as may be agreed upon.

SEC. 8. This act shall become operative July 1, 1956."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 90**—An act to amend Sections 12216, 12218, and 12303 of, and to add Section 12225 to, the Financial Code, relating to check sellers and cashers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 91**—An act to add Section 12307.2 to the Financial Code, relating to check sellers and cashers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 172**—An act to amend Section 1403 of the Fish and Game Code, relating to burros, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 294**—An act to amend Section 561.1 of, and to add Sections 561.2 and 561.3 to, the Fish and Game Code, relating to permits to deal in fresh-water fish for bait.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 313**—An act to amend Sections 13353, 13354, 13362, 13364, 13375, and 13396 of the Health and Safety Code, relating to clothes cleaning establishments.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 331**—An act conveying certain tidelands, lands lying under inland navigable waters, swamp and overflow lands, situate at San Luis Bay and San Luis Creek, to the Port San Luis Harbor District, in furtherance of navigation and commerce and the fisheries, and

providing for the government, management and control thereof, reserving rights to the State.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 365**—An act to amend Sections 7109.1, 7112, 7113, 7114, 7119, 7121.2, 7123, and 7124 of, and to repeal Section 7119.1 of the Education Code and Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to State School Fund apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Dilworth moved the adoption of the following amendment:

**Amendment No. 1**

On page 4, line 32, of the printed bill, as amended in Senate March 17, 1955, strike out "10", and insert "12".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 468**—An act to amend Section 1153 of, to add Section 12420.1 to, and to repeal Section 20122 of, the Government Code, relating to payroll deductions for purchases of United States savings bonds by state officers and employees, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 580**—An act conveying certain tidelands, lands lying under inland navigable waters, and swamp and overflow lands, situate in Alameda County, State of California, to the City of Oakland, in furtherance of navigation and commerce and fisheries, and providing for the government, management, use and control thereof, and reserving certain rights to the State.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 698**—An act to add Sections 11177.5 and 11177.6 to the Penal Code, relating to cooperative returns of parole and probation violators.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 700**—An act to repeal Section 6201 of the Penal Code, relating to the California Correctional Facility.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 701**—An act to amend Section 5091 of the Penal Code, relating to the State Correctional System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 717**—An act to amend Section 19622.7 of the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 722**—An act providing funds for the completion of the lower level of the Richmond-San Rafael bridge, and approaches to said bridge.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 818**—An act to add Section 11013 to the Government Code, relating to state institutions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1252**—An act to amend Sections 4852.01, 4852.02, 4852.03, 4852.06, and 4852.13, and to repeal Section 4852.18 of, and to add Section 4852.18 to, the Penal Code, relating to certificates of rehabilitation.

Bill read second time.

#### Motion to Amend

Senator Busch moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 14, of the printed bill, after "California", insert "whether discharged on completion of the term for which he was sentenced".

##### Amendment No. 2

On page 1, line 22, strike out "thereafter", and insert "after his discharge from custody and termination of his parole".

##### Amendment No. 3

On page 1, lines 25 and 26, strike out "or who was on parole from such institution on that date,".

##### Amendment No. 4

On page 2, line 1, after "date", insert "who is committed to a state prison or other institution or agency".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1291**—An act to amend Section 8.5 of the Civil Defense Act of 1950 (Chapter 3 of the Statutes of the Third Extraordinary Session of 1950), relating to the effective date of the Civil Defense Act of 1950.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1560**—An act to amend Section 1347 of the Fish and Game Code, relating to elk.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 546**—An act to add Section 13105.5 to the Health and Safety Code, relating to the publication of laws relating to firemen and fire protection and control.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

##### Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate March 16, 1955, strike out "shall", and insert "may".

##### Amendment No. 2

On page 1, line 5, strike out "shall", and insert "may".

**Amendment No. 3**

On page 1, line 7, strike out "of".

**Amendment No. 4**

On page 1, line 8, strike out "printing".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 705**—An act to amend Section 2700 of the Penal Code, relating to forfeited earnings of prisoners.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 2, line 13, of the printed bill, strike out "violates the rules of the prison or".

**Amendment No. 2**

On page 2, line 17, strike out ", except that forfeited earnings"; and strike out all of lines 18 to 20, inclusive, and insert a period.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 946**—An act to add Article 2.5 to Chapter 1 of Division 5 of the Public Resources Code, relating to historical routes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "of every 10 miles", and insert "and".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 947**—An act to add Sections 5025.11 and 5025.12 to the Public Resources Code, relating to historical routes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 18, of the printed bill, strike out "of every 10 miles".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 760**—An act to amend Sections 13551, 13602, and 13603 and to repeal Sections 13553 and 13578 of the Government Code, relating to state printing.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "and 13603" and insert "13603, and 13607".

**Amendment No. 2**

On page 1, line 29, after "SEC. 4.", insert "Section 13607 of said code is amended to read:

13607. The volumes shall be distributed as follows: to the Secretary and each Member of the Senate and to the Chief Clerk and each Member of the Assembly, 10 copies; to the Governor, 25 copies; to the Lieutenant Governor, 15 copies; to the Secretary of State, the Controller, the Attorney General, the Legislative Counsel, and the Treasurer, each 10 copies; to each Member of the State Board of Equalization, five copies; to the director of each state department, two copies; to the two United States Senators from California and the members of the California congressional delegation, each one copy; to the Chief Justice and Associate Justices, each one copy; to the Presiding Justices and Justices of the district courts of appeal, each one copy; and copies as provided in Section 13601 of this code.

All other volumes shall be sold for such price as may be fixed by the department. Any person who publishes or sells any publication whose title contains the words "State Blue Book," "California Blue Book," or any similar words which tend to confuse the publication with the State Blue Book authorized by this act is guilty of a misdemeanor.

SEC. 5."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1203**—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in Senate March 11, 1955, strike out "-----", and insert "six thousand six hundred dollars (\$6,600)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 148**—An act to amend Section 28122 of the Government Code, relating to compensation for public service in counties of the twenty-second class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "----- dollars (\$-----)", and insert "ten thousand dollars (\$10,000)".

**Amendment No. 2**

On page 1, line 10, strike out ", and continuing for a"; and strike out line 11.

**Amendment No. 3**

On page 1, line 12, strike out "(\$10,000) a year".

**Amendment No. 4**

On page 1, line 17, strike out "----- dollars (\$-----)", and insert "four hundred dollars (\$400)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 539**—An act to amend Section 36501 of, and to add Section 38611 to, the Government Code, relating to fire departments in cities.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1804**—An act to amend Section 26883 of the Government Code, relating to audits performed by counties.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 75**—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1889**—An act to amend Sections 54347, 54348, and 54353 of, and to add Sections 54343, 54354, 54355, 54356, 54357, 54358, 54359, 54360, 54361, 54362, 54363, 54364, 54365, 54366, 54367, 54368, 54369, and 54370 to, the Government Code, relating to revenue bonds and the powers of a local agency.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 4 of the title of the printed bill, after "to," insert "and to add Article 13 to Chapter 6 of Part 1 of Division 2 of Title 5 of,".

**Amendment No. 2**

On page 2, line 27, strike out "in such action a"; and on page 2, strike out line 28.

**Amendment No. 3**

On page 3, line 42, strike out "is", and insert "as".

**Amendment No. 4**

On page 3, line 44, strike out "deemed de minimus", and insert "disregarded".

**Amendment No. 5**

On page 6, after line 5, insert  
"Sec. 22. Article 13 is added to Chapter 6, Part 1, Division 2, Title 5 of said code, to read:

**Article 13. Construction**

54700. If any section, subsection, sentence, clause, or phrase of this chapter, or the application thereof to any person or circumstance, is for any reason held invalid, the validity of the remainder of the chapter, or the application of such provision to other persons or circumstances, shall not be affected thereby. The Legislature hereby declares that it would have passed this chapter, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases, or the application thereof to any person or circumstance, be held invalid."

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 19**—An act to repeal an act entitled "An act for the certification of land titles and the simplification of the transfer of real real estate," approved March 17, 1897, relating to the registration of land titles, deeds, and instruments affecting land titles, and all acts amending same thereby repealing all provisions of law relating to the registration of land titles, deeds, and instruments affecting land titles, and making provision as to titles to land registered thereunder; declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 762**—An act to abolish a condemnation fund established in the State Treasury with respect to the Montague Water Conservation District and to transfer the balance of said fund to the General Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 796**—An act to amend Sections 1 and 2 of the Solano County Flood Control and Water Conservation District Act, relating to the Solano County Flood Control and Water Conservation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 799**—An act to add Article 5.5 to Chapter 2, Part 4, Division 16 of the Water Code, relating to county waterworks districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1065**—An act to amend Sections 34080, 34302, 34318, 34321, 34326, 34403, 34405, 34407, 34409, 34452, 34600, 34605, 34606, 34607, 34700, 34876, 35729, 35837, 35838, 36501, 36511, 37113, 37421, 37600, 37650, 38600, 38601, 38630, 38631, 38660, 38791, 38792, 40601, and 51300; the heading of Chapters 5 and 6 and Articles 3 and 4 of Chapter 7, Part 1, Division 2, Title 4; the headings of Articles 2 and 4 of Chapter 2, Article 3 of Chapter 5, Article 2 of Chapter 6, Articles 1 and 3 of Chapter 13, Articles 2 and 4 of Chapter 14, Article 3 of Chapter 15, and Articles 1 and 3 of Chapter 18, Part 2, Division 3, Title 4; the headings of Articles 4 and 5, Chapter 1, Division 4, Title 4; and the heading of Article 2, Chapter 2, Division 5, Title 4 of; to repeal Sections 34100 to 34120, inclusive, 34601 to 34604, inclusive, 34608, 34850, 34870, 36500, 36800, 36930, 37112, 37200, 37381, 37540, 37900, 37930, 38602, to 38610, inclusive, 38632, 38633, 38770, 38772, 38793, 38794, 38901, 39500, 39730, 39960, 40400, 40600, 40605, 40606, 40800, 41000, 41200, 41600, 41800, 43060, 45340, and 55630; Articles 1 and 2 of Chapter 7, Part 1, Division 2, Title 4; Chapter 2, Part 1, Division 3, Title 4; Article 2 of Chapter 1, Article 3 of Chapter 2, Article 2 of Chapter 4, Article 3 of Chapter 14, Article 4 of Chapter 15, and Article 2 of Chapter 18, Part 2, Division 3, Title 4; Article 2 of Chapter 2, Article 2 of Chapter 3, Article 2 of Chapter 6, Article 2 of Chapter 7, and Chapter 8, Part 3, Division 3, Title 4; and Article 2, Chapter 1, Division 4, Title 4; and the heading of Chapter 1, Part 1, Division 3, Title 4; the headings of Article 1 of Chapter 1 and Article 1 of Chapter 4, Part 2, Division 3, Title 4; the headings of Article 1 of Chapter 2, Article 1 of Chapter 3, Article 1 of Chapter 6, and Article

1 of Chapter 7, Part 3, Division 3, Title 4; and the heading of Article 3, Chapter 1, Division 4, Title 4 of; and to add Sections 34100, 34101, and 34102 to, the Government Code; to amend Sections 2102.1, 2103, 2103.1, 4623, and 14108, and to repeal Section 4622 of, the Education Code; to amend Sections 5932.5, 9700, 9705, 10000, and 11170, and the headings of Chapters 2 and 3, Part 2, Division 11, and to repeal Section 9704 of, the Elections Code; and to amend Section 555 of the Labor Code; relating to the classification of cities.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1759**—An act to amend Section 5439 of the Public Resources Code, relating to county recreation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 275**—An act to amend Sections 1800, 1801, 1803, 1804, 1805, 1807, 1809, 1810, and 12100 of, the Financial Code, relating to the transmission of money.

Bill read second time.

#### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert "and add Section 1809.1 to,".

#### Amendment No. 2

On page 1, line 19, after the period, insert "A qualified company engaged in the business of receiving money for the purpose of paying to others bills, invoices or accounts of an obligor, or selling or cashing checks, including travelers' cheques, drafts, or money orders, or receiving money for the purpose of transmitting the same within the United States by an instrument or order drawn upon and directed to the person receiving the money for transmission, shall pay to the superintendent annually on or before July 1st twenty dollars (\$20) for each branch office and three dollars (\$3) for each agency at which money is received for the purpose of paying the bills, invoices or accounts of an obligor or at which such instruments are cashed or sold, excluding any agency at which only travelers' cheques are cashed or sold."

#### Amendment No. 3

On page 3, between lines 6 and 7, insert

"Sec. 8. Section 1809.1 is added to said code, to read:

1809.1. No qualified company engaged in the business of selling or cashing checks, including travelers' cheques, drafts, or money orders within the United States or receiving money for the purpose of transmitting the same within the United States by an instrument or order drawn upon and directed to the person receiving the money for transmission, shall charge a fee for selling or cashing such instruments, except travelers' cheques, in excess of one-half of 1 percent of the face amount thereof or thirty-five cents (\$.35), whichever is greater."

#### Amendment No. 4

On page 3, line 7, strike out "SEC. 8.", and insert "SEC. 9."

#### Amendment No. 5

On page 3, line 15, strike out "SEC. 9.", and insert "SEC. 10."

#### Amendment No. 6

On page 3, strike out lines 26 to 28, inclusive, and insert "ness of paying to others bills, invoices, or accounts of an obligor, or of selling or cashing checks, including travelers' cheques, drafts, or money orders issued by a person who has been licensed under and complied with, and continues to be licensed".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 628**—An act to amend Sections 3632, 3634, 3862, 3863, and 3871 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 840**—An act to amend Section 13841.1 of the Education Code, relating to sick leave for adult education part-time teachers.

Bill read second time.

## Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In the title of the printed bill, as amended in the Senate March 17, 1955, strike out "sick leave for adult education part-time teachers", and insert "leave of absence for illness or injury of school district employees".

**Amendment No. 2**

On page 1, line 3, strike out "full time", and insert "five days a week".

**Amendment No. 3**

On page 1, line 10, strike out "receive", and insert "be entitled, for a school year of service, to".

**Amendment No. 4**

On page 1, line 11, after "of" strike out the rest of the line and insert "ten days' leave of absence for illness or injury".

**Amendment No. 5**

On page 1, line 12, strike out "plovee is entitled".

**Amendment No. 6**

On page 1, line 13, after "five", insert "and is entitled to such additional days in addition thereto as the governing board may allow for illness or injury to certificated employees employed for less than five school days a week; pay for any day of such absence shall be the same as the pay which would have been received had the employee served during the day".

**Amendment No. 7**

On page 2, line 8, strike out "of any such full-time employee".

**Amendment No. 8**

On page 2, line 9, after "accident", insert "of any such employee employed five days a week".

**Amendment No. 9**

On page 2, line 10, strike out "part-time".

**Amendment No. 10**

On page 2, line 11, after "plovee", insert "employed less than five days a week".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Assembly Bill No. 314**—An act to add Section 1324 to the Fish and Game Code, relating to nutria permits.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 485**—An act to codify Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 of the Statutes of 1953, relating to public streets and highways and all appurtenances thereto, by repealing Sections 180 and 181 and Article 4 of Chapter 4 of Division 1 of the Streets and Highways Code, amending Section 512 of said

code, adding Sections 180 and 181 and Article 4 of Chapter 4 of Division 1 and Article 3 of Chapter 2 of Division 17 to said code, and repealing Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 (except Section 8 thereof) of the Statutes of 1953.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 487**—An act to codify Chapter 1195 of the Statutes of 1947, relating to veterans farm and home purchases, and making an appropriation, by adding Section 987.12 to the Military and Veterans Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 489**—An act to codify certain statutes, relating to the organization, operation, and maintenance of a system of State and local government by adding Sections 111, 112, 1028.2, and 12523, to Article 3 to Chapter 2, Part 5, Division 3, Title 2 of, Article 2 and a new article heading to Chapter 2, Part 6, Division 3, Title 2 of, and Article 1.5 to Chapter 9, Title 8 of, the Government Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 496**—An act to codify Chapter 1424 of the Statutes of 1953, making an appropriation for support of the Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association, by adding Section 19626.6 to the Business and Professions Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**MOTION TO RE-REFER SENATE BILLS NOS. 1108, 272, 23, AND 275  
TO THE COMMITTEE ON FINANCE**

Senator Ward moved that Senate Bills Nos. 1108, 272, 23, and 275 be re-referred to the Committee on Finance in accordance with provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

Motion carried.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1558**—An act to add Article 8 to Chapter 1, Division 3 of the Public Resources Code, relating to oil and gas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Grunsky, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—30.  
**NOES**—Senators Breed and Desmond—2.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 2.40 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**Senate Bill No. 1334**—An act to amend Sections 1040 and 1041 of the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—30.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 196**—An act to amend Sections 164 and 5106 of the Welfare and Institutions Code, relating to the Department of Mental Hygiene.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 541**—An act to amend Section 7100 of the Health and Safety Code, relating to dead bodies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 113**—An act to amend Section 2210.5 of the Streets and Highways Code, relating to federal aid for secondary highways.

**Motion to Re-refer Senate Bill No. 113**

Senator Ward moved that Senate Bill No. 113 be re-referred to Committee on Finance.

Motion carried.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 572**—An act to add Section 541.5 to the Vehicle Code, relating to turning of vehicles near fire stations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Kraft, John F. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, and Ward—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1322**—An act to add Sections 9650.2 and 9717 to, and to amend Sections 9700.5 and 9766 of, the Business and Professions Code, and to add Sections 8732.1 and 8747.5 to the Health and Safety Code, relating to cemeteries.

**Motion to Re-refer Senate Bill No. 1322**

Senator Ward moved that Senate Bill No. 1322 be re-referred to Committee on Finance.

Motion carried.

**Senate Concurrent Resolution No. 46**—Relative to the restoration of the Old Columbia Grammar School.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered:

By Senator Robert I. McCarthy:

**Senate Resolution No. 85**

Relative to congratulating Gary Kilarr on his selection as the Western States Regional Boy of the Year

WHEREAS, The Members of the Senate of the State of California are deeply gratified and take great pride in the selection, by the National Boys' Clubs of America, Inc., to be Western States Regional Boy of the Year, of a junior citizen and potential future leader of the State of California, Gary Kilarr, of San Francisco's Columbia Park Boys' Club; and

WHEREAS, Gary, who was awarded this honor on the basis of his good citizenship and his excellent work in school, at church, in and around the club, and within the community, is the editor of the club paper, the Columbian, a member of the Dramatic Club, and a Junior Leader of the club; and

WHEREAS, The outstanding example which he has set is worthy of emulation. If all youth displayed such attributes as Gary possesses, the future of the State and Nation would rest secure; and

WHEREAS, He, the Columbia Park Boys' Club, and Julian P. Hargrove, its executive director, are to be commended upon this well earned honor, now therefore, be it

*Resolved by the Senate of the State of California,* That the Members of the Senate of the State of California do hereby express to Gary Kilarr their most sincere and heartiest congratulations upon his selection as Western States Regional Boy of the Year; and, be it further

*Resolved,* That the Members of the Senate of the State of California do hereby commend the Columbia Park Boys' Club and Julian P. Hargrove, its executive director, on the fine work which it is doing; and, be it further

*Resolved,* That the Secretary of the Senate be hereby directed to prepare and transmit suitable copies of this resolution to Gary Kilarr, Western States Regional Boy of the Year, to the Columbia Park Boys' Club, and to Julian P. Hargrove, its executive director.

Resolution read, and, on motion of Senator Robert I. McCarthy, unanimously adopted.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 64**—An act to repeal Part 2 of, and to add Part 2 and Part 2.1 to, Division 13 of the Health and Safety Code, relating to



auto courts and resorts and auto and trailer parks, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Murdy.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Thompson, Ward, and Way—29.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator McBride Presiding**

At 3.15 p.m., Senator James J. McBride of the Thirty-third District, presiding.

**Assembly Bill No. 2573**—An act to amend Section 17702 of the Health and Safety Code, relating to housing.

Bill read third time, and presented by Senator Breed.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried. Time, 3.17 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 1946**—An act to amend Section 2559.5 of the Health and Safety Code, relating to tuberculosis, communicable disease, and public health.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2353**—An act to repeal Sections 7400, 7404, 7410, 10102, 10476, and the title of Chapter 6, Part 1, Division 7 of, to amend and renumber Sections 7401, 7402, 7405, 7406, 7407, 7411, and 7412 of, to amend Sections 7501, 10551, 10607, and 10617 of, and to add

Sections 10483 and 10632 to, the Health and Safety Code, relating to vital statistics and public health.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Motion to Suspend Rule No. 42 of the Standing Rules**

Senator Grunsky moved that Rule No. 42 of the Standing Rules be suspended during consideration of Assembly Bill No. 145.

Motion carried.

**Assembly Bill No. 145**—An act to amend Section 1403 of the Health and Safety Code, relating to licensing of hospitals.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 2536**—An act to amend Section 2147.5 of the Business and Professions Code, relating to the healing arts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 139**—An act to amend Section 709 of the Vehicle Code, relating to size, weight and loading of vehicles.

Bill read third time, and presented by Senator Way.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—Senators Dilworth and Sutton—2.

Bill ordered transmitted to the Assembly.

**Secretary J. A. Beek at the Desk**

**Assembly Bill No. 141**—An act to amend Sections 512, 512.2 and 516 of the Vehicle Code, relating to speed of vehicles and speed restrictions on highways, bridges or structures.

Bill read third time, and presented by Senator Way.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 60**—Relative to the Standard Hour.

Resolution read, and presented by Senator Robert I. McCarthy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.30 p.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2573 passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Kraft, McBride, Murdy, Parkman, Regan, Richards, Sutton, Thompson, and Ward—22.

NOES—Senators Desmond, Robert I. McCarthy, Miller, Montgomery, Short, and Teale—6.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Concurrent Resolution No. 61**—Relative to the Hearst Expedition to Russia.

Resolution read, and presented by Senator Robert I. McCarthy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dorsey, Erhart, Grunsky, Kraft, McBride, Robert I. McCarthy, Parkman, Regan, Richards, Thompson, Ward, and Way—21.

NOES—Senators Dilworth, Montgomery, Murdy, Short, and Sutton—5.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 67**—Relative to the passing of Hon. John A. Pettis.

Resolution read, and presented by Senator Busch.

Resolution read, and unanimously adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1609**

Senator Berry moved that Senate Bill No. 1609 be withdrawn from Committee on Fish and game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1609**—An act to add Section 1171.5 to the Fish and Game Code, relating to hunting of birds.

Bill read second time.

**Motion to Amend**

Senator Berry moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "game birds", and insert "wild geese".

**Amendment No. 2**

On page 1, line 5, strike out "100", and insert "50".

**Amendment No. 3**

On page 1, line 8, strike out "game birds", and insert "wild geese".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1585**

Senator Robert I. McCarthy moved that Senate Bill No. 1585 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1585**—An act to add Section 1219 to the Civil Code, relating to acknowledgment and proof of execution, certification and recording of oil and gas leases.

Bill read second time.

**Motion to Amend**

Senator Robert I. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 11, strike out "and", and insert "or".

**Amendment No. 2**

On page 2, line 4, preceding "such", insert "same, of the specific provisions of any".

**Amendment No. 3**

On page 2, line 5, strike out "leases", and insert "lease".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1344**

Senator Coombs moved that Senate Bill No. 1344 be withdrawn from Committee on Military and Veterans Affairs for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1344**—An act to amend Section 1012 of the Military and Veterans Code, relating to the veterans' home.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "members of", and insert "persons who served in".

**Amendment No. 2**

On page 1, lines 6 and 7, strike out "who have served in the armed forces".

**Amendment No. 3**

On page 1, lines 7 and 8 strike out "discharged under conditions other than dishonorable and", and insert "who were discharged under honorable conditions, and who".

**Amendment No. 4**

On page 1, line 14 after "purpose.", insert "The provisions of this section shall not be retroactive."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 661

Senator Cobey moved that Senate Bill No. 661 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 661**—An act to amend Section 315 of the Public Utilities Code, relating to public utilities.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 21, of the printed bill, strike out "or to the authorized representative of such person," and insert "including any person involved in the accident, any person injured therein, and the owners of vehicles or property damaged thereby, and the authorized representative, legal guardian, and, if a minor, the parent, of such persons,".

**Amendment No. 2**

On page 1, line 23, after "accident", insert "if such information is required to be contained in the report under the rules of the commission".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 537

Senator Regan moved that Senate Bill No. 537 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 537**—An act to add Section 21337 to the Government Code, relating to the State Employees' Retirement System in respect to benefits payable upon the deaths of local fireman members.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "and the member has designated an"; and strike out all of lines 8 to 14, inclusive, and insert "a monthly allowance equal to one-half of the unmodified retirement allowance which the member would have been entitled to receive if he had retired on the date of his death shall be payable:

(a) To the surviving wife of a male member as long as she lives or until her remarriage; or

(b) To the children under age 18 collectively of a female member, or of a male member if there is no surviving wife or if the surviving wife dies or remarries before all children of the deceased member attain age 18, until every child dies or attains age 18, provided that no child shall receive any allowance after marrying or attaining the age of 18.

Where a member does not have a surviving wife nor any children under the age of 18 years at the time of his death, no allowance shall be payable under this section.

A beneficiary may elect to receive the basic death benefit in lieu of the benefits provided for herein."

**Amendment No. 2**

On page 1, strike out lines 15 to 23, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1846

Senator John F. McCarthy moved that Senate Bill No. 1846 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1846**—An act to amend Section 6420 of the Health and Safety Code, relating to sanitary districts.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill strike out the words "Section 6420", and insert "Sections 6515 and 6515.5".

**Amendment No. 2**

On page 1, strike out lines 1 to 6, and insert

"SECTION 1. Section 6515 of the Health and Safety Code is amended to read: 6515. It may make and accept contracts, deeds, releases, and documents that, in the judgment of the board, are necessary or proper in the exercise of any of the powers of the district, providing than any contract for the construction, maintenance, alteration or repair of any buildings, structures or works shall be awarded in the manner provided by Section 6515.5 of this Code.

SEC. 2. Section 6515.5 of the Health and Safety Code is amended to read:

6515.5. If the total cost of any work exceeds two thousand five hundred dollars (\$2,500), the district shall publish a notice requesting bids therefor by publication for once a week for two consecutive weeks in a newspaper of general circulation

in the county in which the district is located and award the contract to the lowest responsible bidder. The notice shall state the time and place for receiving and opening of sealed bids and describe in general terms the work to be done.

This section shall have no application where the work is done pursuant to those acts set forth in Sections 6541 and 6541.5 of this code.

Any contract to which this section applies that is not let pursuant to this section is void."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 16

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 46

And reports the same correctly engrossed.

WARD, Chairman

#### Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 707

Senate Bill No. 1054

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

REGAN, Chairman

Above reported bills ordered to second reading.

#### Committee on Labor

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1582

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 58

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

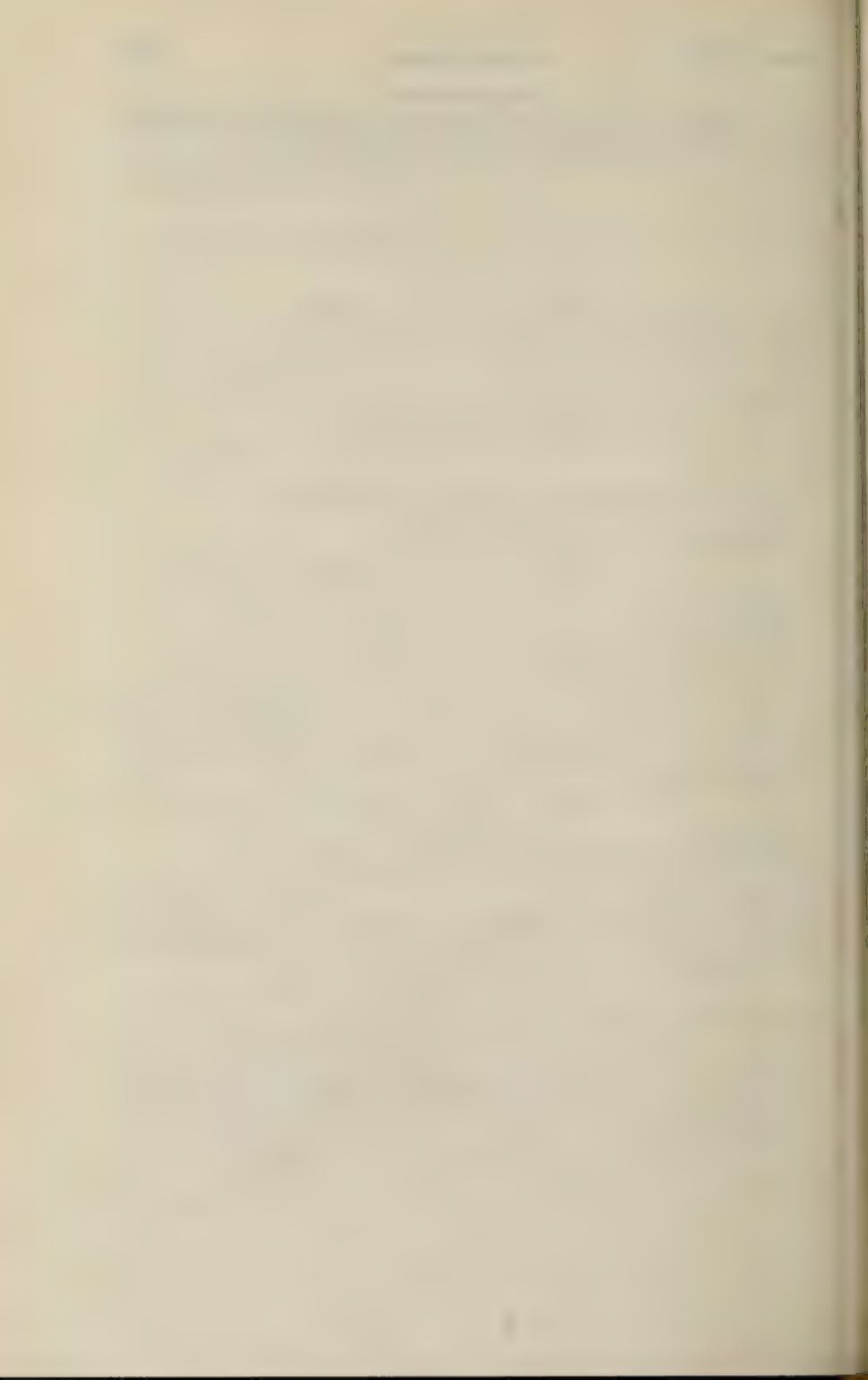
Above reported bill ordered to second reading.

**ADJOURNMENT**

At 4 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 10 a.m., Friday, March 25, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-FOURTH LEGISLATIVE DAY

FORTY-FIFTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Friday, March 25, 1955

The Senate met at 10 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Miller, on motion of Senator Ward, due to legislative business.

Senator Regan, on motion of Senator Ward, due to legislative business.

Senator Dale C. Williams, on motion of Senator Ward, due to illness.

### REQUEST FOR UNANIMOUS CONSENT

Senator Murdy asked for and was granted unanimous consent to have Senator Byrne excused as he has an appointment with Mr. Edmonston, the State Engineer, at the request of Mr. Edmonston.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul E. Hartman and David R. York from Napa.

On request of Senator John P. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter Castro, Sr., Chairman of Board of Supervisors, and Walter Castro, Jr., both of Marin County.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sheriff Merrill Howard of Independence, tallest sheriff in the United States.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Richard Graves of Kings County.

On request of Senators Murdy and Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to adults Mrs. Beulah Peck, principal; Mrs. George Koehler, Mrs. Douglas Jensen, Mrs. Arthur Lewis, and the following students from Manzanita School, Gridley: Linda Koehler, Barbara Boyd, Joyce Newton, Judith Adams, James Jensen, David Davis, Edward Jeffers, Delbert Tierney, Neill Mitchell, Bobby Williams, Charles Von Latta, Tracy Newton, Sandra Lewis, Marla Crites, Sandra Groff, Harriet Johnson, Kenneth Carlos, Cletus Williams, Lennie Boehman, Jerry McVey, and Karen Gunterman.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Dean Helmick, Mitchell Denham, Mrs. Orville Evers, Mrs. Ray Evers, Mrs. Matthew Rogers, Mrs. John Stuhaan, Louis Hudson, and the following students from Fremont Joint Union Elementary School: Leon Amos, Gilbert Barreto, Richard Clevenger, John Costa, Glenn Giacomazzi, Stephen Giacomazzi, Chrisco Hall, Jimmy Pettigrew, Robert Reed, Larry Richardson, Reginald Rogers, Kenneth Stevens, Joe Williams, Judy Cardoza, Benette Denham, Linda Herron, Evelyn Lewis, Patricia Morgan, Carmelia Motta, Caroline Sanborn, Marlene Costa, and Louise Giacomazzi.

On request of Senators Berry and Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to S. I. Legare, Road Commissioner of Mariposa County.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. T. V. Case of Huntington Beach.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Cravello of Los Angeles.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tony Kennedy, former page boy of the Senate.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Orvie Clyde of Hanford.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Carl Joses of Amador County.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. James D.

Long and Mrs. Melvin A. Willmirth of Fresno, Mrs. John F. Malone of Los Angeles, Mrs. John D. Ross of Santa Barbara, and Mrs. Orrin P. Brown of Alpine County.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. M. Steele and two daughters, Linda and Leslie, all of Greenbrae.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John Malone of Los Angeles.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lydia Ross of Santa Barbara.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Eva Ohmart; parents Mrs. Harold Walton, Mrs. McKinstry, Mrs. Hurst, and the following eighth grade students from Denair Elementary School: Lanora Beneaux, Dennis Bethel, Penny Bodin, Harlaine Brown, Gerald Canavan, John Collum, Charles Comly, Willard Cullum, Jim Davison, Jack Dayton, Fred Entriken, Nancy Haile, Lois June Hale, Lloyd Hamlow, Ronald Hardin, Dorothy Holloway, Carolyn Matson, Bill McGinnis, Charles McKinstry, Marilyn Olson, Patricia Otts, Patricia Peterson, Tom Pirtle, Mary Jane Prewitt, Herbert Smith, Tom Spencer, Norma Stout, Leonard Sweeten, Joyce Teel, Darlene Terrill, David Thornton, Patricia Underwood, Sharon Vee, Harold Walton, and Charlotte Watkins.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Miss Barbara Beebe; parents Mrs. Benjamin Strauss, Mrs. Charles Keithley, Mrs. Lennus Urquhart, and the following students from the Fairmount School: Kenneth Baker, Herman Bartholomew, Christine Carmack, Frank Castro, Richard Crain, Thomas Crane, William Crane, Stephen Dooley, William Elsa, Arline Fryman, Hilda Gonzales, Marie Harrigan, Donald Hufnagel, Frank Jewell, Margaret Keithley, John Lanham, Darlene LaRosa, Rene Lelandois, Lionel Marti, Joy Ann Monteleone, Kay Moreno, Virginia Pacini, Louis Pain, Janice Parberry, Janice Poli, Mildred Ravani, Theresa Rendon, James Riordan, Dorothea Schaeberle, Joy Serpa, Robert Shrider, Carole Solomini, Sandra Strauss, James Sullivan, Richard Tomassini, Kenneth Urquhart, and Larry Zieh.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss E. Watson, Mrs. E. L. Barrett, S. H. Smith, Mrs. M. Johnson, and the following students from Fairview Elementary School: Sharon Raw Thacker, Yvonne Lehman, Jerome Klemin, Phil Polk, Paul Gillet, Beverly Hoover, Larry Blanken, Jacklynn Rynn, Patricia Brandon, Diane Fanton, Sandra Upton, Colmen Johnson, Carl Berger, Jr., Lorraine DeVere, Loretta Plumlee, Sharon Bubak, Arlan Hinchee, Linda Houchin, Gary Vaughn, Dianne Dodd, Gene Merlo, Roger Ford, Kay King, Camie Thomas, George Slater, Dana Flynt, Lorna Moore, Joan Durham, Carmelita Bautistia, Ben Marianno, LaJuan Newcomb, DeVaughn Newcomb, Boyd Littlejohn, Ralph Herrmann, Larry Eager, Lynn Staple, Donna Vallero, and Kenneth Krob.



On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John F. O'Connell of Kentfield, Marin County.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Justin Hammond of Corona.

### COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF VETERANS AFFAIRS  
NAPA, CALIFORNIA, March 23, 1955

*Hon. Harold J. Powers*  
*Lieutenant Governor*  
*State Capitol, Sacramento, California*

DEAR GOVERNOR: Enclosed is an invitation for the dedication of Dwight D. Eisenhower Barracks to be held at the Veterans' Home of California on April 18, 1955 at 2:30 p.m.

While we realize that the Legislature is in session and it may not be possible for the members of the Senate to leave the State Capitol, we do wish to extend to you and through you to the members of the Senate, an invitation to attend.

This new building will give us 200 additional beds for the chronically ill and will permit us to reduce a long waiting list which we have for this type of care.

The Honorable Harvey V. Higley, Administrator of Veterans Affairs, and his chief medical officer, Dr. William S. Middleton from Washington, D. C., will be here to participate in the dedication and the ceremonies of dedication will be conducted by the Grand President and Grand Officers of the Native Sons of the Golden West.

It would be appreciated if you would have this invitation presented to the State Senate.

With kindest personal regards,  
Sincerely yours,

S. F. DUNMIRE, Colonel-Commandant

### REPORTS OF STANDING COMMITTEES

#### Committee on Elections

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Assembly Bill No. 235  
Assembly Bill No. 247  
Assembly Bill No. 249  
Assembly Bill No. 250

Assembly Bill No. 251  
Assembly Bill No. 253  
Assembly Bill No. 254

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committees vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 803

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; noes 1; absent 1.

DILWORTH, Chairman

Above reported bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 706**—An act to repeal Sections 2943 and 2944 of the Penal Code, relating to discharged prisoners.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1744**—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 356**—An act to add Section 1001 to the Code of Civil Procedure, relating to the disclosure of insurance coverage.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 58**—An act to amend Sections 1940 and 1944 of the Labor Code, relating to the employment of aliens.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 1940 and 1944", and insert "Section 1940".

**Amendment No. 2**

On page 1, line 6, strike out "is eligible", and insert "has declared his intention".

**Amendment No. 3**

On page 1, line 8, strike out "file his petition for", and insert "secure his certificate of".

**Amendment No. 4**

On page 1, line 9, strike out "six months", and insert "one year".

**Amendment No. 5**

On page 1, line 9, strike out "file", and insert "secure".

**Amendment No. 6**

On page 1, line 10, strike out "petition", and insert "certificate".

**Amendment No. 7**

On page 1, strike out lines 11 to 30, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1582**—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Labor:

**Amendment No. 1**

On page 1, after line 16, insert

"Where the employee at the request of the employer, his insurance carrier, or the commission, or any member or agent of the commission, submits to examination by a physician, he shall be entitled to receive in addition to all other benefits herein provided all reasonable expenses of transportation and other expenses together with

reimbursement for any wage loss incurred by him as a result of submitting to such an examination."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 707**—An act to amend Sections 288a and 290 of, and to add Section 288b to, the Penal Code, relating to sex offenses.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of the title, strike out "288b to," and insert "An act to amend Section 288a of".

##### Amendment No. 2

On page 1, strike out line 7, and insert "one year; provided, however, whenever any person is found guilty of an offense specified herein, and it is charged and admitted or found to be true that he is more than 10 years older than his coparticipant in such an act, which coparticipant is under the age of 14, or that he has compelled the other's participation in such an act by force, violence, duress, menace, or threat of great bodily harm, he shall be punished by imprisonment in the state prison for not less than three years. The order of commitment shall expressly state whether a person convicted hereunder is more than 10 years older than his coparticipant and whether such coparticipant is under the age of 14. The order shall also state whether a person convicted hereunder has compelled coparticipation in his act by force, violence, duress, menace, or threat of great bodily harm."

##### Amendment No. 3

On page 1, strike out lines 13 to 29, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1054**—An act to amend Section 1023 of the Probate Code, relating to distribution of estates.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 1, of the printed bill, strike out "Court", and insert "Code".

##### Amendment No. 2

On page 1, line 20, after the period, insert "This paragraph shall not apply in any case where such heir, devisee or legatee dies before the decedent."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 352**—An act to amend Section 1098 of the Penal Code, relating to the trial of criminal actions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 497**—An act to repeal Section 10602 of the Health and Safety Code, relating to proceedings to establish records of births, deaths, and marriages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 962**—An act to amend Section 1449 of the Penal Code, relating to inferior court procedure.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2012**—An act to amend Section 502 of the Vehicle Code, relating to driving while under the influence of liquor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 958**—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to mental commitments.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1083**—An act to amend Section 442 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 23**—An act to add Section 1340.8 to the Fish and Game Code, relating to bears.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, lines 7 to 9, inclusive, of the printed bill, as amended in Assembly March 10, 1955, strike out "except under the direction of a federal, state or county trapper".

##### Amendment No. 2

On page 1, line 10, after "means", insert "except by use of poison".

##### Amendment No. 3

On page 1, line 16, after "law", insert ", except that the method of setting any traps may be prescribed by the commission".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

#### Motion to Re-refer Assembly Bill No. 23

Senator Busch moved that Assembly Bill No. 23 be re-referred to Committee on Fish and Game.

Motion carried.

#### THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 485**—An act to codify Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 of the Statutes of 1953, relating to public streets and highways and all appurtenances thereto, by repealing Sections 180 and 181 of Article 4 of Chapter 4 of Division 1 of the Streets and Highways Code, amending Section 512 of said code, adding Sections 180 and 181 and Article 4 of Chapter 4 of Division 1 and Article 3 of Chapter 2 of Division 17 to said code, and repealing Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 (except Section 8 thereof) of the Statutes of 1953.

Bill read third time.



**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 485:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 7, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 485**, "An act to codify Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 of the Statutes of 1953, relating to public streets and highways and all appurtenances thereto, by repealing Sections 180 and 181 and Article 4 of Chapter 4 of Division 1 of the Streets and Highways Code, amending Section 512 of said code, adding Sections 180 and 181 and Article 4 of Chapter 4 of Division 1 and Article 3 of Chapter 2 of Division 17 to said code, and repealing Chapter 360 of the Statutes of 1935, Section 5 of Chapter 13 of the Statutes of the First Extra Session of 1947, and Chapter 1737 (except Section 8 thereof) of the Statutes of 1953,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the Legislative Counsel as a codification of existing law. The Legislative Counsel advises me that it contains an appropriation and therefore may not be enacted before the final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Grunsky moved a call of the Senate.

Motion carried. Time, 10.30 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 10.33 a.m., on motion of Senator Grunsky, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called.

**Call of the Senate**

Pending the announcement of the vote, Senator Grunsky moved a call of the Senate.

Motion carried. Time, 10.35 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 75

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 75**—Approving certain amendments to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the eighth day of March, 1955.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 75, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 75**

**Assembly Concurrent Resolution No. 75**—Approving certain amendments to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the eighth day of March, 1955.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and Howard J. Williams—29.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 10.38 a.m., on motion of Senator Grunsky, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 485 passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 211**—An act to add Article 3.5 to Chapter 6 of Division 4 of, and to add Sections 10301.4 and 10301.5 to, the Education Code, relating to junior high schools and the financial support of elementary schools, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse,

Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Call of the Senate

Senator Grunsky moved a call of the Senate.

Motion carried.

Time, 10.45 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE SENATE

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 596**—An act to amend Section 6860 of the Government Code, Section 1360 of the Financial Code and Section 1179 of the Insurance Code, relating to authorized investments for all public and private funds and their use as security for the performance of any act.

Bill read third time.

#### Motion to Amend

Senator Hulse moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill after "Code", insert "and to add Section 1209 to the Financial Code".

#### Amendment No. 2

On page 2, line 22, after "Act," insert "in stock, bonds, debentures and other obligations of the Federal National Mortgage Association established under the National Housing Act as amended,".

#### Amendment No. 3

On page 2, after line 50, insert

"Sec. 4. Section 1209 is added to the Financial Code, to read:

1209. A commercial bank may invest in stock, bonds, debentures and other obligations of the Federal National Mortgage Association established under the National Housing Act as amended, provided, that such investments shall not exceed 5 percent of its assets."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 487**—An act to codify Chapter 1195 of the Statutes of 1947, relating to veterans farm and home purchases, and making an appropriation, by adding Section 987.12 to the Military and Veterans Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 487:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 7, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 487**, "An act to codify Chapter 1195 of the Statutes of 1947, relating to veterans' farm and home purchases, and making an appropriation, by adding Section 987.12 to the Military and Veterans Code, and repealing acts and parts of acts specified herein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the Legislative Counsel as a codification of existing law. The Legislative Counsel advises me that it contains an appropriation and therefore may not be enacted before the final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 489**—An act to codify certain statutes, relating to the organization, operation, and maintenance of a system of State and local government by adding Sections 111, 112, 1028.2, and 12523, to Article 3 to Chapter 2, Part 5, Division 3, Title 2 of, Article 2 and a new article heading to Chapter 2, Part 6, Division 3, Title 2 of, and Article 1.5 to Chapter 9, Title 8 of, the Government Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 489:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 7, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 489**, "An act to codify certain statutes, relating to the organization, operation, and maintenance of a system of state and local government by adding Sections 111, 112, 1028.2, and 12523 to, and Article 3 to Chapter 2, Part 5, Division 3, Title 2 of, Article 2 and a new article heading to Chapter 2, Part 6, Division 3, Title 2 of, and Article 1.5 to Chapter 9, Title 8 of, the Government Code, and repealing acts and parts of acts specified herein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.



This bill has been submitted by the Legislative Counsel as a codification of existing law. The Legislative Counsel advises me that it contains an appropriation and therefore may not be enacted before the final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 496**—An act to codify Chapter 1424 of the Statutes of 1953, making an appropriation for support of the Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association, by adding Section 19626.6 to the Business and Professions Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Grunsky.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 496:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 7, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 496**, "An act to codify Chapter 1424 of the Statutes of 1953, making an appropriation for support of the Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association, by adding Section 19626.6 to the Business and Professions Code, and repealing acts and parts of acts specified herein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the Legislative Counsel as a codification of existing law. The Legislative Counsel advises me that it contains an appropriation and therefore may not be enacted before the final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1915**—An act to amend Section 674 of the Vehicle Code, relating to mirrors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 633**—An act to add Section 3132 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3158 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

**Motion to Re-refer Senate Bill No. 633**

Senator Brown moved that Senate Bill No. 633 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 634**—An act to add Section 3131 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3157 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

**Motion to Re-refer Senate Bill No. 634**

Senator Brown moved that Senate Bill No. 634 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 719**—An act to amend Section 11030 of the Government Code, relating to expenses of state officers and employees, including traveling expenses of retired state employees.

**Motion to Re-refer Senate Bill No. 719**

Senator Brown moved that Senate Bill No. 719 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 391**—An act to amend Section 1829 of the Education Code, relating to the posting of the results of school district elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 367**—An act to add Section 12205 to the Education Code, relating to the issuance of temporary certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 470**—An act to amend Section 8815 of the Education Code, relating to junior college classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 472**—An act to amend Section 7098 of the Education Code and to repeal Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to apportionments, declaring the urgency thereof, to take effect immediately.

**Motion to Re-refer Senate Bill No. 472**

Senator Brown moved that Senate Bill No. 472 be re-referred to Committee on Finance.

Motion carried.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 90**—An act to amend Sections 12216, 12218, and 12303 of, and to add Section 12225 to, the Financial Code, relating to check sellers and cashers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 91**—An act to add Section 12307.2 to the Financial Code, relating to check sellers and cashers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 294**—An act to amend Section 561.1 of, and to add Sections 561.2 and 561.3 to, the Fish and Game Code, relating to permits to deal in fresh-water fish for bait.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 331**—An act conveying certain tidelands, lands lying under inland navigable waters, swamp and overflow lands, situate at San Luis Bay and San Luis Creek, to the Port San Luis Harbor District, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 580**—An act conveying certain tidelands, lands lying under inland navigable waters, and swamp and overflow lands, situate in Alameda County, State of California, to the City of Oakland, in furtherance of navigation and commerce and fisheries, and providing for the government, management, use and control thereof, and reserving certain rights to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 698**—An act to add Sections 11177.5 and 11177.6 to the Penal Code, relating to cooperative returns of parole and probation violators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 700**—An act to repeal Section 6201 of the Penal Code, relating to the California Correctional Facility.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 701**—An act to amend Section 5091 of the Penal Code, relating to the State Correctional System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 722**—An act providing funds for the completion of the lower level of the Richmond-San Rafael bridge, and approaches to said bridge.

Bill read third time.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 722:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO 14, March 15, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 722**, "An act making an appropriation for the completion of the lower level of the Richmond-San Rafael bridge,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

It is necessary that provision be made for the construction of the additional deck on the Richmond-San Rafael Bridge as early as possible so that the new construction can be integrated with the construction work already authorized and under way.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Ward, Way, and J. Howard Williams—29.

**NOES**—Senators Desmond, Grunsky, Sutton, and Thompson—4.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 12.05 p.m., on motion of Senator Grunsky, further proceedings under the call of the Senate were dispensed with.

**COMMUNICATIONS**

The following communication was received, read, and on motion of Senator Ward, ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE  
March 24, 1955

*Hon. Clarence C. Ward*

*President pro Tempore of the Senate  
State Capitol, Sacramento, California*

DEAR SENATOR WARD: The Assembly today adopted a resolution "that the Assembly, on April 28, 1955, resolve itself into a Committee of the Whole for the purpose of considering at one time and in a manner designed to give comprehensive information on the subject to all members, the problems posed by pending legislation relating to: water rights of the counties of origin; all phases of the Feather River and Trinity River projects; the San Luis Reservoir project; the various San Francisco Bay Salt Water Barrier projects; and the proposed State Water Department."

As Speaker, I was instructed by the membership to invite Members of the Senate to participate in this Committee of the Whole hearing.

I have appointed a committee of 11 members to develop an agenda, time schedule and any rules that seem necessary. We invite you to appoint Senators to this planning committee.

Very truly yours,

L. H. LINCOLN, Speaker

cc: Lieutenant Governor Powers

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 771**

Senator Montgomery moved that Senate Bill No. 771 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 771**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 26, of the printed bill, after "clusively", insert "by a farmer owner".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1515**

Senator Montgomery moved that Senate Bill No. 1515 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1515**—An act to amend Section 685 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

## Motion to Amend

Senator Montgomery moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "685", and insert "677".

## Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 677 of the Agricultural Code is amended to read:

677. (a) Every person, before engaging in the business of cutting and wrapping butter, in addition to the factory license, shall obtain and hold a butter cutting and wrapping permit and all persons distributing butter received in packaged form direct from out-of-state points shall obtain a butter distributors permit from the director for each plant or place of business. Every permittee engaging in the business of cutting and wrapping butter shall pay a fee amounting to one dollar (\$1), plus twenty cents (\$.20) for each 1,000 pounds, or part thereof, over and above the first 5,000 pounds of butter cut and wrapped during each of the three month periods ending February 28th, May 31st, August 31st, and November 30th, and such fees shall be paid to the director during the first week of March, June, September, and December, respectively.

Every permittee engaged in the business of distributing butter in accordance with the provisions of this section shall pay a fee amounting to one dollar (\$1), plus twenty cents (\$.20) for each 1,000 pounds, or part thereof, over and above the first 5,000 pounds of butter distributed during each of the three month periods ending February 28th, May 31st, August 31st, and November 30th, and such fees shall be paid to the director during the first week of March, June, September, and December, respectively.

*The fees required by this subdivision shall not be applicable with respect to butter cut and packaged in this State for out-of-state consumption or butter cut and packaged in this State for delivery to the United States Government or any agency thereof.*

(b) Persons in charge of cutting, wrapping, packaging, or distributing butter, or supervisors thereof who shall be responsible for the grading of butter shall obtain and hold a butter grader's license. Application for such license shall be made to the director who shall examine each applicant as to his qualifications and knowledge of butter grades and of the law applicable to him. The fee for a butter grader's license shall be one dollar (\$1) and must accompany the application. All such licenses expire on the thirty-first day of December and may be renewed by payment of a renewal fee of one dollar (\$1)."

## Amendment No. 3

On page 1, strike out lines 3 to 28, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1108

Senator Harold T. Johnson moved that Senate Bill No. 1108 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1108**—An act to amend Sections 13391 and 13394 of, and to add Sections 13402, 13403, 13404, 13405, 13406, and 13407 to the Government Code, relating to the purchase of supplies for state agencies.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the title of the printed bill, as amended in Senate March 18, 1955, strike out "and".

**Amendment No. 2**

On page 1, line 5, after "13407", insert "and 13408".

**Amendment No. 3**

On page 2, line 18, after "bidder", insert "meeting specifications".

**Amendment No. 4**

On page 2, line 21, strike out "Whenever", and insert "Except in cases of emergency where immediate purchase of supplies or equipment without bid is necessary for the protection of the public health, welfare, or safety, whenever".

**Amendment No. 5**

On page 2, between lines 34 and 35, insert "Whenever a purchase in excess of one thousand dollars (\$1,000) is made under this section or Section 13402 without the taking of bids, the department shall report to the joint legislative budget committee the fact of such purchase together with a written statement of the facts requiring the purchase of the supplies or equipment without the taking of bids."

**Amendment No. 6**

On page 2, line 42, strike out "in", and insert "with"; and strike out "the size of".

**Amendment No. 7**

On page 2, line 46, after "for bids", insert ", provided any person present desires the bids to be so read".

**Amendment No. 8**

On page 3, strike out lines 1 to 5, inclusive, and insert "seven days."

**Amendment No. 9**

On page 3, following line 6, insert "13407. Whenever a contract or purchase order is not to be awarded to the lowest bidder, such bidder shall be notified by telegram 24 hours prior to awarding the contract or purchase order to another bidder. If the low bidder, or any other bidder, files a protest with the Department of Finance against the awarding of a purchase order or contract, such contract or purchase order shall not be awarded until either the protest has been withdrawn or the Board of Control has made a final decision as to the action to be taken relative to the protest.

SEC. 9. Section 13408 is added to said code, to read: "

**Amendment No. 10**

On page 3, line 7, strike out "13407", and insert "13408".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1035  
Assembly Bill No. 1727  
Assembly Bill No. 783  
Assembly Bill No. 529  
Assembly Bill No. 530  
Assembly Bill No. 532  
Assembly Bill No. 744

Assembly Bill No. 1230  
Assembly Bill No. 1347  
Assembly Bill No. 1348  
Assembly Bill No. 1352  
Assembly Bill No. 1353  
Assembly Bill No. 1608

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk



## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 1035**—An act to amend Section 13661 of the Government Code, relating to distribution of state publications.

Referred to Committee on Rules.

**Assembly Bill No. 1727**—An act to amend Section 10493 of the Insurance Code, relating to benefit and relief associations.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 783**—An act to amend Section 4903 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 529**—An act to amend Section 1711.5 of the Welfare and Institutions Code, relating to action by the Department of the Youth Authority.

Referred to Committee on Judiciary.

**Assembly Bill No. 530**—An act to amend Section 1767 of the Welfare and Institutions Code, relating to delegation of powers of the Department of the Youth Authority.

Referred to Committee on Judiciary.

**Assembly Bill No. 532**—An act to amend Section 1381 of the Penal Code, relating to the time of trial of persons committed to the Youth Authority on charges other than that for which committed.

Referred to Committee on Judiciary.

**Assembly Bill No. 744**—An act to amend Section 602 of the Code of Civil Procedure, relating to grounds of challenges for cause.

Referred to Committee on Judiciary.

**Assembly Bill No. 1230**—An act to amend Section 29610 of the Government Code, relating to convention expenses of county and court officers.

Referred to Committee on Judiciary.

**Assembly Bill No. 1347**—An act to amend Section 5512 of the Welfare and Institutions Code, relating to sexual psychopaths.

Referred to Committee on Judiciary.

**Assembly Bill No. 1348**—An act to amend Section 5512 of the Welfare and Institutions Code, relating to sexual psychopaths.

Referred to Committee on Judiciary.

**Assembly Bill No. 1352**—An act to amend Section 12107 of, and to add Sections 12757, 12786, 13001.4, and 14002.4 to, the Education Code, relating to persons determined to be sexual psychopaths in respect to employment in the Public School System and to certification documents in connection therewith.

Referred to Committee on Judiciary.

**Assembly Bill No. 1353**—An act to amend Section 5516 of the Welfare and Institutions Code, relating to charges for care and treatment of sexual psychopaths.

Referred to Committee on Judiciary.

**Assembly Bill No. 1608**—An act to amend Section 175 of the Civil Code, relating to the earnings of a husband abandoned by his wife.

Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2489

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 2489**—An act to add Section 214.7 to the Revenue and Taxation Code, relating to the welfare exemption.

Referred to Committee on Revenue and Taxation.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SACRAMENTO, CALIFORNIA, March 24, 1955

MR. PRESIDENT: The Committee on Rules makes the following changes in committee times and committee rooms, effective April 3, 1955:

##### *Tuesday*

8 p.m. Business and Professions	Room 3191
8 p.m. Education	Room 4203

##### *Wednesday*

9 a.m. Fish and Game	Room 4040
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##### *Thursday*

9 a.m. Governmental Efficiency	Room 4203
9 a.m. Local Government	Room 4040

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 722

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 19	Senate Bill No. 391
Senate Bill No. 75	Senate Bill No. 468
Senate Bill No. 90	Senate Bill No. 470
Senate Bill No. 91	Senate Bill No. 472
Senate Bill No. 211	Senate Bill No. 539
Senate Bill No. 273	Senate Bill No. 698
Senate Bill No. 313	Senate Bill No. 700
Senate Bill No. 331	Senate Bill No. 701
Senate Bill No. 367	

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1380

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 4; noes 3; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 346

Senate Bill No. 1382

Senate Bill No. 347

Senate Bill No. 1709

Senate Bill No. 1381

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 31

Senate Bill No. 1208

Senate Bill No. 1206

Assembly Bill No. 8

Senate Bill No. 1207

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 350

Senate Bill No. 1383

Senate Bill No. 617

Senate Bill No. 1825

Senate Bill No. 618

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bills ordered to second reading.

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 203

Senate Bill No. 206

Senate Bill No. 204

Senate Bill No. 207

Senate Bill No. 205

Assembly Bill No. 383

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 921

Senate Bill No. 1606

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 1176

Assembly Bill No. 2125

Assembly Bill No. 437

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

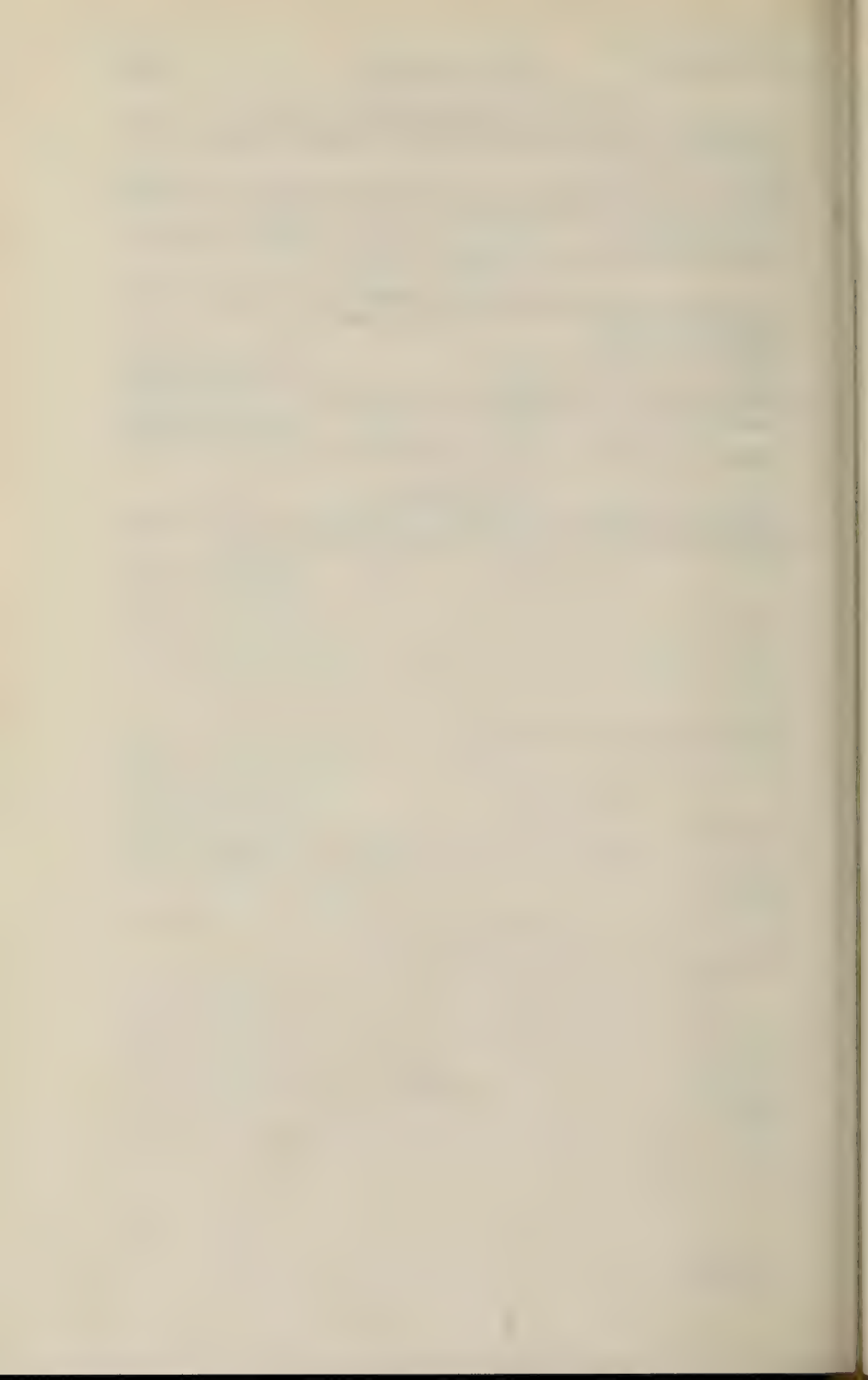
Above reported bills ordered to second reading.

### ADJOURNMENT

At 12.15 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Monday, March 28, 1955.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

FORTY-EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, March 28, 1955

The Senate met at 2 p.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### PLEDGE OF ALLEGIANCE

Senator J. Howard Williams led the Senate in pledging allegiance to the Flag.

### LEAVES OF ABSENCE FOR THE DAY

#### Request for Unanimous Consent

Senator Grunsky asked for, and was granted, unanimous consent to have Senator Abshire excused as he is attending a meeting of the Water Projects Authority at their request.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. and Mrs. Alee G. Nichols of Santa Ana.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and

Mrs. B. C. Barnes and their children, Ann, Richard, and Donald, all of Riverside.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Julian G. Hatheway of Ventura.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor William E. Melvin and the following members of the San Leandro adult school class in citizenship: Mesdames Mary Albino, Mary Amaral, Ami Blaschzyk, Elizabeth Hartman, Lilly Semljanov, Lina Ward, and Miss Effie Anderson.

On request of Senator Richards and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ward Hood of San Fernando and Mrs. O. D. Minard of Michigan.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chief of Police William Parker of Los Angeles: Hon. Earl L. Stockwell, Mayor of Montebello; Mike Mayo, City Attorney of Montebello; and Jim McMaim of Los Angeles.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Miss Delberta Little, Frank Shaw, parent Mrs. Guy Davis, and the following eighth grade students from the Tierra Buena Elementary School, Yuba City: Glen Bell, James Bridges, Paul Cummings, Bill Cunningham, Richard Curtis, Harold Glover, George Knorr, Arthur Marin, Randolph Schnabel, Charles Singh, Oscar Singh, Mary Balderama, Cecil Cooper, Della Cann, Marilyn Davis, Hazel Ford, Ernestina Garcia, Deloris Johnson, La Veda McVey, Jane Nishikawa, and Linda Whitmer.

On request of Senators Dilworth and Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Robert Lyle, parents Mrs. Delbert Winter and Mrs. Bertha Ussery; bus driver Gene Hawks, and the following eighth grade students from the Wright Elementary School, Santa Rosa: Eddie Winter, Bill Grossi, Ronald Mathesen, Eddie Byrne, Owen Wilson, Ted Cahill, John Fudge, Don Shields, Virginia McLean, Diana Stone, Evelyn Nobles, Marilyn Browne, Greely Nelliger, Joyce Fuller, Buddy Freebow, Betty Christie, Carol Dalton, Vickie Polard, Mary Warner, Beverly Billy, Wanda McKinney, Shirley Heck, Geraldine Long, Yvonne Boucher, Joan Poggi, Maureen Byrne, Jerry Combs, Keith Rench, Paul Romero, Roger Archer, Beverly Hugiel, Patty Griden, Richard Perez, Fred Delaney, and Barbara Foley.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruth Walker, Mrs. Melva Brown, Mrs. Joyce Bagley, Bill von Waaden, Gerald Galloway, Otto Petersen, and the following eighth grade students from the Mt. Pleasant School, Santa Clara County: Gary Bagley, Bob Forgay, Ray Johanson, Jan Walker, Gerald Bowen, Jack Brewer, Gerry Reed, Sharleen Newman, Conrad Satelo, Marjorie Brown, Rosa Cusimano, Donna Tester, Carolyn Chamberlain, Joyce Jaca, Carol Loughlin, James Duarte, Joe Cirone, Brian McGuire, Gordon Galloway,

Stephen Foster, Gerry Burleson, Bonnie Roberts, Shirley Petersen, Rene Faria, Sharon Snyder, Nestora Gallardo, and Ernestine Jimenez.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal George J. Hawkins, teacher Mrs. Dorothy Abel, and the following students from the Wakefield School, Turlock: Gail Antifae, Jo Ann Backus, Marjorie Beatty, Berma Davenport, Wanda Dill, Eileen Edberg, Lonell Finch, Judith Klynstra, Ruth Lindvall, Kathleen Markley, Sandra Nottingham, Jeanne Ramos, Brenda Reed, Marjorie Richards, Elizabeth Vrh, Newell Ameer, James Bashor, Richard Bergstrom, Leon Dickey, Lauren Dimberg, Bobby Infantino, Michael Fox, Robert Harris, George Johnson, Roger Johnson, Roger Leedom, Jimmy Lindsey, Calvin Nix, Arlen Santos, Ronald Sarhad, Jay Smith, Lawrence Sweet.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Stewart Norton of Coquille, Oregon, Mrs. Lynn Lambeth of Salem, Oregon; and Mrs. Kraft, wife of Senator Kraft, from San Diego.

On request of Senators Collier and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Martha Mortenson and Mrs. Wendell Nobel of Los Angeles.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Florence Helen Adams Nielly of Los Angeles.

On request of Senators Desmond and John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. Father Pio of Tomales Bay, Marin County.

On request of Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senator and Mrs. B. Mahlon Brown of Las Vegas, Nevada.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor J. Lee and the following social science students from Livermore Joint Union High School: Ronald Beavers, John Biasatti, Mary Lu Bonetti, Ethel Bower, Norman Buckely, Gloria Butts, Sylvia Calhoun, Mary Lou Callaghan, Eleanor Cernusco, Fred Cerruti, Norman Cole, Nina Concanon, Marilyn Daly, Donna Davison, Mary Davison, Robert Duncan, Nancy Farnam, Bill Ferreira, Marie Ferrario, Villette Finck, Darlene Hachmann, Russell Hansen, Robert Harrower, Martin Harms, Ann Hindes, Pat Hudson, Mary Keech, Anna Jo Ladd, Irene Lambaren, Sue Lidster, Carol Malm, Warren Mermilliod, John Michelis, Mary Ann Mourterot, Larry Mustain, Jacqueline O'Malia, Karen Petersen, Dave Rierson, Mary Jane Rooney, Jan Sherman, Jack Stanley, Bob Stefanoni, Richard Szekely, Joan Taylor, Beth Thiell, Sandra Van Ormer, Dolores Willy, Mary Yanes, Betty Zearing, William Groth, and Bob Santos.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to O. S. Ball, Stanislaus County Fire Warden, Modesto; Chester Moller, Assistant



Chief, Berkeley Fire Department; and Bob Greeley, Captain, San Mateo Fire Department, and President of State Firemen's Association.

### COMMUNICATIONS

The following communications were received, read and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
March 28, 1955

*Hon. Harold J. Powers*  
*President of the Senate*

DEAR MR. PRESIDENT: This is the forty-eighth calendar day. Upon the conclusion of business on the forty-seventh calendar day in 1953, we had received from committee 778 bills, given second reading to 588 bills and sent to enrollment 172 bills.

To date this session, we have received from committee 568 bills, given second reading to 410 bills, and sent to enrollment 185 bills. In this respect, we are 13 bills ahead of our position two years ago.

If we do not meet on Saturdays and Sundays, we have 53 days remaining in which to complete the work of the session. Assuming that we will pass as many bills this session as we did two years ago, we will have to dispose of an average of 42 measures per day in order to complete the work on the eighth of June, the 120th day of the session.

Attention must be called to the fact that we had one especially good day last week when we were able to dispose of 68 measures in one day. This satisfactory day's business was in a large measure to be attributed to the fact that there were a series of 47 Assembly Bills dealing with one subject which were disposed of with the maximum of expedition.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

CALIFORNIA STATE PERSONNEL BOARD  
SACRAMENTO, March 23, 1955

*The Honorable Harold J. Powers*  
*President of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. PRESIDENT: A cordial invitation is extended to all Members of the Senate to attend the cornerstone ceremony of the State Personnel Building, 801 Capitol Avenue, Sacramento, at 1.30 p.m., Friday, April 1, 1955.

Invitations and programs are available to the Senators in Mr. Beek's office. So that seats may be reserved, we would appreciate knowing which Senators plan to attend. We trust that it will be possible for many of you to join the Governor and other state officials at this ceremony.

Sincerely,

JOHN F. FISHER, Executive Officer

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day accepted the challenge of the Senate relative to a baseball game.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

(Excerpt From Assembly Journal of March 25th)

Messages From the Senate

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. SPEAKER:

By direction of the Senate, I am transmitting to you herewith Senate Resolution No. 84, the perusal of which I know will strike terror and humiliation to my numerous highly esteemed friends who have the misfortune to be Members of the Assembly.

I assure you I take no pleasure in the thought of the dismay which this communication must inevitably bring to your members. The only compensating feature is the contemplation of the victory which will be achieved by the attaches of the Legislature who will challenge the winners, after the inevitable defeat which will be meted out to your members by the formidable list of athletes enumerated in the attached resolution.

J. A. BEEK, Secretary of the Senate  
By C. V. TAYLOR, Assistant Secretary

Above reported resolution ordered printed in the Journal.

By Senator John F. McCarthy:

**Senate Resolution No. 84**

Relative to challenging the Members of the Assembly to a game of baseball

WHEREAS, In the past various resolutions have been introduced on the subject of a baseball game between the Members of the Senate and the Members of the Assembly in a spirit of levity; and

WHEREAS, It is now time that a serious challenge should be extended by the Senate to the Assembly; and

WHEREAS, The Members of the Senate have agreed upon the following lineup:

First base	Miller, Dilworth
Second base	Robert I. McCarthy, Coombs
Third base	Busch, Donnelly
Shortstop	Grunsky, Cunningham
Left field	Harold T. Johnson, Berry
Center field	Teale, Breed
Right field	Thompson, Cobey
Catcher	Byrne
Pitcher	John F. McCarthy, Burns, Way
Cashier	Hulse
Ticket Chairman	J. Howard Williams
Chief Usher in Charge of Usherettes	Brown
Equipment Manager	Lieutenant Governor Harold J. Powers
Public Relations	Gibson
Business Manager	Parkman
Transportation and Parking	Collier
Grounds Keeper	Montgomery
Manager	Ward
Scorekeeper	Desmond
Announcer	Dorsey
Bat Boy	Short
First Aid	Kraft
Lighting	Ed. C. Johnson
Insurance	McBride
Scout	Regan
Towels	Richards
Special Agent	Murdy
Cushion Rentals	Sutton
Program	Erhart
Concessions	Abshire
Utility	Dale C. Williams

now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate does hereby challenge the Assembly to a game of baseball to be played at 4 p.m. on April 21, 1955, in the Sacramento Baseball Park; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Speaker of the Assembly and to the Chief Clerk of the Assembly.

**Motion**

Mr. Gaffney moved that the Assembly accept the challenge to a baseball game pursuant to Senate Resolution No. 84.

The roll was called, and the motion carried by the following vote:

**AYES**—Allen, Beaver, Bee, Belotti, Bonelli, Bradley, Brady, Brown, Caldecott, Casey, Chapel, Clarke, Cunningham, Davis, Dills, Dolwig, Donahoe, Thomas J. Doyle, Elliott, Erwin, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Henderson, Johnson, Kelly, Kilpatrick, Klockslem, Levering, Lindsay, Lowrey, Lyon, Maloney, Marsh, Masterson, McCollister, McFall, McMillan, Morris, Munnell, Nisbet, Pattee, Porter, Rees, Rumford, Schrader, Stanley, Thomas, Weinberger, and Wilson—53.

**NOES**—None.

## Communication

The following communication was presented by the Speaker pro Tempore, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, March 24, 1955

Senator John F. McCarthy  
Senate Chamber, State Capitol  
Sacramento, California

DEAR SENATOR: Your timely resolution challenging the Members of the State Assembly to a game of baseball has been received and in accordance with the Constitution of the State of California, the statutes and the house Rules of both houses and also the Joint Rules of the Senate and Assembly, the resolution will be properly considered.

The Members of the Assembly will share their expense in the cost for the day. We most respectfully suggest that at least 10 doctors be employed by the Senate to be stationed on the field so that each position will be covered. The extra doctor will be at the service of the umpire.

Masks, bats, balls, and other equipment are to be supplied by the Sacramento Baseball Club without charge.

Splints, bandages, liniment, and all medications are to be provided by Dr. Teale. We do, and this is said in a respectful way, recommend that the Honorable Members of the Senate, who will play, kindly go on a diet to help reduce their waist lines.

Our members are already in good shape and raring to go.

The following members will participate in the line-up:

First Base	Tom Rees, 6'7"
Second Base	Frank Lanterman
Third Base	A. I. Stewart
Shortstop	George Clarke
Left Field	Ed. M. Gaffney
Center Field	Judge Masterson
Right Field	Herb Klocksiem
Catcher	Bud Collier
Pitchers	Maloney and Lincoln

## Substitutes—Second Team

First Base	Pat McGee
Second Base	Allen Smith
Third Base	Jack Beaver
Shortstop	LeRoy Lyon
Left Field	Ralph Brown
Center Field	Carlos Bee
Right Field	Walter Dahl
Catcher	Lloyd Lowrey
Pitchers	Joe Shell and Dick Dolwig

The second team will play an exhibition game with the Cleveland Indians on April 14th, so I am glad you have selected April 21st for the event between the Honorable Members of your House and the Assembly.

It is with pleasure on behalf of our trained athletes that I accept your gracious challenge.

I am

ABE LINCOLN

## Motion to Name Manager of Assembly Team

Mr. Lowrey moved that Mrs. Davis be made manager of the Assembly baseball team.

Motion carried.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1495

Senate Bill No. 1964

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 28, 1955

MR. PRESIDENT: The Committee on Rules made the following change in committee time:

*Monday*

Financial Institutions from 11 a.m. to 10.30 a.m.

WARD, Chairman

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 762

Senate Bill No. 1252

Senate Bill No. 796

Senate Bill No. 1291

Senate Bill No. 799

Senate Bill No. 1759

Senate Bill No. 828

Senate Bill No. 1804

Senate Bill No. 1065

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 38

Senate Bill No. 719

Senate Bill No. 117

Senate Bill No. 760

Senate Bill No. 148

Senate Bill No. 852

Senate Bill No. 365

Senate Bill No. 946

Senate Bill No. 471

Senate Bill No. 947

Senate Bill No. 546

Senate Bill No. 1112

Senate Bill No. 633

Senate Bill No. 1203

Senate Bill No. 634

Senate Bill No. 1252

Senate Bill No. 635

Senate Bill No. 1813

Senate Bill No. 705

Senate Bill No. 1889

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 356

Senate Bill No. 706

Senate Bill No. 1744

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 58

Senate Bill No. 1100

Senate Bill No. 707

Senate Bill No. 717

Senate Bill No. 1054

Senate Bill No. 818

Senate Bill No. 1099

And reports the same correctly engrossed.

WARD, Chairman



**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Senate Bill No. 1509

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

J. HOWARD WILLIAMS, Chairman

Above reported bill ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 23, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 1222

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bill ordered to second reading.

**MOTION TO APPROVE JOURNALS**

Senator Burns moved that the Journals for Monday, March 21, 1955; Tuesday, March 22, 1955; Wednesday, March 23, 1955; Thursday, March 24, 1955; and Friday, March 25, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 803**—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3924, 3925, 3926, 3946, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 8 of the printed bill, strike out line 42.

**Amendment No. 2**

On page 9, line 21, strike out "----- Township".

**Amendment No. 3**

On page 14, strike out line 25, and insert  
"(b) Judge of inferior court".

**Amendment No. 4**

On page 14, line 31, strike out "and Township".

**Amendment No. 5**

On page 14, line 32, strike out "and township".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1380**—An act to amend Section 6535 of the Business and Professions Code, relating to barbers and barber colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 6535.1 to,".

**Amendment No. 2**

On page 1, line 8, strike out "1,250", and insert "1,248".

**Amendment No. 3**

On page 1, strike out lines 13 to 19, inclusive.

**Amendment No. 4**

On page 1, line 22, after "hair", strike out the comma, and insert "and".

**Amendment No. 5**

On page 1, after line 26, insert  
"SEC. 2. Section 6535.1 is added to said code, to read:  
6535.1. The board may, in its discretion, extend for a reasonable period the period of time within which any course of instruction shall be completed by any student upon the showing of good cause, which shall include but is not limited to interruptions in completing the course of instruction caused by any illness of or accident to the student or service in the armed forces of the United States."

Amendments read, and adopted.

**Motion to Further Amend**

Senator Kraft moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "1,250", insert "hours".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 346**—An act to amend Section 7394.1 of the Business and Professions Code, relating to cosmetology.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 347**—An act to amend Section 7351 of the Business and Professions Code, relating to manicurists.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1381**—An act to amend Section 6537 of the Business and Professions Code, relating to barber colleges.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 16 and 17 of the printed bill, strike out the words "Holds a valid, unexpired and uncanceled certificate of registration as a registered apprentice," and insert "Has met all the requirements of this chapter to take the examination for a certificate as a registered apprentice."

Amendment read, and adopted.

Bill ordered printed, engrossed, to third reading.

**Senate Bill No. 1382**—An act to amend Section 6560 of the Business and Professions Code, relating to barbers.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 19, of the printed bill, strike out "licensed".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1709**—An act to add Section 7437.5 to the Business and Professions Code, relating to cosmetology.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 31**—An act to add Section 2765 to the Business and Professions Code, relating to nurses convicted of a felony or an offense involving moral turpitude.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1206**—An act to add Section 8753, and to amend Section 8805 of the Business and Professions Code, relating to land surveyors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1207**—An act to amend Sections 6751 and 6753 of the Business and Professions Code, relating to professional engineers.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "professional", insert "engineer".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1208**—An act to amend Section 6731 of the Business and Professions Code, relating to civil engineering.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 350**—An act to repeal Section 7329, and to amend Sections 7331, 7334, 7383, 7393, and 7412 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 21, of the printed bill, after "or", strike out "to".

**Amendment No. 2**

On page 1, line 22, after "employed", insert "or permit to work".

**Amendment No. 3**

On page 3, line 21, after "radio", insert ", unless the work advertised is expressly designated as student work."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 617**—An act to add Section 7326 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 9 to 13, inclusive, and insert "and any person who engages in the practice of any branch of cosmetology for compensation received or expected without securing a license pursuant to the provisions of this chapter is guilty of a misdemeanor."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 618**—An act to amend Section 7399 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 3 of the printed bill, after "7399.", insert "(a)".

**Amendment No. 2**

On page 1, line 7, before "The", insert "(b)".

**Amendment No. 3**

On page 1, line 15, strike out "or regional".

**Amendment No. 4**

On page 1, line 16, strike out "or meeting".

**Amendment No. 5**

On page 1, strike out line 17, and insert "affiliates, when a permit for the giving of any such lecture, demonstration, or instruction is first obtained from the board.

The board may adopt such rules and regulations governing the issuance of permits as it finds necessary to carry out the provisions of this subdivision."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1383**—An act to amend Section 6561 of the Business and Professions Code, relating to barbers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 2, line 2, of the printed bill, after "than", strike out "500", and insert "250".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1825**—An act to amend Sections 7666 and 7686.5 of the Business and Professions Code, relating to funeral directors and embalmers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 12, of the printed bill, as amended in Senate March 21, 1955, after "in", insert "active".

##### Amendment No. 2

On page 2, lines 7 and 8, strike out "; except in the case of misrepresentation or fraud." and insert "; provided, however, that the foregoing provision shall not constitute a defense to an accusation alleging fraud or misrepresentation as a ground for disciplinary action. The cause for disciplinary action in such case shall not be deemed to have accrued until discovery, by the board, of the facts constituting the fraud or misrepresentation, and, in such case, the accusation shall be filed within two years after such discovery."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 203**—An act to amend Section 610 of the Agricultural Code, relating to cheese.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 204**—An act to repeal Section 612.5 of the Agricultural Code, relating to hoop cheese.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 205**—An act to amend Section 613 of the Agricultural Code, relating to cheese.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 206**—An act to amend Section 614 of the Agricultural Code, relating to cheese.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 207**—An act to add Section 614.1 to the Agricultural Code, relating to cheese.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 921**—An act to amend Sections 4226, 4230, 4247, 4280, 4292, 4294.5, and 4355 of, to add Section 4231 to, and to repeal Sections 4272 and 4291 of, the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate March 21, 1955, after "4247," insert "4259, 4270, 4273, 4274".

##### Amendment No. 2

In line 2 of the title, after "4294.5," insert "4296, 4351".

**Amendment No. 3**

In line 3 of the title, strike out "Section 4231", and insert "Sections 4223, 4231, and 4285".

**Amendment No. 4**

On page 1, strike out lines 13 and 14, and insert "SECTION 1. Section 4223 is added to the Agricultural Code, to read: 4223. "Fluid skim milk" means skim milk as defined in this code that is derived from market milk and conforms to the health and sanitary regulations of the place where sold or disposed of for human consumption. SEC. 2. Section 4226 of said code is amended to read:".

**Amendment No. 5**

On page 2, line 3, strike out "SEC. 2", and insert "SEC. 3".

**Amendment No. 6**

On page 2, line 11, strike out "Class 1 price", and insert "applicable price established for Class 1 usage".

**Amendment No. 7**

On page 2, line 14, strike out "Section 4226", and insert "Sections 4223 and 4226".

**Amendment No. 8**

On page 2, line 18, strike out "SEC. 3", and insert "SEC. 4".

**Amendment No. 9**

On page 2, line 21, after "milk", insert "or cream or skim milk".

**Amendment No. 10**

On page 2, line 26, strike out "cream and skim milk", and insert "fluid cream and fluid skim milk or fluid cream or fluid skim milk".

**Amendment No. 11**

On page 2, line 28, strike out "applicable plant charges and", and strike out lines 29 and 30, and insert "such plant and transportation charges as may be provided for in the stabilization and marketing plan for such area."

**Amendment No. 12**

On page 2, line 31, strike out "SEC. 4", and insert "SEC. 5".

**Amendment No. 13**

On page 2, line 32, strike out "The", and insert "In the event that the director establishes under this chapter a stabilization and marketing plan for fluid milk, the".

**Amendment No. 14**

On page 2, line 33 and 34, strike out "in accordance with a", and insert ", or either, under such a".

**Amendment No. 15**

On page 2, strike out lines 35, 36 and 37, and insert "that the".

**Amendment No. 16**

On page 2, line 39, after "cream", insert "and the price of fluid skim milk".

**Amendment No. 17**

On page 2, line 42, after "cream", insert "and in producing and marketing fluid skim milk".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

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**Amendment No. 18**

On page 2, between lines 43 and 44, insert "SEC. 6. Section 4259 of said code is amended to read: 4259. Whenever the director determines that it is probable that one or more factors or conditions which affect prices of fluid milk and fluid cream and fluid skim milk have changed on a relatively uniform basis throughout two or more marketing areas he may consolidate the hearings on the matter of price changes for such areas. No price change shall be made as a result of such a consolidated hearing unless it is uniform throughout the areas affected.

**SEC. 7. Section 4270 of said code is amended to read:**

4270. The director shall designate marketing areas which he deems necessary or advisable to effectuate the purposes of this chapter, and wherein he finds the conditions affecting the production, distribution and sale of fluid milk, fluid cream [or both] and fluid skim milk are reasonably uniform. The director shall have the power to establish additional areas or to modify areas theretofore established when he deems the establishment or modification of such areas necessary or advisable to effectuate the purposes of this chapter. When the director finds, after a public hearing in and for each particular marketing area under consideration for consolidation, that conditions of production and distribution are reasonably uniform in two or more such marketing areas wherein stabilization and marketing plans and minimum wholesale and minimum retail prices are in effect, he may consolidate the areas; provided, that at said hearings more than thirty five (35) percent of the producers present who supply the areas proposed to be consolidated do not object to such consolidation."

**Amendment No. 19**

On page 2, strike out line 44, and insert

"SEC. 8. Section 4272 of said code is repealed.

SEC. 9. Section 4273 of said code is amended to read:

4273. If the director finds that a stabilization and marketing plan is necessary to accomplish the purposes of this chapter, he shall formulate a stabilization and marketing plan for fluid milk [or fluid cream or both] for such area and issue a notice of public hearing upon the plan formulated to all producers and distributors of record with the Department of Agriculture who may be subject to the provisions of such plan. The notice of hearing may be effected by mail, or by publication for five successive days in a newspaper of general circulation in the area designated and shall specify the time and place of such hearing, which shall not be held prior to 10 days from the mailing, or from the final publication of such notice; provided, however, that if no daily newspaper of general circulation is published in the area designated, publication of notice for two successive weeks in a weekly newspaper of general circulation in the area will be considered proper publication of notice. At the hearing, interested parties shall be heard and records kept of the proceedings of such hearing for determination by the director whether the plan proposed will accomplish the purposes of this chapter. If, after public hearing the director determines that the proposed plan will tend to accomplish the purposes of this chapter within the standards herein prescribed, he shall issue an order to all producers and distributors of record with the director, and subject to the provisions of such plan, declaring such plan in effect within 30 days from the date of such hearing.

SEC. 10. Section 4274 of said code is amended to read:

4274. The director may appoint local control boards for the marketing areas established as prescribed in this chapter to assist and advise him in matters pertaining to the production and marketing of fluid milk [or fluid cream or both] or to the operation of a stabilization and marketing plan. The board shall consist of seven members who shall be producers who supply fluid milk [or fluid milk for fluid cream] to the particular marketing area. The term of office of each such member shall be two years, unless the plan is terminated before said term expires. Said local board may meet in regular session each month, and each member shall be allowed ten dollars (\$10) per diem and mileage at the rate of five cents (\$0.05) per mile for attending such regular meetings. The board, or any member thereof, may be allowed actual and necessary expenses incurred in attending any meeting or conference called or authorized by the director within or outside of the boundaries of the State of California. Said board with the previous approval of the director may employ such personnel as may be necessary in the performance of its duties and shall adopt rules and regulations for its conduct. The board shall submit a budget of its expenses to the director for his approval. The funds to be used for the maintenance of the board shall be paid from the proceeds of assessments and licenses paid to the director under the plan upon verified claims presented by the board to the director. The board shall not incur any expenses other than those for per diem and mileage, unless approved by the director."

**Amendment No. 20**

On page 2, line 45, strike out "SEC. 6." and insert "SEC. 11."

**Amendment No. 21**

On page 3, line 3, after "cream", insert "or fluid skim milk".

**Amendment No. 22**

On page 3, line 7, after "cream", insert "or fluid skim milk,".

**Amendment No. 23**

On page 3, line 10, after "cream", insert "or fluid skim milk".

**Amendment No. 24**

On page 3, line 41, after "cream", insert "or fluid skim milk".

**Amendment No. 25**

On page 4, line 1, after "cream" insert "or fluid skim milk".

**Amendment No. 26**

On page 4, line 6, after "cream", insert "or fluid skim milk".

**Amendment No. 27**

On page 4, line 11, after "milk", insert "which are reconstituted into such fluid milk, or fluid cream or fluid skim milk for market usage,".

**Amendment No. 28**

On page 4, between lines 12 and 13, insert  
"SEC. 12. Section 4291 of said code is repealed."

**Amendment No. 28.5**

On page 4, line 13, strike out "SEC. 7", and insert "SEC. 13.".

**Amendment No. 29**

On page 4, line 17, after "cream," insert "or".

**Amendment No. 30**

On page 4, line 18, strike out "or fluid milk for fluid cream".

**Amendment No. 31**

On page 4, line 19, after "cream," insert "or".

**Amendment No. 32**

On page 4, line 20, strike out "or fluid milk for fluid cream".

**Amendment No. 33**

On page 4, lines 21 and 22, strike out "or within or without", and insert "within".

**Amendment No. 34**

On page 4, line 22, after "California", insert ", and may contain such provisions whether or not such fluid milk, fluid cream, or fluid skim milk is subsequently sold or distributed without the jurisdiction of the State of California".

**Amendment No. 35**

On page 4, line 24, after "cream," insert "or".

**Amendment No. 36**

On page 4, line 25, strike out "or fluid milk for fluid cream".

**Amendment No. 37**

On page 4, line 26, after "cream," insert "or".

**Amendment No. 38**

On page 4, line 26, strike out "or fluid milk for fluid cream".

**Amendment No. 39**

On page 4, line 32, after "cream," insert "or".

**Amendment No. 40**

On page 4, lines 32 and 33, strike out "or fluid milk for fluid cream".

**Amendment No. 41**

On page 4, line 35, after the first "cream," insert "or".

**Amendment No. 42**

On page 4, line 35, strike out "or fluid milk for fluid cream".

**Amendment No. 43**

On page 4, line 38, after "cream," insert "or".

**Amendment No. 44**

On page 4, line 39, strike out "or fluid milk for fluid cream".

**Amendment No. 45**

On page 4, line 42, after "cream," insert "or".



**Amendment No. 46**

On page 4, lines 42 and 43, strike out "or fluid milk for fluid cream".

**Amendment No. 47**

On page 4, line 45, after "cream," insert "or".

**Amendment No. 48**

On page 4, lines 45 and 46, strike out "or fluid milk for fluid cream".

**Amendment No. 49**

On page 5, line 1, strike out "SEC. 8.", and insert "SEC. 14."

**Amendment No. 50**

On page 5, line 12, strike out "Sections 4247, 4282, and 4292", and insert "This section".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 51**

On page 5, between lines 15 and 16, insert

"SEC. 15. Section 4285 is added to said code, to read:

4285. The repeal of Sections 4272 and 4291 shall not be construed to affect the validity and continuing effect of any stabilization and marketing plan for fluid cream heretofore established by the director in any marketing area. Any such plan shall continue in effect, and may be amended or terminated only as provided in Section 4248.

SEC. 16. Section 4296 of said code is amended to read:

4296. No distributor subject to the provisions of any stabilization and marketing plan shall purchase milk from producers who do not comply with the provisions of this chapter and such plan. No such plan shall involve a limitation upon the production of fluid milk, [or] fluid cream or fluid skim milk.

SEC. 17. Section 4351 of said code is amended to read:

4351. The director shall in all marketing areas wherein a stabilization and marketing plan for fluid milk [or fluid cream] is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing minimum wholesale and minimum retail prices for fluid milk, including pasteurized concentrated milk [, or fluid cream].

At the time any stabilization and marketing plan is hereafter established under the provisions of this chapter, the director shall designate and prescribe, or provide methods for designating and prescribing, such minimum wholesale prices and such minimum retail prices; provided, however, that all prices established under the terms of this article shall be such prices as are determined by the director pursuant to the provisions of this article.

*The director shall, in all marketing areas wherein a stabilization and marketing plan for fluid cream is in effect, or wherein the director has, under a stabilization and marketing plan for fluid milk, prescribed minimum prices to be paid by distributors for fluid cream, designate and prescribe or provide methods for designating and prescribing minimum wholesale and minimum retail prices for fluid cream, but only in the event that by written petition of distributors filed with the director, or by public hearing conducted by the director in such area for the purpose, the director determines that distributors who distribute not less than 65 percent of the total volume of fluid cream consumed in such marketing area desire that the director designate and prescribe or provide methods for designating and prescribing minimum wholesale and minimum retail prices for fluid cream in such marketing area."*

**Amendment No. 52**

On page 5, line 16, strike out "SEC. 9.", and insert "SEC. 18."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1606**—An act to amend Section 460 of the Agricultural Code, relating to milk.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 460", and insert "Sections 460 and 479".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, after line 27, insert

"SEC. 2. Section 479 of said code is amended to read:

479. The class or grade of all market milk sold, except in bulk to distributors, the word "raw" or "pasteurized," as the case may be, [and] the name and address of the distributor or original bottler, *and the minimum percentage of milk fat content*, shall at all times appear plainly and in a conspicuous place on, or be securely attached to, every can, bottle, can or other container. If the name and address of the distributor is used, the milk products plant license number of the original bottler as assigned annually by the director, may be used in lieu of the name and address of the original bottler.

Ungraded market milk shall be labeled with the words "Market milk." Graded market milk shall be labeled with the name of the grade. All labels required by this section shall be in capital letters not less than one-eighth inch in height and one-sixteenth inch in width."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1176**—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to the feeding of garbage to swine.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in Senate March 1, 1955, strike out "or", and insert "and".

**Amendment No. 2**

On page 2, line 7, after "of", strike out the blank and insert "twenty".

**Amendment No. 3**

On page 2, line 8, after "(\$)" insert: "20".

**Amendment No. 4**

On page 2, strike out all of line 12, and insert "twenty dollars (\$20)."

**Amendment No. 5**

On page 2, line 25, strike out "livestock diseases", and insert "vesicular exanthema".

**Amendment No. 6**

On page 2, line 27, strike out the first "or", and insert "and".

**Amendment No. 7**

On page 2, line 29, after "director", insert "issued pursuant to this article".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 235**—An act to add Section 3922.1 to, and to amend Section 3946 of, the Elections Code, relating to ballots.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 247**—An act to amend Section 11057 of the Elections Code, relating to petitions for recall of county officers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 249**—An act to amend Section 1812 of the Education Code, relating to school district elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 250**—An act to amend Sections 14258.5, 14540, and 14813 of the Health and Safety Code, relating to fire protection districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 251**—An act to amend Section 21680 and repeal Section 21689 of the Water Code, relating to voting.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 253**—An act to amend Sections 30748, 30754, 30755, and 30756 and repeal Sections 30757 and 30759 of the Water Code, relating to nomination petitions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 254**—An act to amend Section 4.1 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), relating to municipal water districts.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in Assembly March 10, 1955, strike out "Water", and insert "Elections".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 8**—An act to add Section 3042.5 to the Business and Professions Code, relating to the practice of optometry.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 383**—An act to amend Section 364.1 of the Agricultural Code, relating to public sales yards for the sale of cattle.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2125**—An act to amend Section 952 of the Agricultural Code, relating to cotton industry and the products thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 24, of the printed bill as amended in Assembly March 10, 1955, strike out the second "of", and insert "the boundaries of the district were constituted on".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 437**—An act to amend Section 12516, the Business and Professions Code, relating to weighing devices.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, lines 13 and 14, of the printed bill as amended in Assembly March 10, 1955, strike out "a written statement made at the time of weighing, on a form approved by the department", and insert "a state certificate of weights and measures, made at the time of weighing".

**Amendment No. 2**

On page 1, line 15, after "livestock", insert a comma.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 1206 and 1176 and Assembly Bills Nos. 8 and 383 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 1206 and 1176 and Assembly Bills Nos. 8 and 383 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 38**—An act to add Section 5468 to the Public Resources Code, relating to county recreational districts comprising federally owned land and prescribing the powers and duties of such districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery,



Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 828**—An act to amend Sections 12186, 12187, 12189, and 12203 of the Government Code, relating to fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1099**—An act to amend Section 16474 of the Government Code, relating to investment of Surplus Money Investment Fund money, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

#### President of the Senate Presiding

At 2.45 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Senate Bill No. 1100**—An act to amend Section 16305.5 of the Government Code, relating to deposit or investment of treasury trust accounts funds, declaring the urgency thereof to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 117**—An act to amend Sections 18197 and 18198 of the Education Code, relating to fees for the approval of plans for school building construction, and providing for the transfer of excess accumulations thereof from the Division of Architecture Public Building Fund to the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 852**—An act to add Section 60623 to the Government Code, relating to community service districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 273**—An act to amend Section 9756 of the Education Code, relating to special day and evening classes for adults.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 471**—An act to amend Sections 7000.1, 7000.3, and 7190 of, and to add Section 7191 to, the Education Code, relating to correcting apportionments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1813**—An act to amend Section 4621 of the Education Code, relating to governing boards of unified school districts continuous with or including a chartered city or city and county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 172**—An act to amend Section 1403 of the Fish and Game Code, relating to burros, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—Senator Teale—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, E. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—Senator Teale—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 313**—An act to amend Sections 13353, 13354, 13362, 13364, 13375, and 13396 of the Health and Safety Code, relating to clothes cleaning establishments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—Senator Miller—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 365**—An act to amend Sections 7109.1, 7112, 7113, 7114, 7119, 7121.2, 7123, and 7124 of, and to repeal Section 7119.1 of the Education Code and Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to State School Fund apportionments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—34.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.30 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**Senate Bill No. 468**—An act to amend Section 1153 of, to add Section 12420.1 to, and to repeal Section 20122 of, the Government Code, relating to payroll deductions for purchases of United States savings bonds by state officers and employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 717**—An act to amend Section 19622.7 of the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 818**—An act to add Section 11013 to the Government Code, relating to state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1252**—An act to amend Sections 4852.01, 4852.02, 4852.03, 4852.06, and 4852.13, and to repeal Section 4852.18 of, and to add Section 4852.18 to, the Penal Code, relating to certificates of rehabilitation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1291**—An act to amend Section 8.5 of the Civil Defense Act of 1950 (Chapter 3 of the Statutes of the Third Extraordinary Session of 1950), relating to the effective date of the Civil Defense Act of 1950.

Bill read third time, and presented by Senator Montgomery for Senator Miller.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1560**—An act to amend Section 1347 of the Fish and Game Code, relating to elk.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C.

Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

#### Motion to Amend Title

Senator Brown moved the adoption of the following amendment to the title of Senate Bill No. 1560:

#### Amendment No. 1

In line 2 of the title of the printed bill, after the word "clk", strike out the period and insert ", declaring the urgency thereof to take effect immediately."

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 546**—An act to add Section 13105.5 to the Health and Safety Code, relating to the publication of laws relating to firemen and fire protection and control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 705**—An act to amend Section 2700 of the Penal Code, relating to forfeited earnings of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 946**—An act to add Article 2.5 to Chapter 1 of Division 5 of the Public Resources Code, relating to historical routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 947**—An act to add Sections 5025.11 and 5025.12 to the Public Resources Code, relating to historical routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 760**—An act to amend Sections 13551, 13602, 13603, and 13607 and to repeal Sections 13553 and 13578 of the Government Code, relating to state printing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1203**—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 148**—An act to amend Section 28122 of the Government Code, relating to compensation for public service in counties of the twenty-second class.

#### Motion to Refer Bill to Inactive File

Senator John F. McCarthy moved that Senate Bill No. 148 be placed on the inactive file.

Motion carried.

**Senate Bill No. 539**—An act to amend Section 36501 of, and to add Section 38611 to, the Government Code, relating to fire departments in cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 75**—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1889**—An act to amend Sections 54347, 54348, and 54353 of, and to add Sections 54343, 54354, 54355, 54356, 54357, 54358, 54359, 54360, 54361, 54362, 54363, 54364, 54365, 54366, 54367, 54368, 54369, and 54370 to, and to add Article 13 to Chapter 6 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to revenue bonds and the powers of a local agency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### Secretary J. A. Beek at the Desk

**Senate Bill No. 19**—An act to repeal an act entitled "An act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897, relating to the registration of land titles, deeds, and instruments affecting land titles, and all acts amending same thereby repealing all provisions of law relating to the registration of land titles, deeds, and instruments affecting land titles, and making provision as to titles to land registered thereunder; declaring the urgency of this act, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Short, Thompson, Ward, and J. Howard Williams—27.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 762**—An act to abolish a condemnation fund established in the State Treasury with respect to the Montague Water Conservation District and to transfer the balance of said fund to the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 796**—An act to amend Sections 1 and 2 of the Solano County Flood Control and Water Conservation District Act, relating to the Solano County Flood Control and Water Conservation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

#### Motion to Amend Title

Senator Gibson moved the adoption of the following amendment to the title of Senate Bill No. 796:

#### Amendment No. 1

In line 2 of the title of the printed bill as amended in Senate March 11, 1955, after "Act", insert "(Chapter 1656 of the Statutes of 1951)".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 799**—An act to add Article 5.5 to Chapter 2, Part 4, Division 16 of the Water Code, relating to county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1065**—An act to amend Sections 34080, 34302, 34318, 34321, 34326, 34403, 34405, 34407, 34409, 34452, 34600, 34605, 34606, 34607, 34700, 34876, 35729, 35837, 35838, 36501, 36511, 37113, 37421, 37600, 37650, 38600, 38601, 38630, 38631, 38660, 38791, 38792, 40601, and 51300; the heading of Chapters 5 and 6 and Articles 3 and 4 of Chapter 7, Part 1, Division 2, Title 4; the headings of Articles 2 and 4 of Chapter 2, Article 3 of Chapter 5, Article 2 of Chapter 6, Articles 1 and 3 of Chapter 13, Articles 2 and 4 of Chapter 14, Article 3 of Chapter 15, and Articles 1 and 3 of Chapter 18, Part 2, Division 3, Title 4; the headings of Articles 4 and 5, Chapter 1, Division 4, Title 4; and the heading of Article 2, Chapter 2, Division 5, Title 4 of; to repeal

Sections 34100 to 34120, inclusive, 34601 to 34604, inclusive, 34608, 34850, 34870, 36500, 36800, 36930, 37112, 37200, 37381, 37540, 37900, 37930, 38602, to 38610, inclusive, 38632, 38633, 38770, 38772, 38793, 38794, 38901, 39500, 39730, 39960, 40400, 40600, 40605, 40606, 40800, 41000, 41200, 41600, 41800, 43060, 45340, and 55630; Articles 1 and 2 of Chapter 7, Part 1, Division 2, Title 4; Chapter 2, Part 1, Division 3, Title 4; Article 2 of Chapter 1, Article 3 of Chapter 2, Article 2 of Chapter 4, Article 3 of Chapter 14, Article 4 of Chapter 15, and Article 2 of Chapter 18, Part 2, Division 3, Title 4; Article 2 of Chapter 2, Article 2 of Chapter 3, Article 2 of Chapter 6, Article 2 of Chapter 7, and Chapter 8, Part 3, Division 3, Title 4; and Article 2, Chapter 1, Division 4, Title 4; and the heading of Chapter 1, Part 1, Division 3, Title 4; the headings of Article 1 of Chapter 1 and Article 1 of Chapter 4, Part 2, Division 3, Title 4; the headings of Article 1 of Chapter 2, Article 1 of Chapter 3, Article 1 of Chapter 6, and Article 1 of Chapter 7, Part 3, Division 3, Title 4; and the heading of Article 3, Chapter 1, Division 4, Title 4 of; and to add Sections 34100, 34101, and 34102 to, the Government Code; to amend Sections 2102.1, 2103, 2103.1, 4623, and 14108, and to repeal Section 4622 of, the Education Code; to amend Sections 5932.5, 9700, 9705, 10000, and 11170, and the headings of Chapters 2 and 3, Part 2, Division 11, and to repeal Section 9704 of, the Elections Code; and to amend Section 555 of the Labor Code; relating to the classification of cities.

Bill read third time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendment:

**Amendment No. 1**

On page 7, line 52, of the printed bill, strike out "city".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 706**—An act to repeal Sections 2943 and 2944 of the Penal Code, relating to discharged prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1744**—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—31.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 58**—An act to amend Section 1940 of the Labor Code, relating to the employment of aliens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 707**—An act to amend Section 288a of the Penal Code, relating to sex offenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 314**—An act to add Section 1324 to the Fish and Game Code, relating to nutria permits.

#### Motion to Refer Bill to Inactive File

Senator Brown moved that Assembly Bill No. 314 be placed on the inactive file.

Motion carried.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Desmond moved that Senate Bill No. 341 be taken from the inactive file and placed on the second reading file.

Motion carried.

### RESOLUTIONS

The following resolution was offered:

By Senators Regan, Miller, Harold T. Johnson, Berry, Brown, Busch, Byrne, Cobey, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Dale C. Williams, and J. Howard Williams:

#### Senate Resolution No. 86

##### Relative to consideration of water problems

WHEREAS, There are now pending before the Legislature many bills relative to the development of water resources of the State, including proposals to determine the rights of the areas in which waters originate, the creation of a Department of Water Resources, and the provision for construction of water development projects which would require the expenditure of billions of dollars; and

WHEREAS, These measures have been proposed to meet what has come to be recognized as the most serious problems ever to face our State; and

WHEREAS, The solution which this Legislature adopts for any of these problems may well irrevocably determine the destiny of our State and its inhabitants; and

WHEREAS, These problems are of such magnitude and importance that public interest requires that all Members of the Senate be afforded the opportunity to hear all of the discussions presented relative to water legislation in order that they may intelligently act upon the measures; now, therefore, be it

*Resolved by the Senate of the State of California*, That on April ----, 1955, at the hour of ----, the Senate resolve itself into a Committee of the Whole for the purpose of considering pending measures relative to the development of our water resources.

Resolution read, and referred to Committee on Rules.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1440

Senator Kraft moved that Senate Bill No. 1440 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1440**—An act to amend Sections 35104, 35108, 35251, 35257, 35258, 35404, 35411, 35412, 35413, 35418, 35423, 35560, 35565 and 3568 of the Streets and Highways Code, to repeal Section 35401 of said code, and to add Sections 35113, 35275, 35276, 35402.1, 35402.2, 35402.3, 35414.1 and 35566 to said code, relating to districts formed under the Parking District Law of 1951, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Kraft moved the adoption of the following amendments:

##### Amendment No. 1

In line 2 of the title of the printed bill as amended in Senate March 18, 1955, strike out "35404," and insert "35402, 35404, 35406".

##### Amendment No. 2

In line 3 of the title, strike out "35560, 35565 and 35568", and insert "35428, 35560, 35565, 35568, and 35704".

##### Amendment No. 3

In line 5 of the title strike out "35113", and insert "35108.5, 35108.6".

##### Amendment No. 4

In line 6 of the title, strike out "and 35566", and insert ", 35566, and 35706".

##### Amendment No. 5

In line 6 of the title, after "Code," insert "and to add Chapter 6, comprising Sections 35750 to 35756, inclusive, to Part 4 of Division 18 of said code,".

##### Amendment No. 6

On page 3, strike out lines 5 to 7, inclusive, and insert

"SEC. 3. Section 35108.5 is added to said code, to read:

35108.5. To expedite the making of any such acquisition and improvement, the legislative body may, at any time, transfer into the acquisition and construction fund, out of available funds, such sums as may be deemed necessary, and make such acquisitions or improvements or both, and pay such incidental expenses therefrom as deemed advisable, and such sums so transferred shall be deemed a loan to such special fund, and shall be repaid from the proceeds of the bonds.

SEC. 4. Section 35108.6 is added to said code, to read:

"35108.6. The city may, from time to time, make contributions to the interest and redemption fund if it shall be determined that the public interest and general welfare shall be served thereby."

##### Amendment No. 7

On page 3, line 8, strike out "SEC. 4", and insert "SEC. 5".



**Amendment No. 8**

On page 3, line 48, strike out "SEC. 5", and insert "SEC. 6".

**Amendment No. 9**

On page 4, line 19, strike out "SEC. 6", and insert "SEC. 7".

**Amendment No. 10**

On page 5, line 12, strike out "SEC. 7", and insert "SEC. 8".

**Amendment No. 11**

On page 5, line 19, strike out "SEC. 8", and insert "SEC. 9".

**Amendment No. 12**

On page 5, line 34, strike out "SEC. 9", and insert "SEC. 10".

**Amendment No. 13**

On page 5, between lines 34 and 35, insert

"SEC. 11. Section 35402 of said code is amended to read:

35402. When the amount to be paid for the land, property and rights of way finally determined to be acquired has been fixed by contract or by option or by a judgment, the legislative body may by ordinance, resolution, or indenture provide for the issuance of bonds of the district in an amount not exceeding that necessary to make the proposed acquisitions and improvements, to pay the incidental expenses in connection therewith and the proceedings therefor and to establish a reserve fund for the payment of the principal of and interest on the bonds, *and for working capital and interest during the period of construction and for a period of not to exceed six (6) months thereafter*, less any amount to be contributed by the city for such purposes."

**Amendment No. 14**

On page 5, line 35, strike out "SEC. 10", and insert "SEC. 12".

**Amendment No. 15**

On page 5, line 49, strike out "ten (10)", and insert "twenty (20)".

**Amendment No. 16**

On page 6, line 11, strike out "SEC. 11", and insert "SEC. 13".

**Amendment No. 17**

On page 6, line 21, strike out "SEC. 12", and insert "SEC. 14".

**Amendment No. 18**

On page 6, strike out lines 23 to 27, inclusive, and insert "the legislative body so determines, it may at one time or from time to time elimi-".

**Amendment No. 19**

On page 6, strike out lines 35 and 36, and insert "tion."

**Amendment No. 20**

On page 6, line 37, strike out "SEC. 13", and insert "SEC. 15".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 21**

On page 6, between lines 41 and 42, insert

"SEC. 16. Section 35406 of said code is amended to read:

35406. The bonds shall be issued in the denomination of one thousand dollars (\$1,000) each, payable on the day and at the place fixed in the bonds, with interest at the rate specified in the bonds. The interest rate shall not be in excess of the maximum stated in the resolution of intention and shall be paid semiannually, except the *first interest coupon* [for the first year] may be [paid at the end of that year] *for a different period.*"

**Amendment No. 22**

On page 6, line 42, strike out "SEC. 14", and insert "SEC. 17".

**Amendment No. 23**

On page 6, line 45, strike out "(as the case may be)", and insert "as the case may be".

**Amendment No. 24**

On page 6, line 47, strike out "by", and insert "with".

**Amendment No. 25**

On page 7, line 6, strike out "SEC. 15", and insert "SEC. 18".

**Amendment No. 26**

On page 7, line 19, strike out "SEC. 16", and insert "SEC. 19".

**Amendment No. 27**

On page 7, line 35, strike out "SEC. 17", and insert "SEC. 20".

**Amendment No. 28**

On page 8, line 4, strike out "SEC. 18", and insert "SEC. 21".

**Amendment No. 29**

On page 8, line 11, strike out "SEC. 19", and insert "SEC. 22".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 30**

On page 8, between lines 18 and 19, insert

"SEC. 23. Section 35428 of said code is amended to read:

35428. When the acquisitions and improvements have been accomplished, any unexpended bond proceeds shall be placed in [the] *any* fund for the payment or securing of the principal and interest of the [outstanding] bonds [and shall be used for no other purpose], or may be used to pay the cost of additional acquisitions or improvements for the district, and expenses incidental thereto, pursuant to change and modification proceedings.

**Amendment No. 31**

On page 8, line 19, strike out "SEC. 20", and insert "SEC. 24".

**Amendment No. 32**

On page 8, line 29, strike out "SEC. 21", and insert "SEC. 25".

**Amendment No. 33**

On page 8, line 43, strike out "SEC. 22", and insert "SEC. 26".

**Amendment No. 34**

On page 9, line 5, strike out "SEC. 23", and insert "SEC. 27".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 35**

On page 9, between lines 24 and 25, insert

"SEC. 28. Section 35704 of said code is amended to read:

35704. As long as any of the bonds of the district or any interest thereon remain unpaid, the parking places acquired for the district shall be used as public parking places [and for no other purpose] unless the legislative body makes the determination provided in Section 35706.

SEC. 29. Section 35706 is added to said code, to read:

35706. As an alternative to the provisions of Section 35705, and to the extent authorized in the covenants contained in the ordinance, resolution or indenture providing for the issuance of the bonds, the use of any of the properties as public parking places may be discontinued as to such property or any portion thereof if the legislative body, after public hearing following such notice thereof as the legislative body may prescribe, determines by a four-fifths vote of all its members that the public interest and necessity and the needs of the district no longer require that such property, or such portion thereof, be used as public parking places. Thereafter the property as to which such determination is made may be sold as other city property is sold when no longer needed for a public purpose. The proceeds of such sale shall be used as provided in said covenants.

SEC. 30. Chapter 6, comprising Sections 35750 to 35756, inclusive, is added to Part 4 of Division 18 of said code, to read:

CHAPTER 6. CURATION

35750. This part shall be liberally construed in order to effectuate its purpose. No error, informality, omission or illegality, and no neglect or omission of any officer, in any procedure taken hereunder, which does not directly affect the jurisdiction of the legislative body to order the work or improvement, shall avoid or invalidate such proceeding or any assessment for the cost of any work or acquisition hereunder. The exclusive remedy of any person affected or aggrieved thereby shall be by appeal to the council in accordance with the provisions hereof.

35751. Any objection or protest not made at the time and in the manner provided herein is waived. All decisions and determinations of the council, upon notice and hearing, shall be final and conclusive upon all persons entitled to appeal, as to all errors, informalities, omissions and irregularities which might have been avoided, or which might have been remedied during the progress of the proceedings or which can be remedied, and as to illegalities not amounting to a want of due process of law.

35752. No bonds issued hereunder, and no proceedings for same, shall be held invalid by any court for error, informality, omission, irregularity, illegality or other defect in the same, where the resolution of intention has been actually published as herein provided.

35753. No action, proceeding or defense to correct, set aside, cancel, avoid, annul or otherwise attack any proceedings under this part up to and including the adoption of the ordinance declaring the district formed shall be maintained by any person unless such action, proceeding or defense is commenced or made within 30 days after the adoption of such ordinance. No action, proceeding or defense to correct, set aside, cancel, avoid, annul or otherwise attack any proceedings under this part taken subsequent to the adoption of said ordinance, including but not limited to proceedings taken and determinations made pursuant to Sections 35402.1 and 35402.3, shall be maintained by any person unless such action, proceeding or defense is commenced or made within 30 days after the taking of such proceedings.

35754. The curative clauses of this part are cumulative and each is to be given full effect.

35755. In the event that any court of competent jurisdiction shall determine that any bonds issued hereunder shall be invalid by reason of a want of jurisdiction to issue same, or if the legislative body shall determine that said bonds, or any thereof, are uncollectable, the legislative body shall cause new bonds to be issued upon giving notice thereof by two publications in a local newspaper, the first of which publications shall be at least ten (10) days before the date set therein for hearing thereon. Such bonds shall be for the amount of the unpaid bonds determined to be invalid or uncollectable and for incidental expenses. The legislative body's decision that any original bonds are uncollectable shall be final.

35756. At any time after the adoption of the resolution of intention, the legislative body may take proceedings in the superior court in and for the county in which the city is located for the validation of such proceedings in the manner and with like effect provided in the Irrigation District Law for the validation of irrigation district bonds."

Amendment No. 36

On page 9, line 25, strike out "SEC. 24", and insert "SEC. 31".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

Motion to Print With a Rush Order

Senator Kraft moved that Senate Bill No. 1440 be sent to print with a rush order.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 358

Senator Kraft moved that Senate Bill No. 358 be withdrawn from Committee on Business and Professions and re-referred to Committee on Social Welfare.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 492**

Senator Coombs moved that Senate Bill No. 492 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 492**—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, strike out lines 8 and 9 of the printed bill as amended in Senate March 21, 1955, and insert

"(b) The district attorney, eleven thousand dollars (\$11,000) a year. He shall devote his entire time during office hours to the work of the county and State and is prohibited from engaging in private work within office hours. This does not preclude him from continuing or concluding any private matter in which he appeared of record prior to taking office."

**Amendment No. 2**

On page 1, line 11, strike out "two hundred dollars (\$4200)", and insert "eight hundred dollars (\$4,800)".

**Amendment No. 3**

On page 1, after line 21, insert "The compensation provided for by this section shall be paid to incumbent officers."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1269**

Senator Grunsky moved that Senate Bill No. 1269 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1269**—An act to add Section 703.5 to the Insurance Code, relating to insurance.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, in the title of the printed bill, strike out "add Section 703.5 to", and insert "amend Section 1763 of".

**Amendment No. 2**

On page 1, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 1763 of the Insurance Code is amended to read:

1763. (a) A surplus line broker may solicit and place insurance, other than as excepted in Section 1761, with nonadmitted insurers only if such insurance cannot be procured through ordinary methods with the insurers admitted for the particular class or classes of insurance. Such part of the insurance as cannot be so procured may be procured for nonadmitted insurers, if the insurance is not placed in a non-admitted insurer for the purpose of procuring a rate lower than the lowest rate which will be accepted by any admitted insurer. It shall be conclusively presumed



that insurance is placed in violation of this paragraph where the insurance is actually placed with a nonadmitted insurer at a lower rate of premium or lower premium than the lowest rate of premium or the lowest premium which could be obtained from an admitted insurer unless, at the time such insurance attaches, there is filed with the commissioner a statement describing the insurance, specifying the rate and the nearest procurable rates from admitted insurers. Unless the commissioner within five days after such filing notifies the filing broker that in his opinion the placing of the insurance constitutes a violation of this section, the broker may thereafter maintain in effect such insurance. If within such five-day period the commissioner notifies the surplus line broker that such insurance is in violation of this section and orders the broker to effect termination of such insurance within 10 days from such notice, and the broker fails or refuses to effect such termination, such failure or refusal is a violation of this section. Statements filed under this section shall not be subject to public inspection unless the commissioner determines that the public interest or the welfare of the filing broker requires that any statement be made so subject. The commissioner may make and publish reasonable rules and regulations, consistent with this chapter, in respect to transactions governed thereby and the basis or bases for his determinations hereunder.

*(b) The commissioner is empowered and directed to appoint a Surplus Line Committee of not less than three nor more than five members for the purpose of assisting the commissioner in the enforcement and administration of this chapter. A majority of such members shall be representatives of admitted insurers. Such committee shall assist the commissioner in the making of rules and regulations herein provided for."*

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Financial Institutions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1750

Senator Richards moved that Senate Bill No. 1750 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1750**—An act to amend Section 4850 of the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Motion to Amend

Senator Richards moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 3, of the printed bill, after "fireman," insert "fireman of a county fire district,".

**Amendment read, and adopted.**

Bill ordered printed, and re-referred to Committee on Labor.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 774

Senator Montgomery moved that Senate Bill No. 774 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 774**—An act to amend Section 372.1 of the Vehicle Code, as added by Chapter 1200 of the Statutes of 1953, relating to weight fees for commercial vehicles.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Section 372.1 of the Vehicle Code, as added by Chapter 1200 of the Statutes of 1953" and insert "Sections 372 and 372.1 (as added by Chapter 1200, Statutes of 1953) of the Vehicle Code".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 372 of the Vehicle Code is amended to read:

372. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in Section 370, there shall be paid fees as set forth in this section for the registration of every vehicle of a type subject to registration used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(b) For any electric vehicle designed, used or maintained as described in subdivision (a) hereof fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) Less than 6,000 lbs.-----	\$48.00
(2) 6,000 lbs. or more but less than 10,000 lbs.-----	96.00
(3) 10,000 lbs. or more-----	128.00

(c) For any motor vehicle having not more than two axles and designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) 3,000 lbs. to and including 4,000 lbs.-----	\$14.00
(2) 4,001 lbs. to and including 5,000 lbs.-----	27.00
(3) 5,001 lbs. to and including 6,000 lbs.-----	40.00
(4) 6,001 lbs. to and including 7,000 lbs.-----	54.00
(5) 7,001 lbs. to and including 8,000 lbs.-----	67.00
(6) 8,001 lbs. to and including 9,000 lbs.-----	80.00
(7) 9,001 lbs. to and including 10,000 lbs.-----	94.00
(8) 10,001 lbs. to and including 11,000 lbs.-----	107.00
(9) 11,001 lbs. to and including 12,000 lbs.-----	120.00
(10) 12,001 lbs. to and including 13,000 lbs.-----	134.00
(11) 13,001 lbs. to and including 14,000 lbs.-----	147.00
(12) 14,001 lbs. and over-----	160.00

*Provided, however, with respect to any motor vehicle coming within the provisions of this subdivision, which is owned and operated by a person in conjunction with farming operations, which is used solely in moving farm products produced by such owner between farms in conjunction with his farming operations or between his farm and place of first processing, the fees which shall be paid for registration under this subdivision shall be one-half of the fees set forth in the above schedule. If any such vehicle is operated upon the highways in excess of 1,000 miles in any calendar year, the entire fee set forth in the above schedule shall be paid.*

(d) For any motor vehicle having three or more axles or for any trailer, semi-trailer, pole or pipe dolly, or other dolly designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) 2,000 lbs. to and including 3,000 lbs.-----	\$11.00
(2) 3,001 lbs. to and including 4,000 lbs.-----	20.00
(3) 4,001 lbs. to and including 5,000 lbs.-----	40.00
(4) 5,001 lbs. to and including 6,000 lbs.-----	60.00
(5) 6,001 lbs. to and including 7,000 lbs.-----	80.00
(6) 7,001 lbs. to and including 8,000 lbs.-----	100.00
(7) 8,001 lbs. to and including 9,000 lbs.-----	120.00
(8) 9,001 lbs. to and including 10,000 lbs.-----	140.00
(9) 10,001 lbs. to and including 11,000 lbs.-----	160.00
(10) 11,001 lbs. to and including 12,000 lbs.-----	180.00
(11) 12,001 lbs. to and including 13,000 lbs.-----	200.00
(12) 13,001 lbs. to and including 14,000 lbs.-----	220.00
(13) 14,001 lbs. to and including 15,000 lbs.-----	240.00
(14) 15,001 lbs. and over-----	267.00

(e) This section shall apply to the registration of every vehicle of a type subject to its provisions until December 31, 1959, and not thereafter.

SEC. 2. Section 372.1 of said code, as added by Chapter 1200, Statutes of 1953, is amended to read:"

**Amendment No. 3**

On page 2, lines 44 and 45, strike out "July 1, 1955", and insert "January 1, 1960".

**Amendment No. 4**

On page 2, line 49, strike out "July 1, 1955", and insert "January 1, 1960".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 775**

Senator Montgomery moved that Senate Bill No. 775 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 775**—An act to amend Section 372.1 of the Vehicle Code, as added by Chapter 1200 of the Statutes of 1953, relating to weight fees for commercial vehicles.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Section 372.1 of the Vehicle Code, as added by Chapter 1200 of the Statutes of 1953", and insert "Sections 372 and 372.1 (as added by Chapter 1200, Statutes of 1953)".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 372 of the Vehicle Code is amended to read:

372. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in Section 370, there shall be paid fees as set forth in this section for the registration of every vehicle of a type subject to registration used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(b) For any electric vehicle designed, used or maintained as described in subdivision (a) hereof fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) Less than 6,000 lbs.-----	\$48.00
(2) 6,000 lbs. or more but less than 10,000 lbs.-----	96.00
(3) 10,000 lbs. or more-----	128.00

(c) For any motor vehicle having not more than two axles and designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) [3,000] 3,500 lbs. to and including 4,000 lbs.-----	\$14.00
(2) 4,001 lbs. to and including 5,000 lbs.-----	27.00
(3) 5,001 lbs. to and including 6,000 lbs.-----	40.00
(4) 6,001 lbs. to and including 7,000 lbs.-----	54.00
(5) 7,001 lbs. to and including 8,000 lbs.-----	67.00
(6) 8,001 lbs. to and including 9,000 lbs.-----	80.00

Unladen weight	Fee
(7) 9,001 lbs. to and including 10,000 lbs.-----	\$94.00
(8) 10,001 lbs. to and including 11,000 lbs.-----	107.00
(9) 11,001 lbs. to and including 12,000 lbs.-----	120.00
(10) 12,001 lbs. to and including 13,000 lbs.-----	134.00
(11) 13,001 lbs. to and including 14,000 lbs.-----	147.00
(12) 14,001 lbs. and over -----	160.00

(d) For any motor vehicle having three or more axles or for any trailer, semi-trailer, pole or pipe dolly, or other dolly designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) 2,000 lbs. to and including 3,000 lbs.-----	\$11.00
(2) 3,001 lbs. to and including 4,000 lbs.-----	20.00
(3) 4,001 lbs. to and including 5,000 lbs.-----	40.00
(4) 5,001 lbs. to and including 6,000 lbs.-----	60.00
(5) 6,001 lbs. to and including 7,000 lbs.-----	80.00
(6) 7,001 lbs. to and including 8,000 lbs.-----	100.00
(7) 8,001 lbs. to and including 9,000 lbs.-----	120.00
(8) 9,001 lbs. to and including 10,000 lbs.-----	140.00
(9) 10,001 lbs. to and including 11,000 lbs.-----	160.00
(10) 11,001 lbs. to and including 12,000 lbs.-----	180.00
(11) 12,001 lbs. to and including 13,000 lbs.-----	200.00
(12) 13,001 lbs. to and including 14,000 lbs.-----	220.00
(13) 14,001 lbs. to and including 15,000 lbs.-----	240.00
(14) 15,001 lbs. and over -----	267.00

(e) This section shall apply to the registration of every vehicle of a type subject to its provisions until December 31, 1959, and not thereafter.

SEC. 2. Section 372.1 of said code, as added by Chapter 1200, Statutes of 1953, is amended to read:—

#### Amendment No. 3

On page 2, lines 41 and 42, strike out "July 1, 1955", and insert "January 1, 1960".

#### Amendment No. 4

On page 2, line 46, strike out "July 1, 1955", and insert "January 1, 1960".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 970

Senator Murdy moved that Senate Bill No. 970 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 970**—An act to add Section 4781.1 to, and to amend Section 4796 of, the Health and Safety Code, relating to an alternative method of issuing bonds of county sanitation districts.

Bill read second time.

#### Motion to Amend

Senator Murdy moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 4781.1 to, and"; and strike out "4796", and insert after "Section", "4748 of Chapter 3, Part 3, Division 5".

#### Amendment No. 2

In line 2 of the title after "Code", insert "and to add Article 5.6 consisting of Sections 4806, 4807, 4808, 4809, 4809.1, 4809.2 and 4809.3 to said code".



## Amendment No. 3

On page 1, strike out all of lines 1 to 26, inclusive; and strike out all of pages 2 and 3, and insert

"SECTION 1. Section 4748 of the Health and Safety Code is amended to read:

4748. The district board shall, by resolution, employ one or more sanitation engineers to make a survey of the problems of the district or *a portion thereof, as the case may be*, concerning sanitation and especially with reference to the matter of sewage collection, treatment, and disposal. The resolution shall direct the engineer or engineers to prepare and file with the district board of the district a report setting forth:

(a) A general description of existing facilities for sewage collection, treatment, and disposal, or a general description of existing facilities for refuse collection, treatment and disposal, or both.

(b) A general description of the work proposed to be done to carry out the objects of the district.

(c) A general plan and general specifications of the work.

(d) A general description of the property proposed to be acquired or damaged in carrying out the work.

(e) A map showing the boundaries of the district *and the portion thereof, if such is the case*, and in general the location of the work proposed to be done, property taken or damaged, and any other information useful to an understanding of the proposed work.

(f) An estimate of the cost of the proposed work.

SEC. 2. Article 5.6, consisting of Sections 4806, 4807, 4808, 4809, 4809.1, 4809.2 and 4809.3, is added to Chapter 3, Part 3, Division 5 of said code, to read:

## Article 5.6. Bonds of Improvement Districts

4806. As an alternative method of issuing bonds the district board may, after the approval and adoption of an engineer's report for a portion of the district, if it deems it necessary to incur a bonded indebtedness to obtain funds with which to acquire the property and do the work set forth in the report, by resolution so declare and state: (a) the general objects and purposes for which the proposed debt is to be incurred; (b) the amount of debt to be incurred; (c) that the district board intends to form an improvement district of that portion of the district which in the opinion of said board will be benefited, the exterior boundaries of which portion are set forth on a map on file with said board, which map shall govern for all details as to the extent of the proposed improvement district, and to call an election in such improvement district on a date to be fixed, for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the district for said improvement district; (d) that taxes for the payment of said bonds and the interest thereon shall be derived exclusively from an annual tax upon the real property in the improvement district; (e) that the engineer's report, together with a map showing the exterior boundaries of said proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement, are on file with the district board and are available for inspection by any person interested; (f) the time and place for a hearing by the board on the questions of the formation of said proposed improvement district, the extent thereof, the proposed improvement and the amount of debt to be incurred; and (g) that at the time and place specified in the resolution by any person interested, including all persons owning property in the district or in the proposed improvement district, will be heard.

4807. Notice of said hearing shall be given by publishing a copy of the resolution at least once each week for two weeks prior to the time fixed for the hearing in a newspaper having general circulation in the county sanitation district. Such notice shall also be given by posting a copy of said resolution in three public places within the proposed improvement district at least two weeks before the time fixed for said hearing.

4808. At the time and place so fixed, or at any time and place to which the hearing is adjourned, the district board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the district or within the proposed improvement district, may appear and present any matters material to the questions set forth in the resolution declaring the necessity for incurring the bonded indebtedness.

The district board shall have power to change the purpose for which the proposed debt is to be incurred, or the amount of bonded debt to be incurred, or the boundaries of said proposed improvement district, or one or all of said matters, provided, however, that said board shall not change such boundaries so as to include any territory which will not, in its judgment, be benefited by said improvement. If the district board proposes to change the purposes for which the proposed debt is to be incurred, it shall cause appropriate changes to be made in the report before giving notice of such change. The purpose, amount of bonded debt and boundaries shall not be changed by said board except after notice of its intention to do so, given by one insertion in a newspaper having general circulation in said county sanitation district, and by posting in three public places within said proposed improvement district. Said notice shall state the changed purpose and debt proposed and

that the engineer's report as changed by said board, together with a map showing exterior boundaries as proposed to be changed, are on file with the district board and are available for inspection by any person interested, and specify the time and place for hearing on such change, which time shall be at least 10 days after publication or posting of said notice. At the time and place so fixed, or at any time and place to which the hearing is adjourned, said board shall continue with the hearing. At the hearing any person interested, including any person owning property within the district or the proposed improvement district, may appear and present any matters material to the changes stated in the notice.

At the conclusion of the hearing the board shall by resolution determine whether it is deemed necessary to incur the bonded indebtedness, and, if so, the resolution shall also state the purpose for which said proposed debt is to be incurred, the amount of the proposed debt, that the exterior boundaries of the portion of the district which will be benefited are set forth on a map on file with the district board, which map shall govern for all details as to the extent of the improvement district, and that said portion of the district set forth on said map shall thereupon constitute and be known as "Improvement District No. --- of --- (name of county sanitation district)," and the determinations made in said resolution shall be final and conclusive. After the formation of such improvement district within a county sanitation district, all proceedings for the purpose of a bond election shall be limited and shall apply only to the improvement district, and taxes for the payment of said bonds and the interest thereon shall be derived exclusively from an annual tax upon the real property in the improvement district.

4809. When the board has made its determinations as provided in Section 4808 and if the board deems it necessary to incur the bonded indebtedness, the board shall by resolution call a special election in said improvement district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the district for said improvement district. Said resolution shall state: (a) that the board deems it necessary to incur the bonded indebtedness; (b) the purpose for which the bonded indebtedness will be incurred; (c) the amount of debt to be incurred; (d) the name of the improvement district to be benefited by said indebtedness, as set forth in the resolution making determinations, and that a map showing the exterior boundaries of said improvement district is on file with the district board, which map shall govern for all details as to the extent of the improvement district; (e) that taxes for the payment of such bonds and the interest thereon shall be derived exclusively from an annual tax upon the real property in said improvement district; (f) the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years; (g) the maximum rate of interest to be paid, which shall not be more than the rate specified in this chapter for bonds of the district, payable at the time specified in this chapter for bonds of the district; (h) the measure to be submitted to the voters; (i) the date of the election; and (j) the election precincts, polling places and election officers.

4809.1. Except as otherwise provided in this article, notice of the election shall be given and the election shall be held and conducted in the same manner as elections for the authorization of bonds of the entire county sanitation district, and if two-thirds of the votes cast are in favor of incurring the bonded indebtedness as proposed, bonds of the district, issued in the name of the district and designated "Bonds of --- (naming the county sanitation district) for Improvement District No. ---" shall be issued and sold for the amount stated in the resolution calling the election in the same form and manner as bonds of the entire county sanitation district. Each bond of the district for an improvement district and all interest coupons thereof shall state that taxes for the payment thereof shall be derived exclusively from an annual tax upon the real property in the improvement district.

4809.2. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted. Any action or proceedings, wherein the validity of the formation of the improvement district or of any bonds issued for it or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise, said bonds and all proceedings in relation thereto, including the formation of the improvement district, shall be held to be valid and in every respect legal and incontestable.

4809.3. Bonds issued as bonds of the district for an improvement district therein and the interest thereon shall be paid by revenue derived exclusively from an annual tax upon the real property in the improvement district of such county sanitation district, and all the real property within the improvement district of such county sanitation district shall be and remain liable to be taxed for such payments. The board of supervisors of the county shall annually, at the time and in the manner of levying other county taxes, levy and cause to be collected a tax upon the taxable real property in the improvement district, based upon the last equalized assessment roll of the county sufficient to pay the interest on the bonds for that year and such

portion of the principal as is to become due before the time for making the next general tax levy. Said bonds and the interest thereon shall not be taxable in this State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 971

Senator Murdy moved that Senate Bill No. 971 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 971**—An act to add Article 2.5 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to consolidation of two or more county sanitation districts.

Bill read second time.

#### Motion to Amend

Senator Murdy moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill after "Article 2.5", insert ", consisting of Sections 4720 to 4728, inclusive,".

##### Amendment No. 2

On page 1, line 1, after "Article 2.5", insert ", consisting of Sections 4720 to 4728, inclusive,".

##### Amendment No. 3

On page 1, strike out all of lines 6 to 27, inclusive, and insert "4720. Two or more districts may be consolidated into a single district as provided in this article.

4721. If, in the judgment of each of the district boards, it is for the best interest of the district that it be consolidated with one or more other districts, the district board of each district shall so declare by resolution which shall contain the following:

(a) A statement of the facts requiring consolidation.

(b) A declaration of the advisability of consolidation and the willingness of the district board to consolidate.

(c) The name for the consolidated district agreed upon by the boards.

4722. A certified copy of the resolution of each of the district boards shall be filed with the board of supervisors of the county in which the districts are located.

4723. Upon the filing of the certified copy of the resolution of each district board the board of supervisors shall order a hearing to be held upon the consolidation of the districts by resolution which shall contain:

(a) A statement that the district boards of (naming the districts) have filed certified copies of resolutions declaring the desirability of consolidation.

(b) The name of the proposed consolidated district.

(c) The time and place where objections to the proposed consolidation will be heard, which shall not be more than 40 days after the adoption of the resolution.

(d) A statement that at said time and place any person interested, including any owner of real property in any one of the districts proposed to be consolidated, will be heard on all questions material to the proposed consolidation.

4724. Notice of hearing shall be given by publishing the resolution at least once each week for two weeks prior to the hearing in a newspaper of general circulation in each district proposed to be consolidated and by posting a copy of said resolution in three public places in each district at least two weeks before the time fixed for said hearing.

4725. At the time provided in the order of hearing, or at any time to which the hearing is continued, the board of supervisors shall hear any objections to the proposed consolidation. If written objection to the proposed consolidation signed by more than five percent of the voters registered in any of the districts proposed to be consolidated is filed with the board it shall, and in any event it may, either adopt an order abandoning the proposed consolidation, or order the proposed consolidation submitted to the voters of the proposed consolidated district at an election, and fix the day for such election.



4726. At the election only voters registered in the proposed consolidated district may vote. The board of supervisors shall provide for the holding of said election on the day so fixed, shall establish election precincts, shall appoint precinct boards which shall consist of one inspector, one judge and one clerk, and shall order the other particulars of conducting the election. Notice shall be given by publication of the order calling and providing for the holding of said election at least once each week for two weeks before the election in a newspaper of general circulation in each district proposed to be consolidated and by posting a copy of said order in three public places in each district at least two weeks before said election.

4727. At the conclusion of the hearing, or if an election is held and the canvass of the election returns shows that a majority of the votes cast in each of the districts proposed to be consolidated on the question were in favor of the consolidation, then upon completion of the canvass of the election returns, the board of supervisors may, if it deems best, make an order forming the consolidated district which shall contain the name of the new district and such consolidation shall be effective as of the date of said order. No irregularities or informalities in conducting the election shall invalidate the same if the election shall have been fairly conducted. The order of consolidation is conclusive evidence of the regularity of all prior proceedings except the adoption and publication of the resolution ordering the hearing and the fact of the hearing. Any action or proceedings wherein the validity of the consolidation, or any of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such order of consolidation. Otherwise said consolidation and all proceedings in relation thereto shall be held to be valid and in every respect legal and incontestable.

4728. The taxable real property within each district, consolidated as provided in this article, or within each improvement district therein, as the case may be, shall remain liable to be taxed for the payment of the bonds of such district and the interest thereon, or the bonds of such improvement district and the interest thereon and any other indebtedness, obligation or liability outstanding on the date of consolidation as if said district had not been consolidated. Unsold bonds of any district, consolidated as provided in this article, or of any improvement district therein, may be issued by the consolidated district, but the proceeds shall be applied as if said district had not been consolidated."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 972

Senator Murdy moved that Senate Bill No. 972 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 972**—An act to add Section 4793.2 to the Health and Safety Code, relating to the disposition of moneys remaining in the construction fund of a county sanitation district after completion of construction.

Bill read second time.

#### Motion to Amend

Senator Murdy moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 4793.2 to", and insert "amend Section 4793.1 of".

#### Amendment No. 2

On page 1, line 1, strike out "4793.2 is add to", and insert "4793.1 of".

#### Amendment No. 3

On page 1, line 2, strike out ",", and insert "is amended".



**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 4

On page 1, strike out all of lines 3 to 16, inclusive, and insert "4793.1. When the purposes and objects mentioned in the resolution calling the bond election have been accomplished any moneys remaining in the construction fund [shall] may be transferred to the fund to be used for the payment of principal and interest on the bonds. The district board by a vote of four-fifths of the members thereof may use said remaining moneys for some other county sanitation district purpose which will benefit the property in the district or improvement district, as the case may be. If said remaining moneys are the proceeds of bonds authorized at an election held prior to the effective date of this act said moneys may not be used for said other county sanitation district purpose until two-thirds of the qualified electors of said district or improvement district thereof, as the case may be, have consented thereto at a special election called in said district or improvement district by the district board. Notice of said election shall be given and said election shall be held and conducted in the manner provided for bond elections in said district or improvement district, as the case may be, except that no engineer's report shall be required."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 224

Senator Cunningham moved that Senate Bill No. 224 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 224**—An act to amend Section 407 of the Education Code, relating to the salary of the superintendent of schools of a county of the seventh class.

Bill read second time.

#### Motion to Amend

Senator Cunningham moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 5, of the printed bill, strike out "----- dollars (\$-----)", and insert "twelve thousand five hundred dollars (\$12,500)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1640

Senator Sutton moved that Senate Bill No. 1640 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1640**—An act to add Chapter 4 to Part 1 of Division 2 of the Water Code, relating to use of water and intrastate compacts in connection therewith.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 5, of the printed bill, as amended in Senate March 21, 1955, after "the", insert "total".

**Amendment No. 2**

On page 3, line 7, strike out "within", and insert "and the amount to be reserved for".

**Amendment No. 3**

On page 3, line 7, after "counties", insert "within that area".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 587

Senate Bill No. 1337

Senate Bill No. 588

Senate Bill No. 1955

Senate Bill No. 811

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Constitutional Amendment No. 9**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23a of Article IV thereof, relating to legislative help.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 70

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 70**—Relative to congratulating Phil Woolpert on his selection as coach of the year.

Referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1521	Assembly Bill No. 746
Assembly Bill No. 838	Assembly Bill No. 841
Assembly Bill No. 1118	Assembly Bill No. 712
Assembly Bill No. 1736	Assembly Bill No. 713
Assembly Bill No. 2569	Assembly Bill No. 2360
Assembly Bill No. 3438	Assembly Bill No. 527
Assembly Bill No. 3439	Assembly Bill No. 1506
Assembly Bill No. 3734	Assembly Bill No. 555
Assembly Bill No. 1036	Assembly Bill No. 556
Assembly Bill No. 109	Assembly Bill No. 1290
Assembly Bill No. 922	Assembly Bill No. 1584
Assembly Bill No. 2588	Assembly Bill No. 1889
Assembly Bill No. 2202	Assembly Bill No. 1890
Assembly Bill No. 3666	Assembly Bill No. 2554
Assembly Bill No. 837	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 109**—An act to amend Sections 9 and 3166 and to repeal Sections 9.1 and 3166.1 of the Civil Code, relating to the time for payment or presentment of negotiable instruments.

Referred to Committee on Judiciary.

**Assembly Bill No. 527**—An act to amend Section 817 of the Penal Code, defining those having the powers of a peace officer.

Referred to Committee on Judiciary.

**Assembly Bill No. 555**—An act to repeal Section 60 and to amend Section 69 of the Civil Code, and to amend Section 10526 of the Health and Safety Code, relating to marriage and documents required in connection therewith.

Referred to Committee on Judiciary.

**Assembly Bill No. 556**—An act to amend Section 1427 of the Penal Code, relating to public offenses by corporations.

Referred to Committee on Judiciary.

**Assembly Bill No. 712**—An act to add Article 16 to Chapter 17 of Division 6 of the Agricultural Code, relating to the construction and interpretation of Chapter 17 of Division 6 of the Agricultural Code with respect to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Assembly Bill No. 713**—An act to add Section 19 to the Agricultural Code, relating to the severability of provisions of the Agricultural Code.

Referred to Committee on Agriculture.

**Assembly Bill No. 746**—An act to amend Section 15502 of the Corporations Code, relating to limited partnerships.

Referred to Committee on Judiciary.

**Assembly Bill No. 837**—An act to amend Sections 395, 397, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions.

Referred to Committee on Judiciary.

**Assembly Bill No. 838**—An act to amend Sections 681 and 685 of the Code of Civil Procedure, relating to execution of judgments.

Referred to Committee on Judiciary.

**Assembly Bill No. 841**—An act to repeal an initiative act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved by the electors November 2, 1920, relating to rights of aliens, to provide for the submission of said act to the electors, in accordance with Section 1b of Article IV of the Constitution of California, at the general election on November 4, 1956.

Referred to Committee on Elections.

**Assembly Bill No. 922**—An act to repeal Section 11656.7 of the California Insurance Code and to add Section 11656.7, relating to workmen's compensation.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1036**—An act to amend Section 424 of the Government Code, relating to the official colors of the State.

Referred to Committee on Rules.

**Assembly Bill No. 1118**—An act to amend Section 6021 of the Government Code, relating to the requirement of notice of hearing of application for order establishing newspaper as one of general circulation.

Referred to Committee on Judiciary.

**Assembly Bill No. 1290**—An act to amend Section 690.26 of the Code of Civil Procedure, relating to exemptions from attachment or execution proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 1506**—An act to amend Section 6733 of the Welfare and Institutions Code, relating to the discharge of patients from state hospitals.

Referred to Committee on Judiciary.

**Assembly Bill No. 1521**—An act to amend Section 5073 of the Revenue and Taxation Code, relating to tax liens on lieu lands.

Referred to Committee on Revenue and Taxation.



**Assembly Bill No. 1584**—An act to amend Section 690.2 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary.

**Assembly Bill No. 1736**—An act to amend Section 541.1 of the Probate Code, relating to the deposit of money or securities of estates of decedents.

Referred to Committee on Judiciary.

**Assembly Bill No. 1889**—An act to add Section 553.5 to the Code of Civil Procedure, relating to attachment.

Referred to Committee on Judiciary.

**Assembly Bill No. 1890**—An act to amend Section 1080 of the Probate Code, relating to distribution of estates.

Referred to Committee on Judiciary.

**Assembly Bill No. 2202**—An act to amend Section 15010.5 of the Corporations Code, relating to partnerships.

Referred to Committee on Judiciary.

**Assembly Bill No. 2360**—An act to add Section 813.5 to the Fish and Game Code, relating to the sale of scallops.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2554**—An act to add Section 2007.1 to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2569**—An act to amend Section 419 of the Vehicle Code, relating to disclosure of information contained in accident reports.

Referred to Committee on Judiciary.

**Assembly Bill No. 2588**—An act to add a new chapter to Division 1 of the Financial Code, to be numbered 10a, relating to nondepartmental banking.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 3438**—An act to amend Section 1534a of the Probate Code, relating to guardians' additional bonds.

Referred to Committee on Judiciary.

**Assembly Bill No. 3439**—An act to amend Sections 664 and 665 of the Probate Code, relating to homesteads.

Referred to Committee on Judiciary.

**Assembly Bill No. 3666**—An act to amend Section 674 of the Code of Civil Procedure, relating to judgments.

Referred to Committee on Judiciary.

**Assembly Bill No. 3734**—An act to amend Section 257 of the Probate Code, relating to the right of succession.

Referred to Committee on Judiciary.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 16**—Relative to memorializing Congress, the Department of Defense, the Department of the Interior, and the Department of the Navy, not to withdraw land in Saline Valley in Inyo County from the public domain for use as an aerial gunnery range.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1955, at 3 p.m.

WARD, Chairman

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 443

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bill ordered to second reading.

**Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 996

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 989

Assembly Bill No. 1001

Assembly Bill No. 640

Assembly Bill No. 1002

Assembly Bill No. 1000

Assembly Bill No. 1873

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

MILLER, Chairman

Above reported bills ordered to second reading.

**ADJOURNMENT**

At 4.46 p.m., on motion of Senator Gibson, the President declared the Senate adjourned until 2 p.m., Tuesday, March 29, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-SIXTH LEGISLATIVE DAY

FORTY-NINTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, March 29, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Short, due to illness.

Senator Miller, on motion of Senator Montgomery, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mesdames Leiton Elder, William Patching, Albert Chiaroni, Howard Fishel, Kenneth Irwin, Charles A. Percival, Robert Keen, and Carol Galley of the San Rafael Council, Parent-Teachers Association.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Thornton Sargent of Los Angeles.

On request of Senators Donnelly and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Jesse Randolph Kellems of the Westwood Hills Christian Church, Los Angeles.



On request of Senator Broad, the privilege of the floor of the Senate Chamber for this day was unanimously extended to one principal Ben L. Wille, teachers Mrs. Fern Brady, Robert Larson, Thomas Morgan, and the following students from Castro Valley School District: John Abbott, Ron Armstrong, Richard Davis, Donna Deason, Brian Donahue, Philip Egan, Dorcas Felack, Don Fennie, Bill Fischer, James Ford, Charlotte Friend, John Gehrlich, Connie Giles, Judy Gira, Mary Graydon, Sam Guthrie, Walter Hynze, Frances Jura, Tom King, Patricia LaDoe, Karen Lewis, Linda Maether, Linda Mason, Arnold Males, Sandra Mallon, Shirley Moor, Sandra Moore, Dan Martinez, Gerald Nelson, Marvin Orr, Klame Otterson, Terry Pattillo, Dale Sossone, Sherry Silveira, Richard Vanderhilt, Tom Vance, Mike Adams, Carolyn Allen, Bertha Ashley, Danny Barrett, Joe Baker, Dennis Falkenberg, Gary Garrett, Jack Gilbert, John Johnson, Joan Johnson, Kathryn Johnson, Barry Johnson, Jane Jones, Prata Kabanek, Bill Kangas, Kenneth Kaine, Diana Kaine, John Lathrop, Pamela Laverty, Robert Leach, Mary Dale Lee, Judy Marx, Robert Martin, Louise Mulier, Pat Schmidt, Nancy Stewart, Mike Szemol, Christie Tietjen, Sandra Venter, Darlene Vance, Carol Walker, Les Williamson, and Dale Windridge.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Daniel M. Padenrecht of Hanford and John H. Wardman of Arroyo.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Joseph Hittelman, M.D., of Los Angeles.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry H. Korman, Mrs. Jeane Barton, and the following students from Palo Alto Military Academy: Richard Bishop, Phillip Duff, Charles Hawkins, Donald McKnight, Ronald Osborn, Donald Smith, Richard Smith, and Kern von Hungen.

On request of Senator Broad, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructors Mrs. R. Bass and Mrs. P. Sudduth, and the following students from Prescott School, Oakland: Carl Aschlar, Ivory Brown, Betty Brooks, Ruby Charman, Bessie Clark, Barbara Clement, Samuel Davis, Bessie Davidson, Betty Eaves, Gloria Fortson, Cecil Harris, Lesdon Harris, Johnny Henderson, Geneva James, Lawrence Martinez, Lillie Laszby, Gene Moore, Wayne Moore, Vivian Murphy, Adama Powell, Gloria Price, Dorothy Richardson, Michael Richard, Evelyn Smith, Leona Wynne, Cesaria Zenbrano, Ruby Pettit, Bessie Jean Ashley, Mary Butler, Barbara Byers, Leon Becker, Ronald Dunlap, Melba Chatman, Jean Fisher, Maurice Grimes, Alze Mae Haron, T. C. Johnson, John King, Martha King, Isaiah Liggins, Alva Moore, Charles Odle, Caroline Robertson, Charletta Williams, Henry Williams, Rebecca Williams, George Wilkerson, Alvernon Goodwin, Dennis Behram, Enola Behram, John McCullough, and Raymond Lee.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bob Yetter of San Pedro and W. D. Rives of Sherman Oaks.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Charles F. Kenney, teacher Joseph M. Turbovsky, and the following students from the Bret Harte School, Hayward: Sharon Albarez, Patricia Campbell, John Clemenson, Diane Coelho, John Delaney, Joe Dunn, Mary Gage, Carol Goletto, Robert Gretler, Gerald Hayashi, Henry Richards, Steve Richards, Donald Howard, Sharon Hunt, Donald Jess, David Johnson, Rodney Johnson, Jean Keppert, Marc Lafleur, Esther Mix, Mardi Neff, Danna Pearce, Russell Peterson, Rae Ann Plowright, Patricia Roberts, Bernard Shell, Vanessa Stroud, Dale Smith, Duane Smith, Paula Thomas, Richard Timm, Billy Treptow, Ronna Turner, Dale Willis, Lois Avery, Duane Bourasa, Richards Burrows, Craig Byington, Glenda Cracraft, Joanne Dable, Charles Daly, Walter Duncan, Carolyn Gordon, James Gordon, Pat Guerra, Tommy Gutierrez, Jerri Sue Hoffa, Sandra Huff, Sharon Johnson, Judy Kenyon, Mary Koon, Patricia Lancaster, Scott Lavielle, Betty Lloyd, Bettinae Lopez, Fred Marcielle, Michael Matthews, Bernice Motter, Blaine Newnham, Michael Philis, Ricky Ragan, Leona Rasmussen, Russell Smith, Virginia Thoma, Gary Tousley, Patsy Veio, Steven Wegman, and Wayne Wyatt.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Berkeley Business and Professional Women's Club: Mary Ann Mohr, Edna Jacobs, Sena Roberts, Leona Pease, Edna Larrimore, Clara Larrimore, Nell Breckenridge, Ruth Wall, Nevada Ramos, Lou West, Frances Hamilton, Edna T. Littlefield, Minnie E. Hensley, Pauline Johnson, Nora Mom, Lillian R. Knowles, Leona Leedom, Joanne Giegerich, Genevieve Curran, Vera Favor, Marie Hargreaves, Juanita Jenkins, Evelyn Stanley, Emily Brown, Pauline A. Dixon, O'Delle Hall, Ruby Foster, Gertrude O. Klatt, Helen Robinson, and Jessie Fay.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Howard Greenhalgh of Orangevale, Sacramento County.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Louis Francis, vice president of California Young Republicans, of San Mateo; F. Herschel Campbell, Councilman of San Mateo; and Wesley P. Johnson, Mayor of San Mateo.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Harry Moore, Jr., instructor Mrs. Iva Mae McEfee, and the following students from Keppel Union High School, Little Rock: Betty Holland, Sandra Mingus, Eleanor Bowers, Linda Windell, Sharon Gilmore, Sandra Cole, Carol Cable, Fay Stegall, Mary Alice Menard, Edson Elliott, Peter Kern, Gary Meeks, Pat Hagan, Harvey Cannon, Billy Smith, and Charles Thompson.

#### RECESS

At 2.08 p.m., on motion of Senator Abshire, the Senate recessed to allow Senator Abshire to present distinguished guests.

The President appointed Senator Abshire as a committee to escort Mr. and Mrs. W. N. Chant to the rostrum.

Senator Abshire introduced Mr. Chant, Minister of Public Works of the Province of British Columbia, who addressed the Senate and stated that the future of Canada and the United States is inseparably bound together. He congratulated California on her great progress and also remarked that although British Columbia is behind, they are making great strides of advancement in most every field.

### REASSEMBLED

At 2.14 p.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.  
Secretary J. A. Beek at the desk.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 31	Senate Bill No. 207
Senate Bill No. 203	Senate Bill No. 346
Senate Bill No. 204	Senate Bill No. 347
Senate Bill No. 205	Senate Bill No. 1208
Senate Bill No. 206	Senate Bill No. 1709

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1065

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 350	Senate Bill No. 1380
Senate Bill No. 617	Senate Bill No. 1381
Senate Bill No. 618	Senate Bill No. 1382
Senate Bill No. 803	Senate Bill No. 1383
Senate Bill No. 1207	Senate Bill No. 1825

And reports the same correctly engrossed.

WARD, Chairman

#### Committee on Transportation

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 987

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 8; absent 5.

COLLIER, Chairman

Above reported bill ordered to second reading.

#### Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1416

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 937

Senate Bill No. 1246

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

JOHN F. MCCARTHY, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1976

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to second reading.

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 1741

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; noes 1; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 143

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 142

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Assembly Bill No. 140

Assembly Bill No. 1757

Assembly Bill No. 871

Assembly Bill No. 1758

Assembly Bill No. 1740

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Assembly Bill No. 54

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; noes 1; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Assembly Bill No. 51

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 8; noes 2; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 11; noes 1; absent 1.

COLLIER, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bill ordered to third reading.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 1509**—An act to amend Section 37506 of the Water Code, relating to California Water District, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

##### Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "or by means of some of the proposed works of the district".

##### Amendment No. 2

On page 1, line 8, after "therewith", insert "or by means of existing works proposed to be acquired by the district or practicable works connecting therewith".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1222**—An act to amend Section 30701 of the Water Code, relating to county water districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "In districts formed in even-numbered years".

**Amendment No. 2**

On page 1, line 4, strike out "held in every second year after the"; strike out lines 5 and 6; and in line 7, strike out "directors shall be".

**Amendment No. 3**

On page 1, line 8, after "year", insert "after the year in which the district was formed".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 996**—An act to repeal Section 701 and Section 702 of the Insurance Code and to add Section 701 to said code, relating to the duration of certificates of authority issued to insurance carriers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title, strike out "Section 701 and Section 702", and insert "Sections 701, 702, and 705".

**Amendment No. 2**

In line 2 of the title, strike out "Section 701", and insert "Sections 701 and 705".

**Amendment No. 3**

In line 4 of the title, after "carriers", insert "and the annual fees therefor".

**Amendment No. 4**

On page 1, line 7, strike out "Every", and insert "Subject to the annual fee provisions of Section 705, every".

**Amendment No. 5**

On page 1, after line 22, insert

"SEC. 4. Section 705 of the Insurance Code is hereby repealed.

SEC. 5. Section 705 is added to the Insurance Code, to read:

705. The commissioner shall require the payment of ten dollars (\$10) in lawful money of the United States, in advance as a fee for filing an application for each original certificate of authority and for filing an application for each amendment of a certificate of authority authorizing any insurer to transact business in this State. Notwithstanding the provisions of Section 701 each insurer possessing a certificate of authority of indefinite term pursuant to such section shall owe and pay an annual fee of ten dollars (\$10) in lawful money of the United States in advance on account of such certificate until its final expiration. Such fee shall be for annual periods commencing on July 1, 1956, and on July 1st of each year thereafter and ending on June 30, 1957, and on June 30th of each year thereafter and shall be due on June 1, 1956, and each June 1st thereafter and shall be delinquent on and after June 15, 1956, and each June 15th thereafter."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 989**—An act to amend Section 1860.3 of the Insurance Code, relating to the administration, enforcement and interpretation of provisions of the Insurance Code, relating to rates and rate making.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 341**—An act to amend Section 1504 of the Government Code, relating to personal liability for negligence of deputies or employees.

Bill read second time, and ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 443**—An act to amend Section 9801 of the Elections Code, relating to municipal elections.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9801 of", and insert "Sections 28, 46.5, 291, 330.5, 370.1, 373.5, 571.5, 668, 1402, 1404, 2605, 3709, 3822, 3922, 3935, 3944, 5563, 5717, 5726, 5805, 5931.5, 9002, 9801, and 11053 of, and to add Sections 658.6 and 5755 to, and to repeal Sections 669, 670, 671, 672, 672.5, and 673 of,".

#### Amendment No. 2

In line 2 of the title, strike out "municipal".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 28 of the Elections Code is amended to read:

28. "Local election" is a municipal, county, [township,] or district election.

SEC. 2. Section 46.5 of said code is amended to read:

46.5. Whenever, by the Constitution or laws of this State, the county clerk is required to determine what number of voters have signed any petition or paper, the affidavit of the person circulating such petition or paper shall [have affixed thereto the] *contain his residential voting address [of such circulator] at the time of the execution of said affidavit.*

SEC. 3. Section 291 of said code is amended to read:

291. Cancellation is made by writing or stamping on the affidavit of registration the word "canceled," the reason therefor, and the date of cancellation.

Whenever a voter transfers his registration from one precinct to another precinct in the same county, or re-registers in another precinct in the same county as shown by the new affidavit of registration, the county clerk shall immediately cancel both the original and the duplicate affidavit of registration from the precinct in which he was first registered, and remove the original from the precinct book [or files.] *and the duplicate from the files.* Whenever a voter removes from one county to another county and registers in the latter county, the county clerk of the county in which he was first registered, upon being informed of his removal, either by the voter personally or by receipt of an affidavit of cancellation, shall likewise cancel his registration and remove the original *and duplicate* affidavit of registration in that county.

All canceled [original] affidavits of registration shall be preserved by the county clerk [until the first day of January of the next odd numbered year.] *as required in Section 330.5 of this code.*

The county clerk in distributing to each precinct the three indexes of registration, as required by this chapter, shall cross out of those indexes the names of all voters whose affidavits of registration from the precinct have been canceled.

SEC. 4. Section 330.5 of said code is amended to read:

330.5. The county clerk shall preserve all canceled [duplicates or originals to the] *original* affidavits of registration for a period of 10 years. Thereafter, they may be destroyed by such officer. *Duplicates to the canceled original affidavits of registration may be destroyed at the discretion of the county clerk.*

*In lieu of preserving the canceled original affidavit of registration, the clerk may, by filing or other suitable method, record the canceled affidavit and destroy the affidavit following the second general election after the date of cancellation.*

SEC. 5. Section 370.1 of said code is amended to read:

370.1. In [lieu of] *addition* to printing a complete index within and for each two year period, as provided in Section 370 of this code, the county clerk or registrar of voters may print and maintain one complete and continuing index, by precinct, to the affidavits of registration and keep the index current by supplements and deletions as provided in Sections 370 and 372 of this code, and by reprinting portions of the index by precinct, as the need appears, the reprinted portions to contain the same information concerning each voter and to be in the same style and type of print as provided in Section 370.

SEC. 6. Section 373.5 of said code is amended to read:

373.5. Upon written demand *of the chairman or vice chairman* of a party state central committee or *of the chairman* of a party county central committee, the county clerk shall furnish to each of such committees without charge therefor no more than two copies of the printed indexes of the registration for the primary and general elections.

SEC. 7. Section 571.5 of said code is amended to read:

571.5. When more than 400 [electors] *voters* are registered in a precinct the [electors] *voters* of said precinct may be divided into two or more groups and one precinct board appointed to serve each group. The board or officer charged with the duty of conducting the election shall divide the voters into two or more groups as nearly equal in number as possible. When the voters of a precinct are so divided there may be one or more polling places, but there shall be a ballot box for and a set of returns from each group.

SEC. 8. Section 658.6 is added to said code, to read:

658.6. No person selected to count ballots on a substitutive canvassing board need reside in any particular precinct or area.

SEC. 9. Section 668 of said code is amended to read:

668. [Except in counties of the first class, the] *The* county clerk, acting for the election board, shall also publish the list of the names of the election officers appointed and the polling places designated for each election precinct in any daily or weekly newspaper of general circulation designated by the election board and published in the county where the election is to be held, for two issues, the last publication to be at least one week before the day of election.

SEC. 10. Sections 669, 670, 671, 672, 672.5 and 673 of said code are repealed.

SEC. 11. Section 1402 of said code is amended to read:

1402. The proponents of any proposed initiative measure shall, prior to its circulation, place upon each section of the petition in relation thereto above the text of the measure, and across the top of each page thereof whereon signatures are to appear, in roman black-face type not smaller than 12-point the summary prepared by the Attorney General.

*Each section of the petition shall have a half-inch column to the left of the place for signatures for use of the county clerks.*

SEC. 12. Section 1404 of said code is amended to read:

1404. Across the top of each page after the first page of every referendum petition or section thereof which is prepared and circulated there shall be printed in 18-point gothic type a short title, in not to exceed 20 words, showing the nature of the petition and the subject to which it relates.

*Each section of the petition shall have a half-inch column to the left of the place for signatures for use of the county clerks.*

SEC. 13. Section 2605 of said code is amended to read:

2605. The number of sponsors required for the respective offices are as follows:

- (a) State office, or United States Senate, not less than 65 nor more than 100.
- (b) House of Representatives in Congress, Board of Equalization, or any office voted for in more than one county, and not state-wide, except the State Senate or the Assembly, not less than 40 nor more than 60.
- (c) State Senate or Assembly, or candidacy in a single county or any political subdivision thereof, not less than 20 nor more than 30.

[(d) Every office for which the number of sponsor certificates is not above provided, not less than 10 nor more than 20.]

[(e)] (d) When any political party has less than 50 registered voters in the State or in the county or district in which the election is to be held, one-tenth the number of registered voters of the party.

[(f)] (e) When there are less than 150 registered voters in the county or district in which the election is to be held, not less than 10 nor more than 20.



SEC. 14. Section 3709 of said code is amended to read:

3709. At least 25 days before the direct primary or before the presidential primary, each county clerk shall prepare separate sample ballots for each political party, and a separate sample nonpartisan ballot, placing thereon in each case in the order provided in Article 3, Chapter 2, Division 6 of this code, and under the appropriate title of each office, the names of all candidates for whom nomination papers have been duly filed with him, or have been certified to him by the Secretary of State, to be voted for in his county at the primary election. The sample ballots shall be printed on paper of a different texture from the paper to be used on the official ballot. One sample ballot of the party to which the voter belongs as evidenced by his registration shall be mailed to each voter entitled to vote at the direct primary or the presidential primary, as the case may be, not more than [25] 40 nor less than five days before the election. A nonpartisan sample ballot shall be so mailed to each voter who is not registered as intending to affiliate with any of the parties participating in the primary election.

SEC. 15. Section 3822 of said code is amended to read:

3822. On each ballot a perforated line shall extend across the top of the ballot not less than one inch from the top thereof. The same number as appears on the stub shall be printed above said perforated line within two inches of the perforated line on the left-hand side of the ballot, and above this number shall be printed in parentheses, in small type, as follows: (This number shall be torn off by inspector[.]) and handed to the voter). One half inch to the right of this ballot number there shall be a short perforated line extended from the perforated line along the top of the ballot to the top edge of the ballot.

SEC. 16. Section 3944 of said code is amended to read:

3944. On each ballot a perforated line shall extend across the top of the ballot one inch from the top thereof. The same number as appears on the stub shall be printed above such perforated line within two inches of the perforated line on the left side of the ballot, and above this number shall be printed in parentheses in small type as follows: "(This number shall be torn off by inspector[.])" and handed to the voter"; and one-half inch to the right of this ballot number there shall be a short perforated line extending from the perforated line along the top of the ballot to the top edge of the ballot. Immediately above this perforated line shall be printed in blackface lower-case type, at least 12-point in size, and enclosed in parentheses, the following: "Fold ballot to this perforated line, leaving top margin exposed." Above this printed direction, and midway between it and the top edge of the ballot, shall be printed in blackface capital type, at least 12-point in size, if possible, and with the four middle words underlined or otherwise made prominent, the following: "Mark crosses ( - ) on ballot only with rubber stamp; never with pen or pencil."

Below this direction and midway between it and the next line, shall be printed in blackface capital type at least 12-point in size, and enclosed in parentheses, and, with the first two and the last five words underlined or otherwise made prominent, the following:

(ABSENTEE BALLOTS MAY BE MARKED WITH PEN AND INK OR PENCIL.)

SEC. 17. Section 3922 of said code is amended to read:

3922. At least three-eighths of an inch below the district designation shall be printed in 10-point Gothic type, double leaded, the following instructions to voters: "To vote for a person whose name appears on the ballot, stamp a cross (+) in the square at the right of the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose. All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another. On absent voter ballots mark a cross (+) with pen or pencil." The instructions to voters shall be separated from the lists of candidates and the designation of the several officers to be nominated for by one light and one heavy line of rule.

SEC. 18. Section 3935 of said code is amended to read:

3935. If the office is that of State Senator or Assemblyman, [or member of a county central committee,] or any office except the office of Representative in Congress or member of a county central committee, to be voted on wholly within any county but not throughout the county, the names of all candidates for the office shall be placed upon the ballot in alphabetical order.

SEC. 19. Section 5563 of said code is amended to read:

5563. Only voters engaged in receiving, preparing, or depositing their ballots and persons authorized by the precinct board to keep order and enforce the law may be permitted to be within the [barriade] voting booth area before the closing of the polls.

SEC. 20. Section 5717 of said code is amended to read:

5717. Having folded his ballot, the voter shall deliver it folded to the inspector, who shall announce in an audible tone of voice the name of the voter. The ballot clerk having in charge the copy of the index to the register or affidavits of registration shall, in like manner, repeat the name and shall write in the ruled space opposite

the name in figures, the line number designating the position of the name on the roster for each voter who votes. The inspector shall then separate the slip containing the number from the ballot, *hand the slip to the voter*, and deposit the ballot in the ballot box[.] *in the presence of the voter.*

SEC. 21. Section 5726 of said code is amended to read:

5726. The precinct board shall immediately cancel all the spoiled ballots returned [by drawing a cross upon the face], *without unfolding the ballot, writing the word "spoiled" on the back in ink or indelible pencil*, [the cross to be more than three inches square,] and[, with those not distributed to the voters, they shall] return them with the *unused* [register, lists, and] ballots.

SEC. 22. Section 5755 is added to said code, to read:

5755. Notwithstanding any other provision of this code, the form of ballot used under this chapter shall be the same as the form of ballot where a rubber stamp is used in marking as nearly as practicable, except as to the instructions to the voter, and the space provided for marking the ballot, as approved by the State Commission on Voting Machines.

SEC. 23. Section 5805 of said code is amended to read:

5805. No adjournment or intermission whatever shall take place until the polls are closed and until all the votes cast at such polls are counted and the result publicly announced, but this shall not prevent the temporary absence of [one member] *not more than two members* at a time while taking meals or for any other necessary purpose.

SEC. 24. Section 5931.5 of said code is amended to read:

5931.5. If any war voter is released from service [during the 54 days prior to the] *after the closing date of registration for an election and has returned to the* county of his residence and is not a registered voter, he may apply in person to the county clerk for permission to register. The clerk shall allow the elector to be registered, and allow him to vote in the [next succeeding] election; provided, he furnishes documentary proof he was released from service [during the 54 days prior to] *after the closing date of registration for the election.* On or before the day of election the county clerk shall deliver to the precinct board the affidavits of registration, or *certificates of registration* of war voters registered under the provisions of this section.

SEC. 25. Section 9002 of said code is amended and renumbered to read:

571.1. If a voter is erroneously placed in a precinct other than the one in which he resides, he may apply to the county clerk for a certificate showing the record of registration. The county clerk shall issue to him this certificate, on or before the day of the [local, special, or consolidated] election. On presentation of the certificate to the precinct board of the precinct in which the voter resides, the board shall incorporate the certificate in the book of affidavits of registration and permit the voter to vote.

SEC. 26. Section 9801 of said code is amended to read:

9801. On the top of the face of the ballot the following directions shall be printed:

#### INSTRUCTIONS TO VOTERS

To vote for a candidate of your selection, stamp a cross (+) in the voting square next to the right of the name of the candidate. Where two or more candidates for the same office are to be elected, stamp a cross (+) after the names of all the candidates for that office for whom you desire to vote, not to exceed, however, the number of candidates who are to be elected. [If the ballot does not contain the names of candidates for all offices for which you may desire to vote, you may vote for candidates for such offices so omitted by writing the name of the candidate for whom you wish to vote in the blank space left for that purpose.] To vote for a person not on the ballot, write the name of such person under the title of the office in the blank space left for that purpose.

To vote on any measure, stamp a cross (+) in the voting square after the word "Yes" or after the word "No". All marks, except the cross (+) are forbidden. All distinguishing marks or erasures are forbidden and make the ballot void.

If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

*On absent voter ballots mark a cross (+) with pen or pencil.*

SEC. 27. Section 11053 of said code is amended to read:

11053. The signatures to the petition need not all be appended to one paper. Each signer shall add to his signature his place of residence [and occupation], giving street and number. If no street or number exists, then a designation of the place of residence shall be given which will enable the location to be readily ascertained. Each separate paper shall have attached to it an affidavit made by a voter of the county, or particular district, as the case may be. The affidavit shall *contain the residence address of the affiant, and shall state that the affiant circulated that particular paper and saw written the signatures appended thereto; and that according to the best information and belief of the affiant:*

- (a) Each is the genuine signature of the person whose name it purports to be.
- (b) The signer is a voter of the county or particular district."

**Amendment No. 4**

On page 1, strike out lines 2 to 27, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 640**—An act to amend Section 1956 of the Government Code, relating to insurance against the liability of public officers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1000**—An act to amend Sections 16000 and 16002 of the Financial Code, relating to credit union charges and assessments.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1001**—An act to amend Sections 14405, 14454, and 14501 of the Financial Code, relating to directors and other officials of credit unions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1002**—An act to add Articles 3 and 4 to Chapter 7 of Division 5 of the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1873**—An act to add Article 5, comprising Sections 11628, 11629, and 11629.5 to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

**MOTION TO RE-REFER ASSEMBLY BILL NO. 1002**

Senator Hulse moved that Assembly Bill No. 1002 be re-referred to Committee on Finance.

Motion carried.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 635**—An act to amend Sections 3128 and 3154 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1804**—An act to amend Section 26883 of the Government Code, relating to audits performed by counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy,



Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—32.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1065**—An act to amend Sections 34080, 34302, 34318, 34321, 34326, 34403, 34405, 34407, 34409, 34452, 34600, 34605, 34606, 34607, 34700, 34876, 35729, 35837, 35838, 36501, 36511, 37113, 37421, 37600, 37650, 38600, 38601, 38630, 38631, 38660, 38791, 38792, 40601, and 51300; the heading of Chapters 5 and 6 and Articles 3 and 4 of Chapter 7, Part 1, Division 2, Title 4; the headings of Articles 2 and 4 of Chapter 2, Article 3 of Chapter 5, Article 2 of Chapter 6, Articles 1 and 3 of Chapter 13, Articles 2 and 4 of Chapter 14, Article 3 of Chapter 15, and Articles 1 and 3 of Chapter 18, Part 2, Division 3, Title 4; the headings of Articles 4 and 5, Chapter 1, Division 4, Title 4; and the heading of Article 2, Chapter 2, Division 5, Title 4 of; to repeal Sections 34100 to 34120, inclusive, 34601 to 34604, inclusive, 34608, 34850, 34870, 36500, 36800, 36930, 37112, 37200, 37381, 37540, 37900, 37930, 38602, to 38610, inclusive, 38632, 38633, 38770, 38772, 38793, 38794, 38901, 39500, 39730, 39960, 40400, 40600, 40605, 40606, 40800, 41000, 41200, 41600, 41800, 43060, 45340, and 55630; Articles 1 and 2 of Chapter 7, Part 1, Division 2, Title 4; Chapter 2, Part 1, Division 3, Title 4; Article 2 of Chapter 1, Article 3 of Chapter 2, Article 2 of Chapter 4, Article 3 of Chapter 14, Article 4 of Chapter 15, and Article 2 of Chapter 18, Part 2, Division 3, Title 4; Article 2 of Chapter 2, Article 2 of Chapter 3, Article 2 of Chapter 6, Article 2 of Chapter 7, and Chapter 8, Part 3, Division 3, Title 4; and Article 2, Chapter 1, Division 4, Title 4; and the heading of Chapter 1, Part 1, Division 3, Title 4; the headings of Article 1 of Chapter 1 and Article 1 of Chapter 4, Part 2, Division 3, Title 4; the headings of Article 1 of Chapter 2, Article 1 of Chapter 3, Article 1 of Chapter 6, and Article 1 of Chapter 7, Part 3, Division 3, Title 4; and the heading of Article 3, Chapter 1, Division 4, Title 4 of; and to add Sections 34100, 34101, and 34102 to, the Government Code; to amend Sections 2102.1, 2103, 2103.1, 4623, and 14108, and to repeal Section 4622 of, the Education Code; to amend Sections 5932.5, 9700, 9705, 10000, and 11170, and the headings of Chapters 2 and 3, Part 2, Division 11, and to repeal Section 9704 of, the Elections Code; and to amend Section 555 of the Labor Code; relating to the classification of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1759**—An act to amend Section 5439 of the Public Resources Code, relating to county recreation districts.

Bill read third time.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—Senator John F. McCarthy—1.

Bill ordered transmitted to the Assembly.

#### Request for Unanimous Consent

At 2.35 p.m. Senator Abshire asked for, and was granted, unanimous consent to be excused to attend a meeting of the Water Projects Authority.

**Senate Bill No. 356**—An act to add Section 1001 to the Code of Civil Procedure, relating to the disclosure of insurance coverage.

Bill read third time.

#### Previous Question

Senator Collier moved the previous question.

Motion carried.

The President put the question.

The question being on the final passage of Senate Bill No. 356.

The roll was called, and the bill refused passage by the following vote:

**AYES**—Senators Cobey, Cunningham, Desmond, Robert I. McCarthy, Regan, Richards, Short, and Teale—8.

**NOES**—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

**Senate Bill No. 1054**—An act to amend Section 1023 of the Probate Code, relating to distribution of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1380**—An act to amend Section 6535 of, and to add Section 6535.1 to, the Business and Professions Code, relating to barbers and barber colleges.

#### Motion to Re-refer Senate Bill No. 1380

Senator Hulse moved that Senate Bill No. 1380 be re-referred to Committee on Finance.

Motion carried.

#### Request for Unanimous Consent

At 3.25 p.m. Senator Kraft asked for and was granted unanimous consent to be excused as he has an appointment with the Governor.

**Senate Bill No. 346**—An act to amend Section 7394.1 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 347**—An act to amend Section 7351 of the Business and Professions Code, relating to manicurists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Teale, Ward, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 31**—An act to add Section 2765 to the Business and Professions Code, relating to nurses convicted of a felony or an offense involving moral turpitude.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1207**—An act to amend Sections 6751 and 6753 of the Business and Professions Code, relating to professional engineers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1208**—An act to amend Section 6731 of the Business and Professions Code, relating to civil engineering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 350**—An act to repeal Section 7329, and to amend Sections 7331, 7334, 7383, 7393, and 7412 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 617**—An act to add Section 7326 to the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Parkman, Regan, Teale, Thompson, Ward, Way, and J. Howard Williams—22.

NOES—Senators Dilworth and Donnelly—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 618**—An act to amend Section 7399 of the Business and Professions Code, relating to cosmetology.

#### Motion to Re-refer Senate Bill No. 618

Senator Hulse moved that Senate Bill No. 618 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1825**—An act to amend Section 7666 of the Business and Professions Code, relating to funeral directors and embalmers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, J. Howard Williams—27.

NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

#### Motion to Retain Place on File

Senator Hulse moved that Assembly Bill No. 596 be passed on file and retain its place on file.

Motion carried.

**Assembly Bill No. 628**—An act to amend Sections 3632, 3634, 3862, 3863, and 3871 of the Education Code, relating to school districts.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C.

Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 352**—An act to amend Section 1098 of the Penal Code, relating to the trial of criminal actions.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 497**—An act to repeal Section 10602 of the Health and Safety Code, relating to proceedings to establish records of births, deaths, and marriages.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 962**—An act to amend Section 1449 of the Penal Code, relating to inferior court procedure.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2012**—An act to amend Section 502 of the Vehicle Code, relating to driving while under the influence of liquor.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 958**—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to mental commitments.

Bill read third time, and presented by Senator McBride.



The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—28.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1083**—An act to amend Section 442 of the Fish and Game Code, relating to licenses.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 235**—An act to add Section 3922.1 to, and to amend Section 3946 of, the Elections Code, relating to ballots.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 247**—An act to amend Section 11057 of the Elections Code, relating to petitions for recall of county officers.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—24.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 249**—An act to amend Section 1812 of the Education Code, relating to school district elections.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—26.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 250**—An act to amend Sections 14258.5, 14540, and 14813 of the Health and Safety Code, relating to fire protection districts.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 251**—An act to amend Section 21680 and repeal Section 21689 of the Water Code, relating to voting.

Bill read third time, and presented by Senator Cobey.

The roll was called and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 253**—An act to amend Sections 30748, 30754, 30755, and 30756 and repeal Sections 30757 and 30759 of the Water Code, relating to nomination petitions.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 254**—An act to amend Section 4.1 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), relating to municipal water districts.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 437**—An act to amend Section 12516, the Business and Professions Code, relating to weighing devices.

Bill read third time, and presented by Senator Way.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—Senator Desmond—1.

Bill ordered transmitted to the Assembly.

**MOTION TO PRINT REPORT**

Senator Murdy moved that the report on a study of A Program for State Office Buildings for Branch Offices in various cities of the State submitted by the Department of Finance in accordance with Senate Resolution 48, be printed in the Journal.

Motion carried.

**LETTER OF TRANSMITTAL**

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE

SACRAMENTO, March 25, 1955

*Hon. John A. Murdy*

*Member of the State Senate*

*State Capitol, Sacramento, California*

DEAR SENATOR MURDY: In accordance with Senate Resolution No. 48 introduced by you and adopted at the 1955 General Legislative Session, I am transmitting herewith a report on a study of A Program for State Office Buildings for Branch Offices in various cities of the State.

While time did not permit detailed and exact analyses for each location, the report is designed to present a reasonably accurate over-all appraisal of the office building needs in all communities in which a significant volume of state business is being conducted.

Respectfully submitted,

JOHN M. PEIRCE, Director of Finance

**A PROGRAM FOR STATE OFFICE BUILDINGS  
FOR BRANCH OFFICES**

Senate Resolution No. 48 of the 1955 General Legislative Session refers to previous studies which have shown the advantages to be gained from the construction of state office buildings in the major metropolitan areas of this State and directs a study to be made by the Director of Finance to determine whether the erection of state office buildings in other cities can also be justified from the standpoint of economy of investment and improvement of efficiency. The resolution mentions the following cities as examples of communities in which need for suitable state office facilities should be investigated:

Bakersfield	Pasadena	Santa Barbara
Chico	Redding	Santa Rosa
Eureka	San Bernardino	Stockton
Long Beach	San Jose	Vallejo
Modesto	San Luis Obispo	Ventura
Monterey	Santa Ana	

This report includes consideration also of these additional cities:

Alhambra	Hollywood	Roseville
Burbank	Huntington Park	Sacramento
Compton	Los Angeles	San Diego
Culver City	Marysville	San Fernando
East Los Angeles	Merced	San Francisco
El Centro	Oakland	Santa Cruz
Fresno	Red Bluff	Torrance
Glendale	Richmond	Visalia
Hayward		

The resolution asks that a report be made to the current session of the Legislature setting forth a program for the construction of state office buildings in such communities with a recommended priority schedule for any such construction.

#### Previous Reports on Office Buildings

In 1953 the Director of Finance engaged Industrial Survey Associates to make a study of leased versus state-owned office quarters in Los Angeles, San Francisco, Oakland, San Diego, and Fresno. The report on this study, which was filed with the Director of Finance on January 31, 1954, concluded that the State should construct office buildings in these cities and contained much material in support of that conclusion.

The State Building Construction Program as reported to the Joint Legislative Budget Committee (Senate Journal of January 20, 1955, page 608) covers projects to be undertaken during the five fiscal years 1955-56 through 1959-60, and includes the following schedules dealing with state office building projects:

#### 1. *Department of Finance Projects*

The schedule beginning at page 139 includes a program for new office buildings which are needed to accommodate a large number of state agencies now housed in rented quarters in the following localities:

Fresno	Sacramento	San Francisco
Los Angeles	San Diego	San Jose
Oakland		

#### 2. *Department of Motor Vehicles Projects*

The schedule beginning at page 145 includes a program of new office buildings for the Department of Motor Vehicles in

Chico	Hayward	Oakland
East Los Angeles	Hollywood	Red Bluff
Fresno	Merced	Roseville
Glendale	Monterey	San Francisco

#### 3. *Department of California Highway Patrol Projects*

The schedule beginning at page 148 includes an office building for the use of the Department of the California Highway Patrol in the bay area. (At the time the report was compiled, it was uncertain whether the office would be located in Oakland or San Francisco. Later information indicates San Francisco to be the more desirable location.)

#### 4. *Department of Employment Projects*

The schedule beginning at page 150 presents a program for branch offices for use of the Department of Employment in

Alhambra	Huntington Park	Richmond
Burbank	Marysville	San Fernando
Culver City	Merced	Santa Ana
East Los Angeles	Monterey	Torrance
El Centro	Oakland	Vallejo
Glendale	Pasadena	Visalia



**Scope of This Report**

The purpose of this report is to augment the above-mentioned reports by presenting the need for office space in other localities, indicating the cities in which it appears advantageous for the State to construct office buildings, the size and character of the buildings needed, and comparing the amortized cost of state-owned office buildings with the cost of continued renting. The localities studied (including those previously reported in the five-year State Building Construction Program (1955-1960) are placed in categories as follows:

Category 1—Those localities in which the needs of a number of state agencies justify the construction of central state buildings:

Bakersfield	Redding	San Jose
Eureka	Sacramento	Santa Barbara
Fresno	San Bernardino	Santa Rosa
Long Beach	San Diego	Stockton
Los Angeles	San Francisco	Ventura
Oakland		

Category 2—Those localities in which the Department of Employment is the primary state agency requiring space and in some of the localities other state agencies with relatively smaller requirements could profitably be housed in an expanded Department of Employment building:

Alhambra	Huntington Park	Richmond
Burbank	Marysville	San Fernando
Chico	Merced	San Luis Obispo
Compton	Modesto	Santa Ana
Culver City	Monterey	Santa Cruz
East Los Angeles	Oakland (Industrial)	Torrance
El Centro	Pasadena	Vallejo
Glendale	Red Bluff	Visalia
Hayward		

Category 3—Those localities in which buildings are programmed for the separate needs of the Department of Motor Vehicles (except in Roseville, other state agency needs included in Roseville).

Chico	Hollywood	San Francisco
East Los Angeles	Oakland	Hayward
Fresno	Roseville	San Diego
Glendale		

The following tabulation summarizes localities in priority order within categories and shows the space requirements and comparative cost data upon which priorities of localities are based. Attached as an "Exhibit A" is the listing of state agencies considered for housing at each locality together with description of the proposed facility.

# SUMMARY TABULATION OF OFFICE SPACE REQUIREMENT BY LOCALITIES WITH COMPARATIVE COST DATA AS TO RENTAL VERSUS STATE-OWNED FACILITIES

Computed cost of rented buildings				Computed cost of state-owned buildings						
Localities	Priority	Net area including sq. ft. services	Present		Projected		Annual cost (D)	Cost of improvements	Cost of site	Total investment
			Total annual rental	Annual rate per sq. ft. including expansion (A)	Estimated future area expansion (B)	Annual rental rate per sq. ft. (C)				
Category 1—Department of Finance Program										
Los Angeles	1	200,674	\$559,880	\$2.79	270,000	\$828,900	\$3.07	\$713,400*	\$2.64	\$9,036,200
San Francisco	2	168,521	492,765	2.39	212,000	557,560	2.63	512,781	2.42	6,580,000
Oakland	3	67,289	179,040	2.66	96,000	259,200	2.70	256,070*	2.67	3,337,000
Fresno	4	54,900	133,407	2.43	98,000	261,660	2.67	260,820	2.36	2,869,800
San Diego	5	51,409	117,726	2.29	82,500	207,900	2.52	190,595	2.31	2,339,565
San Jose	6	35,900	92,172	2.57	49,000	127,400	2.60	124,260	2.33	1,500,000
Long Beach	7	19,613	51,105	2.61	17,000	51,000	3.00	37,510	2.21	432,000
Stockton	8	15,000	33,765	2.25	16,228	40,245	2.48	36,181	2.23	417,600
Bakersfield	9	12,135	30,816	2.54	11,500	32,085	2.79	25,313	2.20	295,000
Santa Rosa	10	13,000	30,060	2.31	15,500	38,875	2.51	34,500	2.23	400,000
San Bernardino	11	12,491	29,556	2.37	14,250	34,900	2.45	31,651	2.22	366,300
Santa Barbara	12	11,322	22,260	1.97	11,700	30,420	2.60	27,241*	2.33	364,800
Ventura	13	7,682	14,760	1.92	8,750	18,402	2.11	17,928	2.05	213,910
Redding	14	6,530	16,104	2.47	7,200	17,700	2.46	15,949	2.22	185,400
Eureka	15	3,383	7,692	2.27	5,046	12,564	2.49	11,111	2.20	129,600
Sacramento	16	(See Note)	--	--	--	--	--	--	--	--
Totals, Category 1		679,849	\$1,721,108	\$2.53	914,674	\$2,255,310	\$2.75	\$2,255,310	\$2.47	\$28,467,175
Category 2—Department of Employment Program										
Vallejo	1	4,510	\$11,292	\$2.50	10,100	\$25,250	\$2.50	\$25,250	\$2.02	\$270,000
Torrance	2	3,382	5,712	1.69	7,500	13,950	1.86	13,950	1.81	185,700
Huntington Park	3	16,135	30,960	1.92	25,530	53,868	2.11	53,868	1.78	21,500
Visalia	4	4,860	10,560	2.17	10,250	24,395	2.38	24,395	1.96	75,000
Pasadena	5	16,962	37,680	2.22	19,800	44,550	2.25	44,550	1.91	30,000
Compton	6	3,400	7,200	2.12	10,000	23,300	2.33	23,300	1.95	80,000
Richmond	7	10,620	19,620	1.87	13,368	27,400	2.05	27,400	1.76	75,000
El Centro	8	5,990	13,680	2.28	8,970	20,361	2.27	20,361	1.96	299,700
Santa Ana	9	14,144	25,164	1.78	16,000	33,600	2.10	33,600	1.90	55,000
Monterey	10	7,543	17,882	2.37	13,400	32,000	2.40	32,000	1.98	50,000
Oakland *	11	21,700	57,600	2.65	20,000	58,200	2.91	58,200	2.08	372,260
Totals, Category 2		136,000	\$3,299,750	\$2.41	136,000	\$3,299,750	\$2.41	\$3,299,750	\$2.08	\$690,000

\* Industrial Office.

**SUMMARY TABULATION OF OFFICE SPACE REQUIREMENT BY LOCALITIES WITH COMPARATIVE  
COST DATA AS TO RENTAL VERSUS STATE-OWNED FACILITIES—Continued**

Computed cost of rented buildings												
Localities	Priority	Projected										
		Present		Estimated annual rate per sq. ft. including expansion (B)								
		Total annual rental including services (A)	Annual rate per sq. ft. (C)									
Category 2—Department of Employment Program—(Continued)												
Burbank	12	4,500	\$9,720	\$2.16	9,000	\$2.38	\$21,420	\$16,557	\$1.84	\$198,000	\$35,000	\$253,000
San Fernando	13	5,000	8,700	1.74	8,000	1.91	15,280	14,853	1.85	176,000	35,000	211,000
Marysville	14	6,738	14,592	2.17	11,100	2.20	24,420	20,584	1.85	238,000	40,000	298,000
East Los Angeles	15	7,750	15,500	2.00	10,740	2.20	23,628	21,301	1.98	245,800	60,000	305,800
Glendale	16	16,572	31,020	1.87	20,310	2.20	44,682	38,483	1.89	465,500	75,000	540,500
Merced	17	5,274	11,520	2.18	10,000	2.20	22,000	17,083	1.71	204,800	50,000	254,800
Culver City	18	4,400	6,288	1.43	7,000	2.00	14,000	13,200	1.88	154,000	40,000	194,000
Alhambra	19	6,600	13,440	2.04	10,400	2.20	22,000	19,035	1.91	220,000	65,000	285,000
Modesto	20	13,195	31,620	2.40	12,900	2.40	31,000	24,288	1.88	330,000	35,000	365,000
San Luis Obispo	21	6,734	14,580	2.17	7,900	2.38	18,802	16,034	2.03	201,600	30,000	231,600
Hayward	22	5,850	10,740	1.84	8,325	2.05	17,476	17,439	2.05	193,215	60,000	253,215
Chicago (addition)	23	3,301	6,600	2.00	3,350	2.20	7,374	6,510	1.94	75,600	10,000	85,600
Santa Cruz	24	5,453	10,824	1.98	6,600	2.18	14,388	13,893	2.10	160,272	60,000	220,272
Red Bluff	25	2,593	6,336	2.44	3,900	2.45	9,555	8,029	2.06	93,600	30,000	123,600
Totals, Category 2	203,086	\$428,830	\$2.11	284,243	\$2.27	\$642,899	\$544,599	\$1.92	\$6,466,047	\$1,431,500	\$7,897,547	
Category 3—Department of Motor Vehicles Program												
Oakland	1	14,800	\$24,868 <sup>a</sup>	\$1.67 <sup>a</sup>	16,575	\$2.41 <sup>a</sup>	\$40,443 <sup>a</sup>	\$34,822	\$2.10	\$422,000	\$165,000	\$587,000
Hollywood	2	6,233	11,820	1.90	5,000	2.63 <sup>a</sup>	13,450 <sup>a</sup>	13,150	2.63	120,600	150,000	270,600
Fresno	3	9,670	11,964	1.24	6,000	1.97 <sup>a</sup>	11,820 <sup>a</sup>	10,740	1.79	102,000	75,000	177,000
San Diego	4	6,500	10,860	1.67	6,500	2.44 <sup>a</sup>	15,860 <sup>a</sup>	15,793	2.43	156,000	150,000	306,000
East Los Angeles	5	4,020	6,960	1.73	5,000	2.52 <sup>a</sup>	12,600 <sup>a</sup>	12,455	2.49	120,600	125,000	245,600
Glendale	6	4,500	7,965 <sup>a</sup>	1.77 <sup>a</sup>	5,000	2.50 <sup>a</sup>	12,500 <sup>a</sup>	11,760	2.55	129,000	100,000	229,000
Hayward	7	1,250	2,580	2.06	3,500	2.68 <sup>a</sup>	9,025 <sup>a</sup>	9,025	2.58	182,880	100,000	283,880
Chicago	8	1,900	3,000	2.50	2,000	2.50 <sup>a</sup>	5,000 <sup>a</sup>	3,945	1.97	48,600	12,000	60,600
Roseville	9	1,524	4,920	2.85	2,600	2.85 <sup>a</sup>	7,410 <sup>a</sup>	5,475	2.11	63,900	20,000	83,900
San Francisco	10	16,357	33,084	2.00	20,000	2.80 <sup>a</sup>	56,000 <sup>a</sup>	40,600	2.03	480,000	175,000	655,000
Totals, Category 3	66,524	\$118,019	\$1.77	72,175	\$2.56	\$184,463	\$157,765	\$2.19	\$1,818,180	\$1,072,000	\$2,890,180	

<sup>a</sup> Adjusted to include all maintenance and operation costs.

<sup>b</sup> Annual rate per sq. ft. includes adjustment for future rate increases.

<sup>c</sup> Annual rental equals future area times projected annual rate.

<sup>d</sup> Annual cost includes 50 years depreciation on improvements; interest on total cost; maintenance and services.

<sup>e</sup> Includes allowance for parking.

<sup>f</sup> After deducting allowance for garage parking.

<sup>g</sup> Estimated rental cost of equivalent space as now occupied in unsatisfactory state-owned facilities.



**FACTORS PERTINENT TO THE STUDY****General**

The study indicates that savings would result in most instances from constructing state-owned buildings even without placing a dollar value on the important economies that would accrue from centralization of state agencies in properly designed state-owned buildings, and the greater convenience to the public.

Central grouping of state agencies, wherever practical, would be a convenience to the public and should result in a saving to the State. In addition to reducing rental costs, further savings can also be obtained from joint use of facilities by the agencies, combined management and operation of the buildings, and minimizing travel time between agencies where frequent contact is required.

Other savings, somewhat intangible in nature, may also result from central state-owned facilities. Buildings designed specifically for state occupancy would promote effective space utilization and also produce functional arrangement that would facilitate operation of the agencies. The costs incurred by periodic moves caused by lease expiration would be eliminated. The losses in employee efficiency due to substandard quarters would be reduced. The time presently being consumed by employees of the respective agencies on building management and operations would be saved for their normal duties, and, in the over-all, would serve to offset the costs of management of a central state building.

**Consideration of Feasibility of Central State-owned Buildings**

1. Diversity of state agency function and the resulting type of space needs and requirements determine the general nature of the building and the success of housing in one structure. The needs for first floor access, convenience to public, parking, storage of equipment, shops and the nature of agency's operation are prime considerations.
2. The size of building is pertinent as to whether it will warrant custodial staff, central management, operation and control.
3. Community population growth both as to rate and direction must be considered.

**Costs per Square Foot**

Annual rental rates per square foot (including maintenance and operation) for the localities studied average \$2.39 ranging from a low of \$1.24 in Fresno to \$2.79 in Los Angeles. *Since many of the quarters are substandard or were negotiated under prior conditions, future rental rates will undoubtedly increase.* It is estimated that future average rentals will increase to \$2.69 per square foot and will vary between a low of \$1.86 in Torrance to a high of \$3.07 in Los Angeles.

Cost per square foot over a 50-year period in central state buildings including depreciation over the improvements interest at 3 percent for the financing period (assuming 25-year obligations retired serially) and maintenance and services is computed to average \$2.33. The low would be \$1.71 in Merced and the high \$2.67 in Oakland.



**Coordination of Agency Building Programs**

1. Consideration of the Department of Employment program determined in each instance the advisability of:
  - (a) Including quarters for the Department of Employment in a central state building in lieu of constructing one for their sole use;
  - (b) Constructing additional space in the proposed Department of Employment branch offices for rental to other state agencies;
  - (c) Making additions to existing Department of Employment office buildings in order to provide housing for other agencies in the same locality.
2. The Department of Motor Vehicles program has been integrated with the central building program where conditions warranted after giving consideration to location as affecting needs for driver testing, truck inspection and peak loads. Conflict in such things has resulted in exclusion in most instances of the Department of Motor Vehicles in the central program.
3. It has been determined that the needs of the Department of the California Highway Patrol are better served at separate locations, usually on the outskirts of population centers or on the main highway routes.

**METHODS AND LIMITATIONS OF THE STUDY****Source and Availability of Data**

To serve as a basis for the study, data were assembled by reference to office records, lease files, and discussion with agency headquarters representatives. Time did not permit new field surveys.

**Assumptions**

Since time did not allow for a detailed analysis of the actual circumstances and conditions prevailing in the present quarters of the agencies in each of the localities, it was necessary to rely on estimates of space needs based on the following:

- (a) An estimate of the net usable space required by each agency including an amount to correct for crowded conditions where they prevail, and an allowance for anticipated expansion for a five-year period. (Space needs were estimated on standards of utilization rather than present usage.)
- (b) Translation of the above to an approximate net and gross area for each building and includes such additional facilities, as custodial, public space, and meeting rooms in order to arrive at an estimated project cost of each building. Construction costs are estimated at \$18 per square foot with adjustments in a few instances for special circumstances. Assumed cost of sites have been added in order to obtain total project cost estimates.
- (c) Determination of "true" costs of leased premises, has been arrived at by adding to the present total rental rate an estimated amount to compensate for services not furnished by the lessors.

- (d) Comparison of costs of leased premises with those for state-owned buildings, rental rates were adjusted to allow for anticipated rate increases. Allowance has been made also for expansion in area requirements in estimating future rental costs to make them comparable with the net areas reflected in the programs for each of the proposed buildings which likewise make provision for such future expansion.

For example in :

**Bakersfield**

The total estimated area required including nominal expansion and correction would result in a building containing approximately 11,500 square feet of net usable space. The gross area would be 16,400 square feet at a project cost of \$295,000. Assuming that a site adequate for the building and parking would cost \$40,000 the total investment would be \$335,000.

Present rentals for these agencies totals \$23,556 per year. This figure includes varying degrees of services and utilities ranging from none, through partial, to complete. In order that the "true" rental cost be reflected for purposes of comparison, it is necessary to assume that there exists an additional cost of maintenance and services where it is not furnished under the lease terms. If it is estimated that such service costs average \$7,260 per year the actual rental costs would be increased by that amount to \$30,816. This averages \$2.54 per square foot per year.

Assuming that rental rates would increase 10 percent from \$2.54 to \$2.79 per square foot, it is reasonable to anticipate that, for the 11,500 net square feet estimated as required in a state building, the future rental costs would be \$32,085 per year.

If the building would have a useful life of 50 years, its annual depreciation would be \$5,900. Interest on the total investment of \$335,000 at 3 percent for a 25-year financing period and assuming obligations retired serially would be \$2,613 per year. Maintenance and services are estimated to cost \$16,800 annually. The total annual cost would be \$25,313 or \$2.20 per square foot per year of net usable space as compared with the present rate of \$2.54 and a possible future rate of \$2.79. The annual cost of a state building of \$25,313 in lieu of \$32,085 for rental quarters would result in a saving of \$6,772 per year.

**Exhibit A**

**AGENCIES TO BE HOUSED AT EACH OF THE LOCALITIES  
TOGETHER WITH BRIEF BUILDING DESCRIPTION**

**Alhambra**

A one-story building for the Department of Employment program. (Other state agencies are not represented in the area.)

**Bakersfield**

The Department of Veterans Affairs, Natural Resources—Division of Oil and Gas, Industrial Relations, Education—Vocational Rehabilitation, Board of Equalization, Franchise Tax Board, and Public Utilities Commission would justify housing in a state-owned facility separate from the existing state-owned Department of Employment building. (Department of Motor Vehicles in satisfactory rental quarter under long-term lease.)

A one-story building with partial second floor and parking would require a site of approximately two-thirds of an acre. It would not be practical to combine this building with that of the existing Department of Employment building since that structure is a separate entity, its site is restricted and its construction does not allow for a second story.

**Burbank**

A one-story building for the Department of Employment program. (Department of Motor Vehicles will service this location from its proposed replacement Glendale office. Other agencies are not represented in the area.)

**Chico**

The Board of Equalization and the Department of Mental Hygiene could be housed in a state-owned facility as an addition to the existing Department of Employment building. Due to the small area requirement, an extension could be constructed to the existing Department of Employment building. Such addition, of approximately 4,200 gross square feet, would be one story and could be added to the building at its north side with separate entrances. The existing mechanical room could be enlarged to serve the extension. Approximately 80 feet of additional site north of the building would be necessary in order to compensate for the parking area that would be displaced by the addition. (In addition a separate building in the Department of Motor Vehicles program is justified because of necessity to be in a less congested location for driver testing.)

**Compton**

A one-story building for the Department of Employment program. (Of higher priority than previously anticipated in original program.)

**Culver City**

A one-story building for the Department of Employment program. (Department of Motor Vehicles cannot plan program until direction of population growth better determined. Other state agencies are not represented in this area.)

**East Los Angeles**

The Departments of Employment and Mental Hygiene could be housed in a state-owned facility.

The structure would be in the Department of Employment program as the principal space user with 750 additional square feet for the Department of Mental Hygiene. (In addition a separate building in the Department of Motor Vehicles program is justified because of necessity to be in a less congested location for driver testing.)

**El Centro**

The Department of Employment, Department of Motor Vehicles, and the Board of Equalization could be housed in a state-owned facility in the Department of Employment program as the principal space user. A one-story building is indicated with adequate parking for state automobiles and public requirements.



**Eureka**

The Board of Equalization, Departments of Industrial Relations, Fish and Game, and Education—Vocational Rehabilitation could be centralized in one building. It would not be practical to construct an addition to the existing state-owned Department of Employment building due to inadequacy of its site, the terrain and the nature of its structure; however, a state-owned facility is justified even though only 5,046 square feet, provided it is located adjacent to the existing Department of Employment building to share in management and maintenance. (Department of Motor Vehicles already housed in a state-owned building.)

**Fresno**

A multistory building that will provide facilities for Departments of Agriculture, Corrections, Education—Vocational Rehabilitation, Employment, Fish and Game, Industrial Relations, Investments—Division of Real Estate, Mental Hygiene, Natural Resources—Division of Forestry, Professional and Vocational Standards, Public Health, Public Works—Division of Water Resources, Veterans Affairs, Youth Authority, the Public Utilities Commission, State Controller, district courts of appeal, Board of Equalization, State Fire Marshal, and the Franchise Tax Board. The building will be constructed on a state-owned site situated at the Fresno Civic Center. (Originally, Department of Motor Vehicles was included in the central office building program. It has subsequently been determined that they will be better served by a separate building in a less congested location for driver testing.)

**Glendale**

The proposed Department of Employment building could be enlarged to provide office quarters for the Board of Equalization and the Department of Corrections. The building would have a large ground floor and a partial second floor. (In addition a separate (replacement) building in the Department of Motor Vehicles program is justified because of necessity of location on outskirts of city for driver testing and to serve the Burbank area.)

**Hayward**

The Department of Employment, and the Board of Equalization could be housed in a state-owned facility in the Department of Employment program as the principal space user. The site would provide for a building with separate entrances for the different functions, permitting a layout having proper relationship with exterior parking in order to avoid conflict in operations. (In addition a separate building in the Department of Motor Vehicles program is required because of necessity for a less congested location for driver testing.)

**Hollywood**

A one-story building for the Department of Motor Vehicles program. (Department of Employment already housed in a state-owned building and other agencies not represented in the area.)

**Huntington Park**

By increasing the proposed Department of Employment building with a partial second floor, the Department of Corrections could be included in this building. No additional site would be necessary.



**Long Beach**

The Board of Equalization, Department of Alcoholic Beverage Control, Veterans Affairs, Professional and Vocational Standards, Mental Hygiene, Industrial Relations, Education—Vocational Rehabilitation, Corrections—Bureau of Paroles and Franchise Tax Board could be housed in a centrally located building, exclusive of the existing state-owned Department of Employment and Department of Motor Vehicles buildings which do not readily allow themselves for an addition. The building would be 24,000 gross square feet to be located in an area where land values would justify a one-story building with partial second floor and a fenced parking lot for state cars and adequate public parking.

**Los Angeles**

A multi-story building and garage that will increase office space facilities necessary to relieve crowded conditions in the existing state building provide for anticipated expansion, and materially reduce rental quarters. The building will provide housing for most of the state agencies in Los Angeles now in rental quarters except those instances where requirements of location, type of operations, or temporary nature of operation would preclude occupancy in a central state building.

The improvements are to be constructed on a state-owned site located on First Street between Broadway and Hill Streets. (Department of Employment has acquired a site and a building to house their operations, has been financed, and is now being designed.)

**Marysville**

The proposed Department of Employment building could be increased to provide for the Board of Equalization on a partial second floor. It would be necessary to increase the site to provide for additional parking for the Board of Equalization.

**Merced**

The Department of Motor Vehicles and the Board of Equalization could be housed in the proposed Department of Employment building if it is enlarged. It would be necessary to acquire a site of sufficient size in order that the building could be so planned to avoid conflict of operations and to provide for a substantial increase in parking needs. The site should be located at the north edge of the city to best serve the operations of the agencies. (Present considerations indicate Motor Vehicles can be effectively included in central building program.)

**Modesto**

The Departments of Employment and Education—Vocational Rehabilitation and Board of Equalization aggregate needs would be sufficient to justify a state-owned facility in the Department of Employment program as the principal space user. The building would have a large ground floor and a partial second floor. The site should be approximately one-half acre to provide adequately for parking. (This has not been included previously in the program because Department of Employment had favorable lease arrangements for their separate program.)

**Monterey**

The Departments of Industrial Relations, Natural Resources, Fish and Game, Employment, and Motor Vehicles could be housed in a state-owned facility in the Department of Employment program as the principal space user. (Present considerations indicate Motor Vehicles can be effectively included in central building program.)

The building would have approximately 11,500 net square feet on the ground floor and 7,700 on a second floor. The site characteristics should be such that it would be suitable for a building having separate entrances for the different functions, providing proper integration with exterior parking in order to avoid conflict in operations. Approximately an acre site is desirable.

**Oakland**

A multistory building with basement garage and exterior fenced-in parking that will provide central housing for the Departments of Corrections, Education—Vocational Rehabilitation and Industrial Education, Employment (exclusive of Industrial Office), Industrial Relations, Investments—Division of Real Estate, Mental Hygiene, Professional and Vocational Standards, Public Works—Division of Architecture, and Veterans Affairs, the State Controller, Board of Equalization, Franchise Tax Board, Legislative Office and the Water Pollution Control Board. The building will be constructed on a state-owned site located at the Oakland Civic Center. (The industrial operation for the Department of Employment is programmed at a separate location. A separate building replacement is necessary in the Department of Motor Vehicles program.)

**Pasadena**

The Board of Equalization, Departments of Employment and Education—Vocational Rehabilitation could be housed in a state-owned facility in the Department of Employment program as the principal space user. The Department of Employment has acquired a site 97' x 190' in dimension. A partial second story could be added to the proposed building. It would be necessary to acquire an adjoining site in order to provide for additional parking.

**Red Bluff**

The Department of Employment, Department of Motor Vehicles, and the Board of Equalization could be housed in a state-owned facility under the Department of Employment program as the principal space user. The building would be arranged so as to provide separate entrances properly integrated with exterior parking in order to avoid conflict of operations. Approximately one-half acre site would be acquired. (Present considerations indicate Motor Vehicles can be effectively included in central building program.)

**Redding**

The Departments of Industrial Relations, Motor Vehicles, and Veterans Affairs, Board of Equalization, and Public Utilities Commission could be housed in a centrally located state building, provided it is constructed on a site adjacent to the present state-owned Department of Employment building. This is necessary to gain the advantages of

combined management and operation. The building would be two stories and would require a one-quarter-acre site.

#### **Richmond**

The Board of Equalization could be housed in state-owned facilities by an increase in size of the proposed Department of Employment building. The building would be one story with a partial second floor. It would be necessary to acquire a somewhat larger site to provide for the additional parking required by the Board of Equalization.

#### **Roseville**

The Board of Equalization could be housed in a state-owned facility by an increase in the size of the proposed Department of Motor Vehicles Building. The building would be one story with separate entrances so arranged to avoid conflict of operations. (Other state agencies are not represented in the area.)

#### **Sacramento**

Completion of the state office buildings currently in varying stages of construction, and one other already financed, will add, for the immediate future, sufficient additional space to house in state-owned buildings practically all state agencies now headquartered in Sacramento. The total space thus available, including the existing buildings, some of which will require renovation, will be sufficient to correct for present crowded conditions and allow for anticipated expansion during the next three to five years. It will also reduce rental quarters in Sacramento to a minimum. The annex to the Agriculture Building will be completed June 1, 1955, the Employment Building, February 1, 1956, and the Veterans Building approximately the early part of 1957. The Personnel Building, recently completed is now occupied. The above-named buildings total 564,370 net square feet of additional area.

Anticipated future expansion of state agency needs indicates that by 1961 additional net area of 136,000 square feet would be required. It is proposed to meet this requirement at that time with the construction of a new Retirement Building. This building is included on page 140 in the State Building Construction Program under the Department of Finance schedule.

#### **San Bernardino**

A central state building facility could include the Departments of Education—Vocational Rehabilitation, Professional and Vocational Standards, Mental Hygiene, Industrial Relations, Public Health, Veterans Affairs, Alcoholic Beverage Control, Board of Equalization, Franchise Tax Board, and Public Utilities Commission (exclusive of the district court of appeals now in the existing Department of Motor Vehicles Building and exclusive of the existing Department of Employment Building situated on a limited site). A two-story structure containing approximately 7,125 net square feet on each floor, and a one-half acre site would be required.

#### **San Diego**

A multistory building will be required for the Departments of Agriculture, Corrections, Education—Vocational Rehabilitation, Employment, Fish and Game, Highway Patrol—District Office, Industrial



Relations, Insurance, Investments—Division of Real Estate, Mental Hygiene, Public Health, Veterans Affairs, and the Compensation Insurance Fund, District Court of Appeal, Board of Equalization, Franchise Tax Board, Legislative Offices, Public Utilities Commission, Water Pollution Control Board, Youth Authority. (A separate building necessary in the Department of Motor Vehicles program.) The site, not yet selected, for this building should be approximately two acres or one square block. The building would be so arranged as to have several entrances in order to accommodate the differing functions and to avoid conflict in operation.

#### **San Fernando**

A one-story building to house the Department of Employment program. (Other state agencies not represented in the area.)

#### **San Francisco**

A multistory addition to the existing state building that will increase office space facilities necessary to relieve crowded conditions in the building, provide for anticipated expansion, and materially reduce rented quarters. The building will provide housing for most of the state agencies now in rented quarters except those instances where requirement of location, type of operations, or temporary nature would preclude occupancy in a state building. Due to the limits of the state-owned site and the height limit, sufficient area could not be developed with this addition to provide for all state agencies. For this reason it is proposed to continue use of rented quarters in the Ferry Building and an additional building owned by the Harbor Commission presently housing the Departments of Natural Resources—Division of Mines—Division of Oil and Gas, Department of Finance—Purchasing Division, Agriculture, Corrections—Bureau of Paroles. (A separate building necessary in Department of Motor Vehicles program.)

The addition will be six stories and will be integrated with the existing building in a manner that will allow readily for the expansion of the present occupants on each of the floors and avoid extensive alterations to present quarters. A separate main entrance will be provided at the north on the Golden Gate Avenue façade.

#### **San Jose**

A multistory building could house the Departments of Veterans Affairs, Mental Hygiene, Alcoholic Beverage Control, Education—Vocational Rehabilitation, Corrections, Employment, Industrial Relations, Public Health, Professional and Vocational Standards, Board of Equalization, Franchise Tax Board, and Public Utilities Commission.

Due to the diverse nature of the functions of the various agencies, the building will require a large ground floor arranged in a manner so that separate entrances and coordination with the exterior parking is possible in order to avoid conflict of operations. The site should be of adequate size for this purpose and also to provide for public parking and storage of state cars. A site of approximately two acres or one square block would be required.



**San Luis Obispo**

The Board of Equalization, Department of Employment, Department of Motor Vehicles, and Water Pollution Control Board could be housed in a state-owned facility under the Department of Employment program as the principal space user. The Department of Motor Vehicles and the Department of Employment would each require a ground floor location, with the remainder of the agencies housed on a partial second floor. Parking facilities should be adequate to avoid conflict of operation of the Department of Motor Vehicles functions with the public parking.

**Santa Ana**

The Departments of Employment, Industrial Relations, Education—Vocational Rehabilitation, Mental Hygiene, and Board of Equalization would require sufficient area to justify a state-owned facility under Department of Employment program as the principal space user. The building would have a ground floor containing 10,000 net square feet and a second floor of approximately 6,000 net square feet. The site should be approximately two-thirds of an acre to provide adequate parking.

**Santa Barbara**

The Department of Veterans Affairs, Mental Hygiene, Motor Vehicles, Industrial Relations, Corrections, Public Health, Education—Vocational Rehabilitation, Office of Civil Defense, the Franchise Tax Board, Board of Equalization, and Public Utilities Commission could be cared for in a state-owned facility. The state-owned site, with some adjustment to create a rectangular site, would be adequate for a state building. Such building would be two stories plus basement garage with fenced-in parking area. Additional parking area would be provided by a state-owned plot across the street. (Department of Employment already housed in a state-owned building.)

**Santa Cruz**

The Departments of Employment, Motor Vehicles, Mental Hygiene, and the Board of Equalization could be housed in a state-owned facility under the Department of Employment program as the principal space user. (Present considerations indicate Motor Vehicles can be effectively included in central building program.) The building would be arranged so as to provide separate entrances properly integrated with exterior parking in order to avoid conflict of operations. Approximately one-half acre site would be required.

**Santa Rosa**

The Departments of Motor Vehicles, Mental Hygiene, Public Health, Alcoholic Beverage Control, Veterans Affairs, Education—Vocational Rehabilitation, Natural Resources—Division of Beaches and Parks, Corrections, the Board of Equalization, Franchise Tax Board, Water Pollution Control Board, and Public Utilities Commission could be housed in a site of adequate size. Location would be a prime consideration in order to satisfy the diverse requirements of these agencies. The building would be two stories with entrances arranged so as to avoid conflict in operations of the agencies, particularly as they would

be affected by the exterior functions of the Department of Motor Vehicles. The site of the existing state-owned Department of Employment building is not large enough to accommodate an addition of the required size, and its structure makes additional stories impractical.

#### **Stockton**

The Departments of Industrial Relations, Natural Resources—Division of Beaches and Parks, Education—Vocational Rehabilitation, Mental Hygiene, Professional and Vocational Standards, Alcoholic Beverage Control, Public Health, the Franchise Tax Board, Board of Equalization, and Public Utilities Commission could be housed in a state-owned facility. (Department of Employment already is housed in a state-owned facility.)

The nature of the proposed occupancy will require a two-story building. Due to the diverse nature of the functions of the various agencies, the building will require a large ground floor arranged in a manner so that separate entrances and coordination with the exterior parking is possible in order to avoid conflict of operations. The State presently owns a site, but it should be enlarged for this purpose by the acquisition of one-half acre. Fenced-in parking will be required for state cars.

#### **Torrance**

A one-story building on a state-owned site for the Department of Employment program. (The Department of Motor Vehicles is the only other state agency in this community. Its requirements could not be met at the site for the building.)

#### **Vallejo**

The Department of Employment program consisting of a building containing 7,800 net square feet on a ground floor could be expanded to a second story adding 2,300 net square feet or sufficient area to provide for the Board of Equalization. (Department of Motor Vehicles already housed in state-owned facilities.)

#### **Ventura**

The Department of Employment, the Board of Equalization, and State Controller could be housed in a state-owned facility.

A two-story building with approximately 9,600 net square feet on the ground floor and a partial second floor containing approximately 3,100 square feet would be required. The ground floor of the building should be arranged in a manner so that separate entrances and coordination with exterior parking is possible in order to avoid conflict of operations. The site should be of adequate size for this purpose and also to provide for public parking and storage of state cars. Approximately two-thirds of an acre would be required. (The size of building is subject to reduction depending upon establishment of a Department of Employment office in Oxnard.)

#### **Visalia**

The building in the Department of Employment program could be enlarged to provide office quarters for the Board of Equalization and the Department of Education—Vocational Rehabilitation. The building would have partial second floor and the site should be adequate to provide for the additional parking necessary for these agencies.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 562	Assembly Bill No. 1592
Assembly Bill No. 673	Assembly Bill No. 1668
Assembly Bill No. 843	Assembly Bill No. 2080
Assembly Bill No. 891	Assembly Bill No. 2497
Assembly Bill No. 916	Assembly Bill No. 2596
Assembly Bill No. 1138	Assembly Bill No. 2597
Assembly Bill No. 1517	Assembly Bill No. 2711

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 562**—An act to add Chapter 5, comprising Sections 5400 to 5404, inclusive, to Division 6, Title 1, of the Government Code and to repeal Article 1, comprising Sections 50600, 50601 and 50602, of Chapter 3, Part 1, Division 1, Title 5 of said code, relating to the levy of taxes and assessments to pay principal and interest of bonds of public bodies authorized but unsold.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 673**—An act to amend Section 1101 of the California Insurance Code, relating to interest of officers in purchases, sales and loans with admitted insurers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 843**—An act to add Section 18654 to the Business and Professions Code, relating to amateur boxing contests and sparring or wrestling matches.

Referred to Committee on Business and Professions.

**Assembly Bill No. 891**—An act to amend Section 6536 of the Business and Professions Code, relating to barbers and barber colleges.

Referred to Committee on Business and Professions.

**Assembly Bill No. 916**—An act to add Section 19334 to the Government Code, relating to leaves of absence for state employees.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1138**—An act to amend Section 28112 of the Government Code, and to amend Section 412 of the Education Code, relating to compensation for public service in counties of the twelfth class.

Referred to Committee on Local Government.

**Assembly Bill No. 1517**—An act to add Sections 14159.5 and 14710 to the Health and Safety Code, relating to warrants of fire protection districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1592**—An act to add Section 214.7 to the Revenue and Taxation Code, relating to exemption from property taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1668**—An act to amend Section 25660 of the Business and Professions Code, relating to furnishing of alcoholic beverages to minors.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2080**—An act to amend Section 31470.6 of, to add Section 31664.6 to, and to repeal Sections 31664.6 and 31678, of the Government Code, relating to retirement for county employees.

Referred to Committee on Local Government.

**Assembly Bill No. 2497**—An act to amend Section 12324 of the Government Code, relating to payment of state warrants.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2596**—An act to amend Sections 25351 and 25450 of the Government Code, relating to the construction, alteration and repair of buildings and other structures.

Referred to Committee on Local Government.

**Assembly Bill No. 2597**—An act adding Section 86.5 to the Agricultural Code, relating to the Sixth District Agricultural Association.

Referred to Committee on Local Government.

**Assembly Bill No. 2711**—An act to add Sections 8216, 8217, and 8218 to the Government Code, relating to discharge of sureties.

Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1	Assembly Bill No. 1518
Assembly Bill No. 61	Assembly Bill No. 1577
Assembly Bill No. 309	Assembly Bill No. 1650
Assembly Bill No. 326	Assembly Bill No. 1673
Assembly Bill No. 563	Assembly Bill No. 1693
Assembly Bill No. 714	Assembly Bill No. 2033
Assembly Bill No. 743	Assembly Bill No. 2077
Assembly Bill No. 756	Assembly Bill No. 2078
Assembly Bill No. 849	Assembly Bill No. 2079
Assembly Bill No. 890	Assembly Bill No. 2081
Assembly Bill No. 1013	Assembly Bill No. 2472
Assembly Bill No. 1102	Assembly Bill No. 2503
Assembly Bill No. 1351	Assembly Bill No. 2993
Assembly Bill No. 1357	Assembly Bill No. 3232
Assembly Bill No. 1382	Assembly Bill No. 3319
Assembly Bill No. 1413	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 1**—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Referred to Committee on Education.



**Assembly Bill No. 61**—An act to amend Section 6528 of the Business and Professions Code, relating to barber college instructors.

Referred to Committee on Business and Professions.

**Assembly Bill No. 309**—An act to amend Section 427 of the Education Code, relating to the government of counties.

Referred to Committee on Local Government.

**Assembly Bill No. 326**—An act to amend Section 1157.1 of the Government Code, relating to public agencies.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 563**—An act to amend Section 43605 of the Government Code, relating to the incurring of bonded indebtedness of cities.

Referred to Committee on Local Government.

**Assembly Bill No. 714**—An act to amend Section 1593 of the Education Code, relating to changes in status of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 743**—An act to add Title 4, comprising Sections 3425.1 to 3425.5, to Part 1, Division 4, of the Civil Code, relating to actions based upon a single publication, exhibition or utterance.

Referred to Committee on Judiciary.

**Assembly Bill No. 756**—An act to amend Section 3105 of the Government Code, relating to places of filing oaths of allegiance.

Referred to Committee on Judiciary.

**Assembly Bill No. 849**—An act to add Section 2509 to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 890**—An act to amend Sections 6534.6 of the Business and Professions Code, relating to barbers and barber colleges.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1013**—An act to amend Section 4103, to repeal Section 4104 of, and to add Section 4104 to the Education Code, relating to governing boards of junior college districts.

Referred to Committee on Education.

**Assembly Bill No. 1102**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to the prosecution of relatives of applicants for or recipients of aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1351**—An act to amend Sections 12011.7, 12106, and 12752.1 of, and to add Section 12757 to, the Education Code, relating to the issuance, suspension, and revocation of certification documents issued by the State Board of Education.

Referred to Committee on Education.

**Assembly Bill No. 1357**—An act to add Sections 404.1, 404.2, 404.3, and 404.4 to the Vehicle Code, relating to service of process on persons outside of the State in actions arising out of the ownership, operation, or driving of motor vehicles, and the time within which such actions must be commenced.

Referred to Committee on Judiciary.

**Assembly Bill No. 1382**—An act to add Article 7, comprising Sections 1953p to 1953u to Chapter 3 of Title 2 of Part 4 of the Code of Civil Procedure, relating to the preservation of private business records and to make uniform the law with reference thereto.

Referred to Committee on Judiciary.

**Assembly Bill No. 1413**—An act to amend Sections 17005 and 17006 of the Government Code, relating to registers of state warrants issued.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1518**—An act to amend Section 5007 of the Education Code, relating to investment of school district funds.

Referred to Committee on Education.

**Assembly Bill No. 1577**—An act to amend Section 976 of the Fish and Game Code, relating to the taking of fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1650**—An act to amend Section 28117 of the Government Code, relating to compensation for public service in counties of the seventeenth class.

Referred to Committee on Local Government.

**Assembly Bill No. 1673**—An act to amend Section 696 of the Fish and Game Code, relating to the canning or smoking of striped bass.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1693**—An act to amend Section 8102 of the Education Code, relating to the definition of a school month.

Referred to Committee on Education.

**Assembly Bill No. 2033**—An act to amend Section 104.5 of the Welfare and Institutions Code, relating to appeals by applicants for and recipients of public assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2077**—An act to amend Sections 31664.5 and 31720.5 of, to add Section 31787 to, and to repeal Section 31787 of, the Government Code, relating to retirement for county employees.

Referred to Committee on Local Government.

**Assembly Bill No. 2078**—An act to amend Sections 31652 and 31780 of the Government Code, relating to retirement of county employees.

Referred to Committee on Local Government.

**Assembly Bill No. 2079**—An act to amend Sections 31468, 31527, 31553, 31554, 31648, 31651, 31760 of, and to repeal Sections 31469.5, 31553.5, Article 8.5 consisting of Sections 31690 to 31692, inclusive, of, the Government Code, relating to retirement for county employees.

Referred to Committee on Local Government.

**Assembly Bill No. 2081**—An act to add Section 31452.5 to the Government Code, relating to retirement for county employees.

Referred to Committee on Local Government.

**Assembly Bill No. 2503**—An act to amend Sections 51680 and 51692 of the Water Code, relating to reclamation districts.

Referred to Committee on Water Resources.

**Assembly Bill No. 2472**—An act to amend Section 1940 of the Labor Code, relating to the employment in public schools or in schools supported in whole or in part by the State of persons who have declared their intentions to become citizens.

Referred to Committee on Education.

**Assembly Bill No. 2993**—An act to add Section 220 to the Revenue and Taxation Code, relating to the exemption of aircraft from personal property taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 3232**—An act to add Section 13526.1 to the Education Code, relating to compulsory leave of absence for employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 3319**—An act to amend Sections 24001 and 27491 of the Government Code, relating to county officers.

Referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 182

Senator Thompson moved that Senate Bill No. 182 be withdrawn from Committee on Natural Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 182**—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil and water conservation, creating the Division of Soil Conservation in the Department of Natural Resources and prescribing its duties and functions, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, government, operations, finances, and functions of soil conservation districts and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 5, line 40, of the printed bill, strike out "9046", and insert "9045.5".

**Amendment No. 2**

On page 7, line 26, strike out the second "for", and insert "to be held under assignment by".

**Amendment No. 3**

On page 7, line 27, after "trict", insert "at any one time".

**Amendment No. 4**

On page 8, line 4, strike out "seven", and insert "nine".

**Amendment No. 5**

On page 8, line 9, strike out "five", and insert "seven".

**Amendment No. 6**

On page 8, line 12, after "9055.", insert "Four of".

**Amendment No. 7**

On page 8, lines 13 and 14, strike out "for representation from the northern, central and southern", and insert "as nearly equal representation as possible from all".

**Amendment No. 8**

On page 8, line 15, strike out "by appointing one from each of these areas"; strike out line 16, and insert ", and three of the members shall be appointed from the State at large and shall be representatives of agriculture and may or may not be directors."

**Amendment No. 9**

On page 14, line 47, strike out ", except that the board of supervisors shall act"; strike out all of line 48; and in line 49, strike out "the secretary of the directors".

**Amendment No. 10**

On page 15, line 15, strike out "electors", and insert "voters".

**Amendment No. 11**

On page 22, between lines 18 and 19, insert "9280.1. If the inclusion of additional lands in a district is not completed within two years from the date of the first submission of the proposal to the board of directors, no further action may be taken on the proposal and the proposal shall be deemed invalid; except, that where it reasonably appears to him that the proposal will be acted upon, the chief from time to time may either on his own motion or on request of any interested party extend, for periods not to exceed one year in all, the time within which action may be taken on the proposal."

**Amendment No. 12**

On page 24, strike out lines 30 to 33, inclusive, and insert "9303. The directors shall grant such exclusions from the proposed addition to the district as are so requested."

9303.1. The directors may include such additional land in the proposed addition to the district as may be so requested."

**Amendment No. 13**

On page 25, line 1, strike out "9303", and insert "9303.1".

**Amendment No. 14**

On page 26, line 11, after "lies", insert "and to the chief of the division".

**Amendment No. 15**

On page 26, line 13, after "commission", insert "and the chief".

**Amendment No. 16**

On page 26, line 18, strike out "district", and insert "recommended area of expansion".

**Amendment No. 17**

On page 26, lines 27 and 28, strike out "shall file its report", and insert "and the chief shall file their reports".

**Amendment No. 18**

On page 26, lines 29 and 30, strike out "and a copy furnished to the chief".



**Amendment No. 19**

On page 26, line 34, strike out ", proposals", and insert "and the chief, requests".

**Amendment No. 20**

On page 26, line 38, after "commission", insert "and the chief".

**Amendment No. 21**

On page 31, between lines 25 and 26, insert

"9501.1. If the consolidation is not completed within two years from the date of the first submission of the proposal to a board of directors, no further action may be taken on the proposal and the proposal shall be deemed invalid; except, that where it reasonably appears to him that the proposal will be acted upon, the chief from time to time may either on his own motion or on request of any interested party extend, for periods not to exceed one year in all, the time within which action may be taken on the proposal."

**Amendment No. 22**

On page 33, line 45, after "the", insert "votes cast by the".

**Amendment No. 23**

On page 39, line 4, strike out "either".

**Amendment No. 24**

On page 39, line 6, strike out "or by the owners of two-"; strike out lines 7 and 8; and in line 9, strike out "assessment roll".

**Amendment No. 25**

On page 42, line 50, strike out "either".

**Amendment No. 26**

On page 42, line 51, strike out "or the owners of two-thirds"; strike out line 52; on page 43, strike out line 1, and in line 2, strike out "roll".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 249**

Senator Collier moved that Senate Bill No. 249 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 249**—An act to amend Section 3708.5 of the Revenue and Taxation Code, relating to recording fees.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill after "Code", insert "and Section 2313 of the Public Resources Code".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, after line 12, insert

"Sec. 2. Section 2313 of the Public Resources Code is amended to read:  
2313. Within 90 days after the posting of his notice of location upon a lode mining claim, placer claim, tunnel right or location, or mill site claim or location, the

locator shall record a true copy of the notice together with a statement of the markings of the boundaries as required in this chapter, and of the performance of the required discovery work, in the office of the county recorder of the county in which such claim is situated. The county recorder shall receive [a fee of one dollar (\$1)] for this service *the fee prescribed in Section 27361 of the Government Code.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 896

Senator Gibson moved that Senate Bill No. 896 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 896**—An act to amend Section 5510 of the Business and Professions Code, relating to architecture.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5510 of", and insert "Sections 5500, 5515, 5537, 5538, and 5561 of, and to add Sections 5500.1, 5537.1, 5537.2, 5537.3, 5537.4, and 5577 to,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"**SECTION 1.** Section 5500 of the Business and Professions Code is amended to read:

5500. As used in this chapter, architect refers to a person who holds a certificate to *engage in the practice of architecture* in this State under the authority of this chapter.

**SEC. 2.** Section 5500.1 is added to said code, to read:

5500.1. A person engages in the practice of architecture within the meaning and intent of this chapter, who holds himself out as able to perform or who does perform any professional service such as consultation, investigation, evaluation, planning, and design, or responsible supervision of construction, wherein the safeguarding of life, health or property is concerned or involved, when such professional service requires the application of the art and science of construction based upon the principles of mathematics, aesthetics, and the physical sciences.

**SEC. 3.** Section 5515 of said code is amended to read:

5515. The terms of the members of the state board in office when the amendment to this section takes effect shall expire as follows: Two members, January 15, 1942; four members, January 15, 1943; three members, January 15, 1944; one member, January 15, 1945.

Appointments to fill the vacancies arising by reason of the expiration of term of office shall be filled as follows: For vacancies occurring January 15, 1942, one person shall be appointed; for vacancies occurring January 15, 1943, two persons shall be appointed; for vacancies occurring January 15, 1944, one person shall be appointed; and for vacancies occurring January 15, 1945, one person shall be appointed. Thereafter there shall be as many appointments as there are vacancies. Every person appointed after January 15, 1942, shall serve for four years [and until the appointment and qualification of his successor], *but no member shall hold office beyond the term for which he was appointed.*

Vacancies occurring prior to the expiration of the term shall be filled by appointment for the unexpired term.

*No person shall serve as a member of the board for more than three terms, but this provision shall not prevent any member in office at the time this provision takes effect from completing his present term of office.*

SEC. 4. Section 5537 of said code is amended to read:

5537. This chapter does not prevent any person from making plans or drawings for his own buildings or from furnishing to other persons plans, drawings, specifications, instruments of service, or other data for buildings, if, prior to accepting employment or commencing work on such plans, drawings, specifications, instruments of service, or other data, the person, so furnishing such plans, drawings, specifications, instruments of service, or data, fully informs such other person or persons, in writing, that he, the person proposing to furnish such plans, drawings, specifications, instruments of service, or data, is not an architect.

This information is deemed to have been given by a structural engineer when he uses the title "structural engineer" on all instruments of service.

*This section shall remain in effect until the ninety-first day after the final adjournment of the Regular Session of the Legislature in 1957.*

SEC. 5. Section 5537.1 is added to said code, to read:

5537.1. Nothing in this chapter shall prohibit the preparation of plans, drawings, specifications, estimates, or instruments of service for single or multiple dwellings not more than two stories and basement in height; garages or other structures appurtenant to such dwellings; farm or ranch buildings; or any other buildings, except steel frame or concrete buildings, not over one story in height, where the span between bearing walls does not exceed twenty-five (25) feet.

SEC. 6. Section 5537.2 is added to said code, to read:

5537.2. Nothing in this chapter shall require the registration, for the purpose of practicing architecture, by an individual, a member of a firm or partnership, or by an officer of a corporation on or in connection with property owned or leased by the individual, firm, partnership, or corporation, unless the architectural work to be performed involves the public health or safety or the health and safety of the employees of the individual, firm, partnership or corporation.

SEC. 7. Section 5537.3 is added to said code, to read:

5537.3. A civil engineer, who is registered to practice civil engineering in this State under the provisions of Chapter 7 of Division 3 of this code, is exempt from the provisions of this chapter.

SEC. 8. Section 5537.4 is added to said code, to read:

5537.4. A professional engineer, who is registered under the provisions of Chapter 7 of Division 3 of this code, is exempt from the provisions of this chapter.

SEC. 9. Section 5538 of said code is amended to read:

5538. This chapter does not [apply to any person in so far as such person furnishes] *prohibit any person, firm, or corporation from furnishing, either alone or with subcontractors, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data [for] covering such labor and materials [to be furnished by such person, either alone or with subcontractors].*

(a) For store fronts, interior alterations or additions, fixtures, cabinet work, furniture, or other appliances or equipment[, or].

(b) For any work necessary to provide for their installation[, or].

(c) For any alterations or additions to any building necessary to or attendant upon the installation of such store fronts, interior alterations or additions, fixtures, cabinet work, furniture, appliances or equipment[, nor does this chapter prevent any such person from advertising or putting out any sign or card or other device which might indicate to the public that such person is qualified to furnish such plans, drawings, specifications, instruments of service or data]: *provided, such alterations do not affect the structural safety of the building.*

SEC. 10. Section 5561 of said code is amended to read:

5561. All accusations against licensees charging the holder of a certificate issued under this chapter with the commission of any act constituting a cause for disciplinary action shall be filed with the board within two years after the act or omission alleged as the ground for such disciplinary action, *except that with respect to an accusation alleging a violation of Section 5579, the accusation may be filed within two years after the discovery by the board of the alleged facts constituting the fraud or misrepresentation prohibited by the section.*

SEC. 11. Section 5577 is added to said code, to read:

5577. The conviction of a felony in connection with the practice of architecture by the holder of a certificate constitutes a ground for disciplinary action. The record of conviction or a certified copy thereof certified by the clerk of the court or by the judge in whose court the conviction is obtained, is conclusive evidence of the conviction.

A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The board may order the certificate suspended or revoked, or may decline to issue a certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4



of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 898

Senator Gibson moved that Senate Bill No. 898 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 898**—An act to amend Section 7000 of the Business and Professions Code, relating to contractors.

Bill read second time.

##### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7000 of", and insert "Sections 7003, 7051, and 7091 of, and to add Sections 7123 and 7124 to,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 7003 of the Business and Professions Code is amended to read:

7003. The terms of the members of the board in office when this chapter takes effect shall expire as follows: One general building contractor and one specialty contractor, January 15, 1940; one general building contractor and one specialty contractor, January 15, 1941; one general building contractor and one specialty contractor, January 15, 1942; the general engineering contractor January 15, 1943.

Appointments to fill a vacancy caused by the expiration of the term of office shall be for a term of four years and shall be filled by a member from the same branch of the contracting business as was the branch of the member whose term has expired. [Each] No member shall hold office beyond the term for which he was appointed unless reappointed [after the expiration of his term until his successor has been duly appointed and qualified].

Vacancies occurring in the membership of the board for any cause shall be filled by appointment for the balance of the unexpired term.

No person shall serve as a member of the board for more than three terms, but this provision shall not prevent any member from completing any term of office which he may be serving at the time this limitation takes effect.

SEC. 2. Section 7123 is added to said code, to read:

7123. A conviction of a felony in connection with the operations of a licensee as a contractor constitutes a cause for disciplinary action. The record of the conviction shall be conclusive evidence thereof.

SEC. 3. Section 7124 is added to said code, to read:

7124. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this article. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.



SEC. 4. Section 7051 of said code is amended to read:

7051. This chapter does not apply to a licensed architect or a registered civil or professional engineer acting solely in his professional capacity *or to a licensed structural pest control operator acting within the scope of his license.*

SEC. 5. Section 7091 of said code is amended to read:

7091. All accusations against licensees shall be filed within two years after the act or omission alleged as the ground for disciplinary action, *except that with respect to an accusation alleging a violation of Section 7112, the accusation may be filed within two years after the discovery by the registrar or by the board of the alleged facts constituting the fraud or misrepresentation prohibited by the section.* The proceedings under this article shall be conducted in accordance with the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the registrar shall have all the powers granted therein."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 593

Senator Robert I. McCarthy moved that Senate Bill No. 593 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 593**—An act to amend Section 74502, 74503, 74504 and 74507 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Bill read second time.

#### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 22, 1955, strike out "Section", and insert "Sections".

PRINTER'S NOTE—There being no 7-point knockout type available, the material which should appear in knockout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out line 13, and insert

"74502. [The judges of the court shall appoint] *There shall be one clerk who shall also [act] serve as secretary to the judges and who shall be paid a minimum salary of [nine hundred fifty dollars (\$950)] one thousand dollars (\$1,000) monthly during the first year of service, a salary of one thousand [twenty-five dollars (\$1,025)] one hundred dollars (\$1,100) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of one thousand [one hundred dollars (\$1,100)] two hundred dollars (\$1,200) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment. Whenever any vacancy occurs after the effective date hereof, the judges, or a majority of them, notwithstanding any other provisions of the Government Code, shall appoint one clerk who shall also serve as secretary to the judges, and who shall hold office at their pleasure and who shall receive the salary hereinabove provided.*

SEC. 2. Section 74503 of said code is amended to read:

74503. [The clerk shall appoint:]

(a) [One] *There shall be one deputy clerk who shall be jury commissioner and who shall perform such other duties as assigned by the judges of the court and who shall be paid a minimum salary of seven hundred [dollars (\$700)] thirty-five dollars (\$735) monthly during the first year of service, a salary of seven hundred [twenty-five dollars (\$725)] sixty dollars (\$760) monthly after the first year of*

service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of seven hundred [fifty dollars (\$750)] *eighty dollars (\$780)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment. *Whenever any vacancy occurs after the effective date hereof, the judges, or a majority of them, notwithstanding any other provisions of the Government Code, shall appoint one deputy clerk who shall be jury commissioner, and who shall hold office at their pleasure, and who shall perform such other duties as assigned by the judges of the court, and who shall receive the salary hereinabove provided.*

*The clerk shall appoint:*

(b) One deputy clerk who shall be chief division clerk, traffic department, and who shall be paid a minimum salary of [six hundred twenty-five dollars (\$625)] *seven hundred dollars (\$700)* monthly during the first year of service, a salary of [six hundred fifty dollars (\$650)] *seven hundred twenty-five dollars (\$725)* monthly after the first year of service commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of [six hundred seventy-five dollars (\$675)] *seven hundred fifty dollars (\$750)* monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

(c) One deputy clerk who shall be chief division clerk, civil department, and who shall be paid a minimum salary of [six hundred twenty-five dollars (\$625)] *seven hundred dollars (\$700)* monthly during the first year of service, a salary of [six hundred fifty dollars (\$650)] *seven hundred twenty-five dollars (\$725)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of [six hundred seventy-five dollars (\$675)] *seven hundred fifty dollars (\$750)* monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

(d) One deputy clerk who shall be chief division clerk, criminal department, and who shall be paid a minimum salary of six hundred [twenty-five dollars (\$625)] *seventy dollars (\$670)* monthly during the first year of service, a salary of [six hundred fifty dollars (\$650)] *seven hundred dollars (\$700)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of [six hundred seventy-five dollars (\$675)] *seven hundred twenty-five dollars (\$725)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(e) One deputy clerk who shall be chief division clerk, accounting department, and who shall be paid a minimum salary of six hundred [twenty-five dollars (\$625)] *seventy dollars (\$670)* monthly during the first year of service, a salary of [six hundred fifty dollars (\$650)] *seven hundred dollars (\$700)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of [six hundred seventy-five dollars (\$675)] *seven hundred twenty-five dollars (\$725)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

SEC. 3. Section 74504 of said code is amended to read:

74504. The clerk shall also appoint:

(a) Five deputy clerks who shall be assistant chief division clerks and who shall be paid a minimum salary of five hundred [thirty-five dollars (\$535)] *seventy-five dollars (\$575)* monthly during the first year of service, a salary of [five hundred fifty-five dollars (\$555)] *six hundred dollars (\$600)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of [five hundred seventy-five dollars (\$575)] *six hundred twenty-five dollars (\$625)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(b) [Two] *One* deputy [clerks] *clerk* who shall be paid a minimum salary of five hundred [five dollars (\$505)] *fifty-five dollars (\$555)* monthly during the first year of service, a salary of five hundred [fifteen dollars (\$515)] *sixty-five dollars (\$665)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of five hundred [twenty-five dollars (\$525)] *seventy-five dollars (\$575)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

(c) One deputy clerk who shall be paid a minimum salary of four hundred sixty dollars (\$460) monthly during the first year of service, a salary of four hundred eighty dollars (\$480) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of five hundred dollars (\$500) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment, while assigned to the department of the presiding judge.

[(d) One deputy clerk who shall be paid a minimum salary of four hundred sixty dollars (\$460) monthly during the first year of service, a salary of four hundred eighty dollars (\$480) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of five hundred dollars (\$500) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment, while assigned to the law and motion and small claims department.

(e) One deputy clerk who shall be paid a minimum salary of four hundred sixty dollars (\$460) monthly during the first year of service, a salary of four hundred eighty dollars (\$480) monthly after the first year of service, commencing on the first day of the month, following the first anniversary of his appointment, and a maximum salary of five hundred dollars (\$500) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment, while assigned to the master calendar department.

(f) Eighteen] (e) *Twenty-two* deputy clerks who shall be paid a minimum salary of [four hundred fifty dollars (\$450)] *five hundred dollars (\$500)* monthly during the first year of service, a salary of [four hundred seventy-five dollars (\$475)] *five hundred twenty-five dollars (\$525)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of five hundred [dollars (\$500)] *fifty dollars (\$550)* after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

[(g) Ten] (d) *Fifteen* deputy clerks who shall be paid a minimum salary of four hundred [dollars (\$400)] *thirty dollars (\$430)* monthly during the first year of service, a salary of four hundred [twenty dollars (\$420)] *fifty dollars (\$450)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of four hundred [forty dollars (\$440)] *seventy dollars (\$470)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

[(h)] (e) Sixteen deputy clerks who shall be paid a minimum salary of [three hundred seventy dollars (\$370)] *four hundred dollars (\$400)* monthly during the first year of service, a salary of [three hundred eighty dollars (\$380)] *four hundred ten dollars (\$410)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of [three hundred ninety dollars (\$390)] *four hundred twenty dollars (\$420)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

[(i)] (f) Nineteen deputy clerks who shall be paid a minimum salary of three hundred [forty-five dollars (\$345)] *seventy dollars (\$370)* monthly during the first year of service, a salary of three hundred [fifty-five dollars (\$355)] *eighty dollars (\$380)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of three hundred [sixty-five dollars (\$365)] *ninety-five dollars (\$395)* monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

[(j) Twenty-three] (g) *Twenty-four* deputy clerks who shall be paid a minimum salary of three hundred [dollars (\$300)] *twenty-five dollars (\$325)* monthly during the first year of service, a salary of three hundred [twenty dollars (\$320)] *forty-five dollars (\$345)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of three hundred [forty dollars (\$340)] *sixty-five dollars (\$365)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

[(k)] (h) Two information clerks who shall [also be telephone operators who shall] be paid a minimum salary of [two hundred eighty-five dollars (\$285)] *three hundred dollars (\$300)* monthly during the first year of service, a salary of [two hundred ninety-five dollars (\$295)] *three hundred twenty-five dollars (\$325)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of three hundred [five dollars (\$305)] *fifty dollars (\$350)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of her appointment. [The telephone operators holding permanent appointments on the effective date hereof shall be deemed to be permanently appointed information clerks as of the date of their permanent appointment as telephone operators.]

SEC. 4. Section 74507 of said code is amended to read:

74507. Whenever a position described in Sections [74502 to 74504] 74503(h) to 74505, inclusive, becomes vacant, the appointing officer shall request the civil service commission to certify to him for appointment the highest person on the list of eligibles of male or female sex as indicated in the request of the appointing authority. Lists of eligibles for such promotive positions, subsequent to those lists



in existence on September 19, 1947, shall be composed only of persons holding the next lower rank or ranks of deputy clerks in such municipal courts. Monthly compensation shall determine that such deputy clerks are of the next lower rank or ranks. Temporary appointees shall receive the salary set up opposite the title of their respective positions. Temporary appointments to promotive positions shall be made from the next lower rank or ranks."

#### Amendment No. 3

On page 1, strike out lines 14 to 26, inclusive, and strike out pages 2, 3, and 4.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 639

Senator Richards moved that Senate Bill No. 639 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 639**—An act to amend Sections 19601 and 19613 of, and to repeal Section 19620 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Richards moved the adoption of the following amendments:

#### Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to amend Sections 19601, 19601.5, 19601.6, 19601.7, 19604, 19607.1, 19607.2, 19607.4, 19607.6, 19608, 19610, 19611, and 19613 of, to add Sections 19608.1, 19611.3, and 19614.1 to, and to repeal".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 19601 of the Education Code is amended to read:

19601. The policy of the Legislature in enacting this chapter is to continue child care centers to provide [until June 30, 1955, a means for meeting an emergency, existing in certain communities in the State, created] *care and supervision of children necessitated* by the employment of women with children, [due to the increased drafting of men in the armed forces, and the extended operations increase industries, as a result of the troubled and unsettled world conditions,] without imposing additional taxes on property which the owners of such property cannot, because of the burden now imposed, be reasonably expected to bear.

SEC. 2. Section 19601.5 of said code is amended to read:

19601.5. The need of a parent and child for child care center service shall be determined upon the following conditions:

(a) That there is but one parent in the home who both supports and cares for the child, or

(b) That there are two parents in the home, both of whom are working, or one of whom is physically or mentally unable to either support the family or care for the child, or

(c) That either parent is a veteran attending school or receiving instruction under the Servicemen's Readjustment Act of 1944 or Veterans Readjustment Assistance Act of 1952 or under Article 2, Chapter 6, Division 4 of the Military and Veterans Code, and the other parent, if any, is gainfully employed, or



(d) That the services of the parent having care of the child are necessary as a qualified and acceptable teacher in a public school or as a qualified and acceptable worker to serve in the care and guidance of children in a child care center or a supervisor of a child care program, as shall be evidenced by a statement from the employing authority of the public school to the governing body of the child care center, or

(e) That the services of the parent having care of the child are necessary as a registered nurse, as shall be evidenced by a statement from the responsible employer to the governing body of the child care center, or

(f) That the services of the parent having care of the child are necessary as a worker in industry essential to the mobilization effort, as shall be evidenced by a statement from the employer in such industry as shall have been designated as essential to the mobilization effort by the Director of Employment, or

(g) That the services of the parent having care of the child are necessary to meet an emergency arising from the necessity of harvesting or processing crops, or as an agricultural worker where the employer shall have established facilities for use by the child care center, or

(h) That the parent having care of the child is attending school or receiving instruction under the State Vocational Rehabilitation Program, as shall be evidenced by a statement from that agency.

The need for child care of a parent and child who come within (a) and (b) of this section shall take precedence over the need of child care of a parent, or parents, and child who come within (e) to [(g)] (h), inclusive, of this section.

SEC. 3. Section 19601.6 of said code is amended to read:

19601.6. Except as provided in Section 19601.7, no child shall be admitted to a child care center if the total monthly income from all sources of the child's immediate family:

(a) Where both parents are working, exceeds three hundred [thirty dollars (\$330)] *eighty-five dollars (\$85)* if there is one child in the family, [three hundred eighty-five dollars (\$385)] *four hundred forty dollars (\$440)* if there are two children, four hundred [forty dollars (\$440)] *ninety-five dollars (\$95)* if there are three children, and an additional fifty-five dollars (\$55) for each child in excess of three.

(b) Where but one parent, who has both custody and care of the child, is the sole wage earner of the child's immediate family, exceeds two hundred seventy-five dollars (\$275) if there is one child in the family, three hundred thirty dollars (\$330) if there are two children, three hundred eighty-five dollars (\$385) if there are three children, four hundred forty dollars (\$440) if there are four children, and an additional fifty-five dollars (\$55) for each child in excess of four.

Except as provided in Section 19601.7 the maximum "total monthly income" figure in either case may be exceeded in any month or months of the year if in the opinion of the board the total income from all sources, of the child's immediate family for the calendar year divided by 12 will not exceed such maximum. In estimating earnings of any member of the child's immediate family the computation of weekly wages shall be on the basis of wages based on a five-day week if the employer of such person certifies to said governing board that the work week of such person is five days or more.

SEC. 4. Section 19601.7 of said code is amended to read:

19601.7. If either parent is a veteran coming within (c) of Section 19601.5 and is attending school or receiving instruction for not less than half-time, or if the parent or if either parent comes within (a), (d), (e), (f), [or] (g), or (h) of Section 19601.5, and if the income from all sources of the child's immediate family exceeds that fixed by Section 19601.6, a child of such parent may be admitted to a child care center but the governing board of the school district maintaining the child care center shall, notwithstanding anything in Section 19607 to the contrary, charge and collect from the person having custody of the child, *except a parent coming within (a) of Section 19601.5*, a weekly fee which shall be in such amount as will reimburse the district for the cost of supervision, care, and the cost of all food furnished such child. *The governing board shall charge a parent coming within (a) of Section 19601.5 the fee required for the applicable maximum income as provided in Section 19601.6, plus, for each full \$10 of an additional \$55 of income, one-fifth of the difference between that fee and the amount which will reimburse the district for the cost of supervision, care, and all food furnished the child.*

As applied to the families of men on active duty with the United States armed forces, only that portion of the pay and allowances of such men shall be included in the "total monthly income" which is the amount legally required to be made available for the support of the family by rule or regulation.

SEC. 5. Section 19604 of said code is amended to read:

19604. The said governing board may permit the use of and furnish maintenance for buildings, grounds, and equipment, and the use of existing administrative personnel [and equipment] for the purposes of this chapter.

SEC. 6. Section 19607.1 of said code is amended to read:

19607.1. It is hereby declared to be the policy of the Legislature that, on a state-wide average, of the total amount of the cost for the maintenance and operation of child care centers [attributable to children less than five years and nine months of age and] paid for by state funds apportioned to the districts and fees collected from parents [on account of such children], two-thirds of such total cost shall be paid from such state funds and one-third from such fees. Funds derived from district taxes levied under this chapter may be expended in addition to parent fees and state funds, and shall not operate to affect the operation of either the fee schedule or the formula for apportioning state funds provided for in this chapter.

SEC. 7. Section 19607.2 of said code is amended to read:

19607.2. The Superintendent of Public Instruction shall prepare a schedule of fees which shall be used by each school district for the charging of fees to parents. [The] *For parents who come within the provisions of Section 19601.6, the schedule shall be on a sliding scale, ranging from a lesser amount for parents within low income levels to a higher amount for higher income levels [for parents who come within the provisions of Section 19601.6]. The schedule shall [, together with the estimated income to be derived from fees collected from parents pursuant to Section 19601.7,] provide as nearly as possible an amount equal to [one-half of the state-wide average state support per hour for children less than five years nine months of age as provided in this code] thirteen cents (0.13) per hour per child. The fee schedule shall be on an hourly basis, and shall be [the same for all children] uniformly applied.*

SEC. 8. Section 19607.4 of said code is amended to read:

19607.4. The state-wide average state support per hour *per child* shall be twenty-six cents (\$0.26) [for children less than five years nine months of age and nineteen cents (\$0.19) for other children]. The Superintendent of Public Instruction shall apportion state funds to the districts using [said state-wide average state support as a maximum, except that if] *twenty-six cents (0.26) per hour per child. If the fees collected by any district shall for any month be [more or] less or more than [one-half of the state-wide average state support per hour for children less than five years nine months of age, the average state-wide state support amount] thirteen cents (0.13) per hour per child, the amount of the apportionment shall be increased or decreased in an amount equal to the amount by which the fees [deviate from one-half of the average state-wide state support; provided,] collected are less or more, respectively, than thirteen cents (0.13) per hour per child, except that in no event shall the [state] amount apportioned exceed thirty-one cents (\$0.31) [for children less than five years nine months of age or twenty-three cents (\$0.23) for other children] per hour per child.*

SEC. 9. Section 19607.6 of said code is amended to read:

19607.6. Hours of attendance of children *of*, and fees collected from, parents [pursuant to Section 19601.7 of] *required by this chapter to pay the full cost of supervision, care, and all food of a child in a child care center shall not be used in [making the computations required by Section 19607.4] computing amounts under Section 19607.6.*

SEC. 10. Section 19608 of said code is amended to read:

19608. The said governing board shall establish in the county treasury a fund to be known as the "child care center fund" into which shall be paid all funds received by the district for, or from the operation of, child care centers, including, but not limited to, all funds derived under Sections 19613.7 and 19613.8. The costs incurred in the maintenance and operation of child care centers shall be paid from said fund, *except that any contributions authorized or required to be paid by the district on account of services of employees of a child care center to a retirement system shall be paid from the general fund of the district or from funds of the district derived from a special tax levied pursuant to Section 14725 or 14775 of the Education Code or Section 20532 of the Government Code.*

No other funds of a district derived from the receipts of district taxes, except a district tax levied under Sections 19613.6 and 19613.8, or derived from moneys apportioned to the district for the support of the schools thereof, except state moneys expressly appropriated from the General Fund for the support of child care centers, may be expended for, or in connection with, a child care center.

SEC. 11. Section 19608.1 is added to said code, to read:

19608.1. If during any fiscal year there is apportioned to the "Child Care Center Fund" more or less than the amount to which the fund was entitled, the Superintendent of Public Instruction during the next or any succeeding fiscal year shall withhold from, or add to, the apportionment during such next or succeeding year, the amount of such excess or deficiency.

SEC. 11.5. Section 19610 of said code is amended to read:

19610. The said governing board shall employ in [or for] *positions pertaining to the care and guidance of children or supervision of a child care [center] program only such persons who hold permits authorizing the service, issued by the Superintendent of Public Instruction. Other employees are not required to hold permits, except that employees handling food or working daily in direct contact with*

children, and who are not required by district regulation or public health requirements to have physical examinations, shall obtain valid permits of the appropriate type. Each person employed by the governing board of a school district for a position requiring a permit shall, not later than 60 days after the date fixed by the governing board of the district for the commencement of his service, file with the county superintendent of schools a valid permit issued on or before said date, authorizing him to serve in the positions for which he was employed, and must, not later than 60 days after the renewal thereof, file the renewed permit in the same manner.

SEC. 12. Section 19611 of said code is amended to read:

19611. [No] Each person employed by a school district in a child care center under the provisions of this chapter shall be deemed for all purposes, including retirement, to be a person employed by [a] the school district in a position not requiring certification qualifications [or employed in a status requisite for membership in the State Teachers' Retirement System or district retirement system, or], except that he shall not be [an employee] subject to the provisions of Article 5 of Chapter 13 of Division 7 of this code.

SEC. 13. Section 19611.3 is added to said code, to read:

19611.3. Each person employed by a school district on the date this section becomes operative who was theretofore excluded, solely by reason of the provisions of Section 19611 in effect prior to that date, from membership in any retirement system in which the district participates or to which it contributes for the purpose of providing retirement rights and benefits for employees of the district not employed in a status requisite for membership in the State Teachers' Retirement System, shall become a member of the retirement system from which he was so excluded, on the date this section becomes operative. Every such member shall be entitled to credit for service in child care centers previously rendered, in the same manner as if he had not theretofore been excluded from membership in the retirement system, except that he shall not be required to make any contributions to the retirement system in respect to such service rendered prior to his membership, and all contributions necessary to provide benefits on account of such service shall be paid to the retirement system by the school district by which the member is employed.

SEC. 14. Section 19613 of said code is amended to read:

19613. The State Department of Education is hereby authorized to accept funds from the Government of the United States and to apportion them to the governing board of such school districts as conduct child care centers which are hereby authorized to accept such funds or funds from any other source for any of the purposes of this chapter and all such funds may be accepted subject to such conditions as will further the purposes of this chapter. [The State Department of Education shall report to the Legislature at the beginning of the 1952 Budget Session its estimate of the amount necessary for the continuance of this program to its terminal date June 30, 1953, and its recommendations for the expansion or modification of the child care program.]

SEC. 15. Section 19614.1 is added to said code, to read:

19614.1. Any unencumbered balance remaining in a district "Child Care Center Fund" may be deposited in the General Fund of the school district one year after the discontinuance of its child care center program pursuant to Section 19614 or Section 19618.

SEC. 16. Section 19620 of said code is repealed.

SEC. 17. The sum of four million five hundred thirty-five thousand eight hundred dollars (\$4,535,800) is hereby appropriated out of the General Fund in the State Treasury to the Department of Education to be used for support of child care centers until June 30, 1956, of which amount not more than twenty thousand dollars (\$20,000) shall be used for the cost to the department in administering this act.

The department shall make apportionments to school districts from the money appropriated for child care centers on or before July 1 of the year for which appropriated and on or before January 1, and April 1. The amount of any apportionment shall be based on estimates made by the department of the total number of hours of attendance of children in the centers for the period commencing on the date such apportionment is made until the date for the next apportionment, or in the case of the apportionment for April 1st, until June 30th. The amount of each apportionment for each school district maintaining child care centers shall be not more than the estimated amount of state support per hour based on the computation provided for in Section 19607.4 of the Education Code, and in accordance with the estimated fees to be collected under the fee schedule as provided in Section 19607.2. If the amount of the apportionments made to a school district exceeds the amount that would have been apportioned had such apportionment been based on actual rather than estimated attendance, the school district shall repay to the department the amount of such excess from any available funds of the district and such amount is a charge against such funds. Such repayment shall be made on or before the next July 15th, and the department may use such repayments to make payments to a school district in an amount not to exceed the amount by which the apportionments to such district were less than the amount which would have been apportioned to such district had such apportionment been based on actual rather



than estimated attendance. Such payments shall be made on or before July 30th of the same year.

SEC. 18. This act shall become operative on July 1, 1955.

SEC. 19. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1955. A statement of the facts constituting such necessity is as follows:

To prevent the closing of established child care centers and the consequent disruption of the economic life of the State by the withdrawal from industry, essential during this troubled and unsettled time, of parents and others responsible for the care of minor children, it is necessary that public funds be made available for financial assistance to child care centers where a demonstrated need for such centers can be shown so that parents who are engaged or hereafter engaged in work may have assurance of proper care for their minor children during the hours of their employment or for the proper care of children one of whose parents may be incapacitated by illness or other disability."

#### Amendment No. 3

On page 1, strike out lines 2 to 26, inclusive, and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 773

Senator Montgomery moved that Senate Bill No. 773 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 773**—An act to add Section 45.1 to the Vehicle Code, relating to use of public highways.

Bill read second time.

#### Motion to Amend

Senator Montgomery moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "45.1 to", insert ", and to amend Section 45 of,".

#### Amendment No. 2

On page 1, line 12, after "ment", insert "unladen".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 3

On page 1, after line 13, insert

"SEC. 2. Section 45 of said code is amended to read:

45. "Implement of Husbandry." An "implement of husbandry" is a vehicle which is [designed exclusively for agricultural purposes and] used exclusively in the conduct of agricultural operations.

An "implement of husbandry" does not include a vehicle which, at the time it is used on a highway, is designed primarily for the transportation of persons or property on the highway, unless specifically designated as such by some other provision of this code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 777**

Senator Montgomery moved that Senate Bill No. 777 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 777**—An act to add Section 169 to the Vehicle Code, relating to implements of husbandry.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 32, inclusive, and insert

"169. Implement of Husbandry Identification Plate. Any person who owns an implement of husbandry which is exempt from registration may, but is not required to, apply to the department, on a form prescribed by the department, for an identification plate for such vehicle. The department shall issue an identification plate to the owner upon presentation of the application and payment of a service fee of five dollars (\$5), which fee shall be credited to the Motor Vehicle Fund.

The application shall include a statement by the owner of the use or uses which he intends to make of the implement of husbandry, a description of such vehicle, including distinctive marks or features, if any, a photograph of the vehicle, and such other information as may reasonably be required by the department to determine whether the applicant is entitled to be issued an identification plate for the vehicle.

Each identification plate issued under this section shall bear a distinctive number to identify the implement of husbandry for which it is issued. The owner, upon being issued a plate, shall attach it to the vehicle for which it is issued, and it shall be unlawful for any person to attach or use the plate upon any other vehicle. If the vehicle is destroyed or the ownership thereof transferred to another person, the person to whom the plate was issued shall first remove the plate and, within 10 days after removing the plate, return it to the department, together with a notice, on a form approved by the department, that the vehicle has been destroyed or the ownership thereof transferred to another person."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 858**

Senator Grunsky moved that Senate Bill No. 858 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 858**—An act to amend Section 10202.8 of the Insurance Code, relating to group insurance.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend", and insert "add".

**Amendment No. 2**

In line 1 of the title of the printed bill, strike out "10202.8 of", and insert "10203.9 to".

**Amendment No. 3**

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 10203.9 is added to the Insurance Code, to read:

10203.9. In addition to the other specific circumstances under which a group life policy may be issued under this chapter a group life policy may be issued to an existing insured to replace an existing valid group life policy if: (1) it provides the same benefits at the same or a lesser rate as the policy to be replaced; (2) it offers such benefits to all persons covered by the policy to be replaced; and (3) 90 percent of all persons covered by the policy to be replaced become insured under the new policy."

**Amendment No. 4**

On page 1 of the printed bill, strike out lines 3 to 27 inclusive; and on page 2 of the printed bill, strike out lines 1 to 51 inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Richards moved that Senate Bill No. 611 be taken from the inactive file and placed on the second reading file.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1088**

Senator Ed. C. Johnson moved that Senate Bill No. 1088 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1088**—An act to amend Section 1463 of the Penal Code, relating to disposition of fines and forfeitures.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

On page 6, line 22, of the printed bill, strike out "10", and insert "15".

**Amendment No. 2**

On page 6, line 24, strike out "10", and insert "15".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1531**

Senator Short moved that Senate Bill No. 1531 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1531**—An act to add Section 937 to the Health and Safety Code and to amend Sections 16461 and 16463 of the Education Code, relating to health services for public school pupils.

Bill read second time.

**Motion to Amend**

Senator Short moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Code", insert ", to add Section 16426 to,".

**Amendment No. 2**

In line 2 of the title, after "of", insert a comma.

**Amendment No. 3**

On page 1, strike out lines 17 and 18, and insert

"Sec. 2. Section 16426 is added to the Education Code, to read:

16426. Contracts between any local health district and the governing board of any school district located wholly or partially within such local health district for the performance by the health officers or other employees of the local health district of any or all of the functions and duties set forth in Chapter 3 of Division 8 of the Education Code, relating to health supervision of school buildings and pupils are hereby authorized.

In any such contracts the consideration shall be such as may be agreed upon by the governing board and the local health district and shall be paid to the local health district by the governing board at such times as shall be specified in the contract.

SEC. 3. Section 16461 of said code is amended to read:".

**Amendment No. 4**

On page 2, line 13, strike out "3", and insert "4".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 797**

Senator McBride moved that Senate Bill No. 797 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 797**—An act to add Sections 7804 and 7805 to the Education Code, relating to state school building aid.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Sections 7804 and 7805", and insert "amend Section 7802 of and add Section 7804".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 through 30, and insert

"SECTION 1. Section 7802 of the Education Code is amended to read:

7802. Allocations under this article may be made in such amount as may be necessary, and in such manner as to distribute the available funds equitably among school

districts, giving consideration to the needs of each district and the number of children within each district who are blind, partially seeing, deaf, hard of hearing, mentally retarded, orthopedically handicapped or cerebral palsied.

In computing the number of such children there shall be included:

(a) The number of them residing in the district.  
(b) The number of handicapped minors who are actually living within the district five or more days a week, although their legal residence may be outside the district and who are educated pursuant to Section 9601.1.

(c) The number of them who reside outside of the district, except those described in subdivision (b), and who are to be educated by the district [pursuant to contract, if the district of residence is impoverished as determined by], *excluding mentally retarded minors within the provisions of Section 9801.1 who reside within a district having an average daily attendance of 900 or more and which does not meet the requirements of Section 7719 concerning outstanding bonded indebtedness.*

SEC. 2. Section 7804 is added to the Education Code, to read:

7804. With the approval of the county superintendent of schools, a school district may make application for an allocation under this article for facilities for the education of mentally retarded minors pursuant to subdivision (a) of Section 9807 by the county superintendent of schools. Facilities for which an apportionment is made under this section shall be made available for use by the county superintendent of schools for the education of mentally retarded minors pursuant to subdivision (a) of Section 9807, until he ceases to conduct such classes therein or until the superintendent of schools of a county other than the county whose superintendent of schools approved the application made under this section acquires jurisdiction over the location of such facility, whichever first occurs. The board of supervisors of the county whose superintendent of schools is conducting classes in such facility shall annually pay to the school district having the obligation to repay the apportionment made under this section for the construction of such facility an amount equal to 80 percent of the amount the district is required to repay on account of such apportionment in the same year.

In determining the number of children for whom such facilities shall be provided, there shall be included only the number of them residing in elementary or unified school districts with less than 900 average daily attendance.

Allocations made pursuant to this section shall not exceed a total of five hundred thousand dollars for all districts."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 109

Senator McBride moved that Assembly Bill No. 109 be withdrawn from Committee on Judiciary and re-referred to Committee on Financial Institutions.

Motion carried.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1557

Senator Cunningham moved that Senate Bill No. 1557 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1557**—An act to amend Section 2501 of the Water Code, relating to water rights.

Bill read second time.

#### Motion to Amend

Senator Cunningham moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2501", and insert "add Part 5 to Division 2".



**Amendment No. 2**

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Part 5 is added to Division 2 of the Water Code, to read:

**PART 5. RECORDATION OF WATER EXTRACTIONS AND DIVER-SIONS**

4999. The Legislature finds and declares that by reason of the combination of light rainfall, concentrated population, the transition of considerable areas of land from agricultural use to urban use, and the large dependence on underground water supplies which prevails in the Counties of San Diego, Orange, Riverside, San Bernardino, Los Angeles, Ventura and Santa Barbara, together with the fact that most such underground water supplies are overdrawn, it is necessary that the provisions of Water Code Sections 5000 to 5009, inclusive, apply to said counties only.

5000. As used in this Part 5, the following terms shall have the respective meanings stated below, viz.:

(a) "Ground water" means water beneath the surface of the ground, whether or not flowing through known and definite channels.

(b) "Surface water" means water on the surface of the ground, and water in subterranean streams flowing through known and definite channels.

(c) "Division" means the Division of Water Resources of the Department of Public Works, of the State of California, and any public body or agency which may hereafter perform the functions now performed by the division.

(d) "Seven counties" means the Counties of San Diego, Orange, Riverside, San Bernardino, Los Angeles, Ventura, and Santa Barbara.

(e) "Person" means all persons whether natural or artificial, including the United States of America, the State of California, and all political subdivisions, districts, municipalities and public agencies of or in either the State or the United States.

(f) "Miner's inch" means one-fiftieth of a cubic foot of water per second of time. 5001. Each person who, after 1955, extracts ground water in excess of 25 acre-feet each year, shall file with the division on or before March 1st of the succeeding year a "Notice of Extraction and Diversion of Water" (hereinafter called "notice") in the form provided below.

5002. Each notice shall be on a form provided by the division. The first notice filed by any person shall state:

(a) The name of the person extracting ground water or diverting surface water.

(b) The quantity of water, as nearly as can be determined, taken by such person or his predecessor in interest in each preceding year from each surface or ground water source, provided that if the period of such taking exceeds 10 years, such person is not required to state such quantities for any period greater than the preceding 10 calendar years.

(c) The location (sufficient for identification) of each surface or ground water source through or by means of which water has been taken, and if any person or persons other than the person filing said notice claims any interest in such source or the right to extract water therefrom, the name or names, so far as known, of such other person or persons.

(d) The sections or lots (according to governmental survey) in which such water has been used.

(e) Water diverted by such person from surface water shall be stated in terms of miner's inches, but such person need not report surface water diversions unless the total diversions exceed three miner's inches.

(f) Any other facts which the division may require by general regulation and which tend to prove the facts above required to be stated, the origin of water supplying any ground water source mentioned in the notice, water levels in any such source, or the extent of any ground water basin from which such water is withdrawn.

(g) Any person diverting only surface waters and not more than 25 acre-feet of ground water in any year need not file said notice.

Notices, other than the first notice filed, shall state, in addition to the name of the person extracting or diverting such water:

First: The quantity of water taken from each surface and ground water source from which such person received any water in the preceding calendar year.

Second: Location of each such surface and ground water source through or by means of which water has been taken in such preceding year. This may be stated, so far as applicable, by reference to the water sources described in the original notice.

Third: If such person diverts surface waters in excess of three miner's inches, such person shall further state in said notice the period or periods of such diversion, and the maximum and minimum flows so diverted in each period.

Fourth: Any other facts which the division may require by general regulation, and which tend to prove facts above required to be stated, the origin of water supplying any surface or ground water source mentioned in the notice, water levels or flow in any such source, or the extent or origin of the water source supplying the ground water supply from which such water is extracted.

5003. No prescriptive right which might otherwise accrue to extract ground water shall arise or accrue to, nor shall any statute of limitations operate in favor of any person required to file such Notice of Extraction and Diversion of Water in regard to such ground water in the seven counties or any of them after the year 1955, until such person shall file with the division the first "Notice of Extraction and Diversion of Water" as above provided; and as to each person who fails to file such notice by the end of the year 1955, it shall be deemed for the period from that time until the first notice of such person is filed, that no claim of right to the extraction of ground water from any such source in the seven counties has been made by such person, and that water so extracted by such person from such ground water source during such period has not been devoted to or used for any beneficial use. After the filing of the first such notice upon the part of any such person, the beneficial use of water from any ground water source within the seven counties in any year by such person shall be deemed not to exceed the quantity reported in the notice filed for such year as above provided.

5004. After the year 1957, failure to file with the division a notice for any calendar year within six months after the close of such calendar year shall be deemed equivalent for all purposes to nonuse for such year of any ground water within the seven counties by each person failing to so file a notice within said period; provided, that this section and Section 5003 shall not apply to any person whose aggregate extractions of ground water do not exceed 25 acre-feet.

5005. Except as specified in Section 5004, failure to file the notice or delay in filing the same shall not cause the loss of rights to ground water which existed on January 1, 1956.

5006. Each notice shall be sworn to and shall be accompanied by a filing fee which shall be fixed by the division. Such filing fees shall be fixed so as to be sufficient on the average to pay the administrative expenses of the division in listing and processing notices of the character presented, and may be graduated in accordance with the number of water sources from which extractions or divisions are shown.

5007. Any person may apply to the division to investigate the facts stated in any specified notice so filed and to state in writing its determination of the facts found by it upon such investigation. The cost of such investigation and determination shall be paid by such applicant by such deposits or in such payments as may be fixed by the division. In the event the division makes a determination which differs in any material respect from the facts contained in the notice, then, prior to making its final determination, the division shall notify both the person filing said notice and the person requesting a determination of facts of its proposed findings, and shall invite either party to submit further information prior to making its final determination, and no such final determination shall be made until sixty (60) days after the parties have been so notified of the division's proposed determination.

In any action or proceeding thereafter pending in which such facts or any of them are material such determination shall be prima facie but rebuttable evidence of the facts so determined.

5008. The making of any willful misstatement in any notice shall be a misdemeanor, punishable by a fine of not exceeding five hundred dollars (\$500) or by imprisonment in the county jail for not to exceed six months, or both.

SEC. 3. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act; and the Legislature would have enacted each section, subsection and sentence hereof independent of each other section, subsection and sentence; and would have enacted such remaining portions and each of them irrespective of such holding of unconstitutionality as any portion which may be held unconstitutional."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1147

Senator Breed moved that Senate Bill No. 1147 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1147**—An act to add Section 11013.1 and to amend Section 11013 of the Business and Professions Code, relating to real estate subdivisions.

Bill read second time.

**Motion to Amend**

Senator Breed moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "add Section 11013.1 and to amend Section 11013 of", and insert "amend Section 11013 of, and to add Sections 11013.1, 11013.2, 11013.3, 11013.4, and 11013.5 to,".

**Amendment No. 2**

On page 1, between lines 18 and 19, insert

"11013. For the purposes of this part, a blanket encumbrance shall be considered to mean a trust deed or mortgage or any other lien or encumbrance, mechanics' lien or otherwise, securing or evidencing the payment of money and affecting land to be subdivided or affecting more than one lot or parcel of subdivided land, or an agreement affecting more than one such lot or parcel by which the owner or subdivider holds said subdivision under an option, contract to sell, or trust agreement."

**Amendment No. 3**

On page 1, strike out lines 19 to 26, inclusive; and on page 2, strike out lines 1 to 36, inclusive, and insert

"SEC. 2. Section 11013.1 is added to said code, to read:

11013.1. It shall be unlawful, except as provided in Section 11013.2, for the owner or subdivider to sell or lease lots or parcels within a subdivision that is subject to a blanket encumbrance unless there exists in such blanket encumbrance or other supplementary agreement a provision, hereinafter referred to as a release clause, which by its terms shall unconditionally provide that the purchaser or lessee of a lot or parcel can obtain title or other interest contracted for, free and clear of such blanket encumbrance, upon compliance with the terms and conditions of the purchase or lease.

SEC. 3. Section 11013.2 is added to said code, to read:

11013.2. Should there not exist in the blanket encumbrance or supplementary agreement a release clause as set forth in Section 11013.1, then it shall be unlawful for the owner or subdivider to sell or lease lots or parcels within said subdivision unless one of the following conditions is complied with:

(a) The entire sum of money paid or advanced by the purchaser or lessee of any such lot or parcel, or such portion thereof as the commissioner shall determine is sufficient to protect the interest of the purchaser or lessee, shall be deposited into an escrow depository acceptable to the commissioner until either (1) a proper release is obtained from such blanket encumbrance; or (2) either the owner or subdivider or the purchaser or lessee may default under their contract of sale or lease and there is a determination as to the disposition of such moneys; or (3) the owner or subdivider orders the return of such moneys to such purchaser or lessee.

(b) The title to the subdivision is to be held in trust under an agreement of trust acceptable to the commissioner until a proper release from such blanket encumbrance is obtained.

(c) A bond to the State of California is furnished to the commissioner for the benefit and protection of purchasers or lessees of such lots or parcels, in such amount and subject to such terms as may be approved by the commissioner, which shall provide for the return of the moneys paid or advanced by any purchaser or lessee, for or on account of the purchase or lease of any such lot or parcel if a proper release from such blanket encumbrance is not obtained; provided, however, that if it should be determined that such purchaser or lessee, by reason of default or otherwise, is not entitled to the return of such moneys, or any portion thereof, then such bond shall be exonerated to the extent of the amount of such moneys to which such purchaser or lessee is not entitled.

(d) There is conformance to such other alternative requirement or method which the commissioner may deem acceptable to carry into effect the intent and provisions of this part.

SEC. 4. Section 11013.3 is added to said code, to read:

11013.3. Taxes and assessments levied by public authority shall not be considered a blanket encumbrance within the meaning of Section 11013.

SEC. 5. Section 11013.4 is added to said code, to read:

11013.4. If a subdivision is not subject to a blanket encumbrance, as defined in Section 11013, it shall be unlawful for the owner or subdivider to sell or lease lots



or parcels within a subdivision unless one of the following conditions is complied with:

(a) The entire sum of money paid or advanced by the purchaser or lessee of any such lot or parcel, or such portion thereof as the commissioner shall determine is sufficient to protect the interest of the purchaser or lessee, shall be deposited into an escrow depository acceptable to the commissioner or into a trust account acceptable to the commissioner to be held in such escrow depository or trust account until the title or other interest contracted for, whether it be title of record, equitable or other interest, is delivered to such purchaser or lessee or until (1) either the owner or subdivider or the purchaser or lessee may default under their contract of sale or lease and a determination is made as to the disposition of such moneys; or (2) the owner or subdivider orders the return of such moneys to such purchaser or lessee.

(b) A bond to the State of California is furnished to the commissioner for the benefit and protection of purchasers or lessees of such lots or parcels, in such amount and subject to such terms as may be approved by the commissioner, which shall provide for the return of the moneys paid or advanced by any purchaser or lessee, for or on account of the purchase or lease of any such lot or parcel in the event that the owner or subdivider does not, within the time specified in his contract to sell or lease, or any extension thereof, deliver the title or other interest contracted for, whether it be title of record, equitable or other interest, to such purchaser or lessee for any reason other than an uncured default of such purchaser or lessee.

(c) An association, approved by the commissioner, files with the commissioner a certificate in which it certifies that the owner or subdivider is a member of such association and that there is on file with the commissioner a bond, of the kind specified in subdivision (b) of this section, which has been approved by the commissioner as to amount, terms and coverage, and which is for the benefit and protection of all purchasers and lessees of subdivided lots or parcels to be sold or leased by members of such association (all of which the commissioner may, at his option, verify or require to be verified). The commissioner may also, from time to time, require an increase in the amount of such bond as a condition to the continued applicability of the provisions of this subdivision to such association and its members or permit a decrease in the amount thereof.

(d) Proof, satisfactory to the commissioner, is furnished: (1) that such bonds or deposits, as provided or contemplated to be filed or made pursuant to the provisions of Articles 8 and 9 of Chapter 2, Part 2, Division 4 of this code, have been filed or made in such amounts as the commissioner shall approve, or that the filing or making of such bonds or deposits are unnecessary; and (2) that a lien and completion bond or bonds, approved by the commissioner as to amount, terms and coverage and including within its scope all on-site construction work to be undertaken on such lots or parcels, has been written and issued by a corporate surety company authorized to do such business in this State; provided, however, that this subdivision shall apply only to an owner or subdivider who proposes to sell or lease such lots or parcels with improvements thereon in the nature of residential or other structures.

(e) The entire sums of moneys paid or advanced by the purchasers or lessees of such lots or parcels, or such portion thereof as the commissioner shall determine is sufficient to protect the interest of the purchaser or lessee, shall be deposited into an escrow depository or other agency, acceptable to the commissioner, to be held, in whole or in part, by such escrow depository or other agency as provided by subdivision (a) of this section, or, at the election of the owner or subdivider, to be disbursed, in whole or in part, for the construction of residential or other structures to be built on such lots or parcels within said subdivision, or such unit or units thereof as the commissioner shall determine, in such manner and pursuant to such instructions as the commissioner shall approve; provided, however, that the provisions of this subdivision shall apply only to an owner or subdivider who proposes to sell or lease such lots or parcels with improvements thereon in the nature of residential or other structures.

(f) There is conformance to such other alternative requirement or method which the commissioner may deem acceptable to carry into effect the intent and provisions of this part.

SEC. 6. Section 11013.5 is added to said code, to read:

11013.5. The public report of the commissioner, when issued, shall indicate the method or procedure selected by the owner or subdivider to comply with the provisions of Sections 11013.1, 11013.2 or 11013.4."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1850**

Senator Gibson moved that Senate Bill No. 1850 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1850**—An act to amend Section 5400 of the Public Resources Code, relating to recreation park and parkway districts.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "5400", and insert "5403 of, and to add Section 5416.1 to,"

**Amendment No. 2**

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 5403 of the Public Resources Code is amended to read:

5403. The governing body of any city or county may determine that the city or portion thereof, or a portion of the unincorporated area of the county, respectively, is in need of parks, recreation grounds, and parkway planting and that it should be formed into a district.

The governing body may also determine whether a tax ceiling may be provided for such district, and if so provided, that the tax ceiling may be changed from time to time by a majority of the voters at an election called upon petition of 1 percent of the qualified electors, but such tax ceiling shall not at any time exceed twenty-five cents (\$0.25) per one hundred dollars (\$100) of assessed valuation of the taxable property in the district. The tax ceiling shall apply only to taxes other than taxes for the payment of principal and interest of bonds of the district, and shall not limit in any way the power and duty of the governing body to levy a tax pursuant to Section 5417.14, *nor shall such ceiling be applicable to taxes levied by the governing body pursuant to Section 5416.1 to defray the cost of capital acquisitions and improvements.*

SEC. 2. Section 5416.1 is added to said code, to read:

5416.1. In addition to all other taxes for district purposes, the governing body of a district may levy a tax each year upon the taxable property in the district to pay the cost of capital acquisitions and improvements, which capital acquisitions and improvements include, but are not limited to, the acquisition, construction, or improvement of land, improvements, buildings, or recreational facilities. No taxes levied for the purpose of this section shall in any one year exceed the rate of twenty-five cents (\$0.25) per one hundred dollars (\$100) of assessed valuation of the taxable property in the district. All taxes levied pursuant to this section shall be levied and collected at the same time and in the same manner as general county taxes levied for general county purposes, and when collected shall be paid into the treasury of the district to be used to pay the costs of capital acquisitions and improvements and for no other purpose."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**REPORTS OF STANDING COMMITTEES****Committee on Natural Resources**

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which was referred: Senate Bill No. 564

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which was referred: Senate Bill No. 1721

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 6; absent 5.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which was referred: Senate Bill No. 562

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 561

Senate Bill No. 567

Senate Bill No. 566

Senate Bill No. 568

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 560

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

#### Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 390

Senate Bill No. 1545

Senate Bill No. 1024

Assembly Bill No. 60

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 1022

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

McBRIDE, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 587**—An act to amend Section 30603 of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge;**Senate Bill No. 588**—An act to amend Section 207 of the Streets and Highways Code, relating to the investment of state funds;**Senate Bill No. 811**—An act to amend Section 101.1 of the Streets and Highways Code, relating to signs at cities and towns;**Senate Bill No. 1337**—An act to amend Section 51681 of the Water Code, relating to reclamation districts;**Senate Bill No. 1495**—An act to amend Section 1293 of the Fish and Game Code, relating to depredations by game mammals;**Senate Bill No. 1955**—An act to amend Section 9102 of the Government Code, relating to legislative offices, declaring the urgency thereof, to take effect immediately;**Senate Bill No. 1964**—An act to repeal Section 168 of the Fish and Game Code, relating to game refuges and abolishing Silver Lake Game Refuge in El Dorado County;

And reports the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of March, 1955, at 3.30 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 18**—Relative to the observance of Flag Day; And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of March, 1955, at 3 p.m.

WARD, Chairman

**ADJOURNMENT**

At 4.23 p.m., on motion of Senator Sutton, the President declared the Senate adjourned until 2 p.m., Wednesday, March 30, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-SEVENTH LEGISLATIVE DAY

FIFTIETH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, March 30, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Buseh, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Dorsey, on motion of Senator Breed, due to legislative business.

Senator Sutton, on motion of Senator Gibson, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Collier, on motion of Senator Brown, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lillian Mallut of North Hollywood, Mrs. Dorothy N. Marshall of Los Angeles, Mrs. Gloria Milberg of Pacoima, Mrs. Molla T. Pressman of Los Angeles, and Ralph Couser and Ted Merrill of Inglewood.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ralph



Early, Mrs. Roy Beard, Mrs. Virgil McCluskey, and Mrs. D. B. Ogle of Napa.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sylvia Bosse, Carolyn Day, Karen Lane, John McCready, James Truelock and Esther Watson all of Clements Union School; principal Mrs. Anna Belle Danver, parents Mrs. Ruth Abbott, Mrs. Robert Miller, and the following students from Lockeford Elementary School, Lockeford: Kay Abbott, Loretta Carloni, Rosemary Corll, James Coy, Carol Ann Fitzgerald, Lyle Goehring, Marilyn Hendergart, Glenn Hinsz, Jack Johnson, Jerry Jorgensen, Judy Knutson, Terry Knutson, Ronald Lyons, Donna Matts, Jerry Miller, Rosalie Netz, Jeanette Omaye, Floyd Perry, Brent Piepho, Rodney Polk, Ellen Ross, Carroll Spicer, Kenneth Wahl, Gordon Waldo, and Gary Wiesepeape.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Nan Hoeriger, president, Child Care Teachers Association of Los Angeles and Mrs. Irene W. Kline, supervisor, Child Care Centers of Los Angeles.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ralph Dow, Maryion Carman, Helen Strickland, Betty Cottrell, Sam Gittings, George Alman, Leo Ryan, and Frank G. Wynans, Placer County teachers.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Melvin Johnson, Mr. and Mrs. Roy Taylor, Mr. and Mrs. Arthur Peterson, Mr. and Mrs. E. Nielsen, Mr. and Mrs. Charles Ivy, Mr. and Mrs. R. H. Allen, Mrs. William Anderson, Mrs. James Carlsen, and Mrs. L. H. Lincoln, all of Oakland.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Lloyd Weaver, parents Mrs. Dan Parker, Mrs. Albert Hanna, Mrs. Finis Henry, Mrs. Fred Storz, and the following students from Esparto: Arthur Covington, John Creamer, William Ender, Steve Fredericks, James Grigsby, Kenneth Iott, Donald Mason, Allan Rugenburgh, Malcolm Sires, Ronald Stephens, Jerry Williams, Jerry Wright, Richard Zafra, Judy Criner, Gloria Garrison, Rosie Gwerder, Caroline Hartwig, Rilla Mae Henry, Angela Jarvis, Laurel Lopes, Lola Mata, Elaine Messmer, Pauletta Parker, Joyce Souza, Nancy Storz, Faye Toon, and Phyllis Wasson.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John C. Gaffney of Santa Rosa.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Tanghe, Mr. Coney, and the following students from Bret Harte School: Dale Anderson, Sharon Bailey, Dianne Caldera, Karen Carlson, Bill Coleman, Gary Collins, Bob Crockett, Mildred Davis, George Dutcher, Yolanda Espino, Ron Ferry, Richard Gipson, David Giroux, Jerry Gonsalves, Tommy Green, Jerry Hart, Victoria Hogan, Nancy Jergentz,

Doyle Johnston, David Kobel, Bette Krause, Mildred Labrie, Judy Limpo, Sharon Lutz, Lupe Martinez, Bob Neyses, Sally Nixon, Teddy Pacheco, Eddie Pastor, John Schei, Bernie Stewart, Judy Shumate, Margaret Sundberg, Margo Vagus, Clifford Boronda, Michael Cazaad, Orval Chambers, LeRoy Donell, Karl Gerlach, Rory Gibbons, Patrick Graham, David Kight, Dennis Lopez, Tommy Martin, Richard Maier, Michael Matkovich, Dennis Miller, Robert Quiner, Donald Reese, Bert Sousa, Joseph Stroud, Clinton Taliaferro, Harold Ulibarri, Celest Baker, Marie Batsel, Claudia Burnett, Sharon Devlin, Betty Ferea, Geraldine Gaeta, Judy Light, Patricia Martin, Billie Mathews, Sharon Morgan, Mardith Navone, LeAnn Provonsha, JoAnne Sather, Mary Jane Speilman, and Barbara Wilkenon.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruth Lawler of San Dimas.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor and Mrs. Tween Stone of Upland.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to vice principal B. L. Wilde, teachers Mrs. Patricia Tracey, Leroy Crozier, Mrs. Barbara Purington, and the following students from the Castro Valley School District: Joan Ashton, Barbara Bardwell, Janet Clemens, Deon Craddock, Billie Crooks, Linda Dawes, Linda DeJong, Judy Douglas, Nancy Foltz, Barbara Graham, Gloria Martin, Donna Stillman, Jackie Tetreault, Carla Threlkeld, Ginger Valentich, Kathy Webb, Richard Benson, Dennis Best, James Burns, Herb Christiansen, Thomas Clifton, William Delgado, Ronald Ferri, Richard Gabel, Jack Griffin, Kenneth Hammer, Eugene Helton, William Stewart, John Thunen, Richard Vanier, Jerome Waldman, Laurence Wentworth, Richard Weslowski, Richard Barry, Joan Bell, Carol Brainard, Karan Brown, Robert Bruckner, Carol Canty, Douglas Corl, Nancy Crackel, Duane Degner, Lewis Downs, Gerry Dufour, Ronald Erickson, Albert Gonsalves, Robert Haskell, Pat Henningson, Bonnie Horrigan, Leonard Johnson, Noble Lewis, Carl Ljenstolpe, Louise Loeffert, Robert Lucia, John McBeth, Sue Mease, Monty Modrell, Ella Norder, Robert Paterson, Sarah Perry, Sue Schneider, Cathie Schwegal, Barbara Spicknal, Sharon Stocker, Carlton Tharp, Thomas Wright, and Carol Follett.

On request of Senators Teale and Dale C. Williams and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Aubel and Jim Aubel of Alturas.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lou Arnold of Los Angeles.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harvey Mydland of Whittier.

On request of Senator Harold T. Johnson the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Theodore Zeller and the following students from Placer Hills Elementary School, Colfax: Barbara Butler, Wanda Callaghan, Ruth

Campbell, Lucille Carver, Don Cox, Larry Davis, Steven Dobson, Evelyn Duncan, Philip Fredinburg, Joan Hamilton, Barry Hankins, Bob Harcastle, Donald James, David Johnson, Ken Kisk, Carol Langner, Kay Lauermann, Bob Manny, Ronald Martin, Sherry Marian, John Mitchell, Joyce Moore, Ervis Nave, Joyce Nelson, Carol Norris, Marian Ormsby, Marjo Reimertson, Jill Richmond, Bill Roberts, Timmy Rutter, DeLoy Scott, Glenda Shepherd, Charles Stanton, Arlene Timmons, Patsy Thompson, Dolores Warnke, Betty West, Karen Willson, Billy Wilson, Alvin Winschell, and Stanly Stice.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1416**—An act to amend Section 28716 of, to add Section 28726 to, and to repeal Sections 28714, 28718, 28723, and 28724 of, the Health and Safety Code, relating to the Frozen Food Locker Plant Act of 1951.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "28718, 28723,".

**Amendment No. 2**

On page 1, line 16, strike out "28718, 28723,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1976**—An act to repeal Part 2 of Division 11 of, and to add Part 2 to Division 11 of, the Health and Safety Code, relating to fireworks, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 2, line 4 of the printed bill, after "potassium", strike out the comma.

**Amendment No. 2**

On page 2, line 31, after "Marshal", insert "with the advice of the State Fire Advisory Board".

**Amendment No. 3**

On page 2, strike out lines 35 to 46, inclusive.

**Amendment No. 4**

On page 2, line 47, strike out "12507", and insert "12505".

**Amendment No. 5**

On page 3, line 1, strike out "12508", and insert "12506".

**Amendment No. 6**

On page 3, line 4, strike out "12509", and insert "12507".

**Amendment No. 7**

On page 3, line 6, strike out "12510", and insert "12508".

**Amendment No. 8**

On page 3, line 9, strike out "12511", and insert "12509".

**Amendment No. 9**

On page 3, line 12, strike out "12512", and insert "12510".

**Amendment No. 10**

On page 3, line 20, strike out "12513", and insert "12511".

**Amendment No. 11**

On page 3, line 26, strike out "12514", and insert "12512".

**Amendment No. 12**

On page 3, line 28, strike out "12515", and insert "12513".

**Amendment No. 13**

On page 3, line 33, strike out "12516", and insert "12514".

**Amendment No. 14**

On page 3, line 36, strike out "12517", and insert "12515".

**Amendment No. 15**

On page 3, line 40, strike out "12518", and insert "12516".

**Amendment No. 16**

On page 3, line 43, strike out "12519", and insert "12517".

**Amendment No. 17**

On page 4, line 1, strike out "12520", and insert "12518".

**Amendment No. 18**

On page 4, line 3, after "device", insert "but does not include persons who assemble or fabricate sets or mechanical pieces in public displays of fireworks".

**Amendment No. 19**

On page 4, strike out lines 4 to 6, inclusive, and insert "12519. "Wholesaler" includes any person, other than an importer, exporter, or manufacturer selling only to wholesalers, who sells fireworks to a retailer or any other person for resale and shall also include any person who sells dangerous fireworks to public display permittees."

**Amendment No. 20**

On page 4, line 7, strike out "12522", and insert "12520".

**Amendment No. 21**

On page 4, line 8, before "place", insert "location or".

**Amendment No. 22**

On page 4, line 10, strike out "12523", and insert "12521".

**Amendment No. 23**

On page 4, line 13, strike out "12524", and insert "12522".

**Amendment No. 24**

On page 4, line 15, strike out "12525", and insert "12523".

**Amendment No. 25**

On page 4, line 18, strike out "fireworks of Class A", and insert "dangerous".

**Amendment No. 26**

On page 4, line 19, strike out "12526", and insert "12524".

**Amendment No. 27**

On page 4, line 21, strike out "12527. "Without this State" means outside of", and insert "12525. "Without this State" means".

**Amendment No. 28**

On page 4, line 23, strike out "12528", and insert "12526".



**Amendment No. 29**

On page 6, lines 19 and 20, strike out "Class A fireworks, or a combination of Class A and Class B".

**Amendment No. 30**

On page 6, strike out lines 24 to 33, inclusive.

**Amendment No. 31**

On page 7, line 25, after "Retailer", insert "(for each separate retail outlet)".

**Amendment No. 32**

On page 7, line 26, strike out "Class A", and insert "dangerous".

**Amendment No. 33**

On page 7, line 27, strike out "Class A", and insert "dangerous".

**Amendment No. 33.5**

On page 7, line 29, after "12658.", strike out "The", and insert "Beginning January 1, 1956, the".

**Amendment No. 34**

On page 8, line 24, strike out "Fair", and insert "Fire".

**Amendment No. 35**

On page 8, lines 47 and 48, strike out "Class A," "dangerous fireworks Class B".

**Amendment No. 36**

On page 9, line 1, strike out "Any manufacturer desiring to have", and insert "Any licensee desiring to have "safe and sane"".

**Amendment No. 37**

On page 9, line 7, after "tions.", insert "Every fireworks article which has not been submitted for classification or which does not bear the classification label of the State Fire Marshal shall be considered to be "dangerous fireworks." "

**Amendment No. 38**

On page 9, strike out lines 10 to 19, inclusive, and insert "12702. The manufacturer, importer or wholesaler shall stamp or label each case or carton of dangerous fireworks offered for sale, sold, consigned or delivered within this State for sale or use within this State as "dangerous fireworks." Each package of safe and sane fireworks shall be marked as "safe and sane fireworks" and shall bear the State Fire Marshal's classification label and license number."

**Amendment No. 38.5**

On page 9, line 22, strike out "fifth", and insert "sixth".

**Amendment No. 39**

On page 9, line 25, after "unless", insert "the fuses or other igniting devices are protected by approved protective caps or".

**Amendment No. 39.5**

On page 9, line 26, strike out "and", insert "or".

**Amendment No. 40**

On page 9, lines 37 and 38, strike out "which includes in whole or in part any "Class A fireworks" "

**Amendment No. 41**

On page 9, strike out lines 45 to 47, inclusive.

**Amendment No. 42**

On page 9, line 48, strike out "12709", and insert "12708".

**Amendment No. 43**

On page 10, line 13, strike out "12710", and insert "12709".

**Amendment No. 43.5**

On page 10, line 19, strike out "5th", and insert "6th".

**Amendment No. 44**

On page 10, line 21, after "magazine", insert "or storage place".

**Amendment No. 45**

On page 10, line 24, strike out "12711", and insert "12710".

**Amendment No. 46**

On page 10, line 28, strike out "licensees", and insert "persons".

**Amendment No. 47**

On page 10, line 30, strike out "12712", and insert "12711".

**Amendment No. 47.5**

On page 10, line 39, strike out "12713", and insert "12712".

**Amendment No. 48**

On page 10, line 41, strike out "12713", and insert "12712".

**Amendment No. 48.5**

On page 10, line 42, strike out "12712", and insert "12711".

**Amendment No. 49**

On page 10, line 46, strike out "60", and insert "15".

**Amendment No. 50**

On page 11, line 4, strike out "12714", and insert "12713".

**Amendment No. 51**

On page 11, line 22, strike out "12715", and insert "12714".

**Amendment No. 52**

On page 11, line 33, strike out "12716", and insert "12715".

**Amendment No. 53**

On page 11, line 37, strike out " "Class A fireworks, Class B". "

**Amendment No. 54**

On page 11, line 39, strike out "12717", and insert "12716".

**Amendment No. 55**

On page 11, line 46, strike out "12718", and insert "12717".

**Amendment No. 56**

On page 12, line 1, strike out "12719", and insert "12718".

**Amendment No. 57**

On page 12, strike out lines 28 to 31, inclusive.

**Amendment No. 58**

On page 12, line 32, strike out "12756", and insert "12755".

**Amendment No. 59**

On page 12, line 40, strike out "12757", and insert "12756".

**Amendment No. 60**

On page 12, line 47, strike out "control areas", and insert "permittees".

**Amendment No. 61**

On page 12, line 48, strike out "12758", and insert "12757".

**Amendment No. 62**

On page 13, line 1, strike out "12759. No person shall sell", and insert "12758. No person shall sell or transfer".

**Amendment No. 63**

On page 13, line 4, strike out "12760", and insert "12759".

**Amendment No. 64**

On page 13, line 8, strike out "12761", and insert "12760".

**Amendment No. 65**

On page 13, line 11, strike out "12762", and insert "12761".

**Amendment No. 11**

On page 21, line 51, strike out "the legislative body".

**Amendment No. 12**

On page 21, line 52, strike out "or the", and insert "such".

**Amendment No. 13**

On page 22, line 11, strike out "and it shall have the same", and insert "to the same extent that such".

**Amendment No. 14**

On page 22, line 12, strike out "as".

**Amendment No. 15**

On page 22, line 35, strike out the period, and insert "and shall be reasonable. As far as possible utilities shall be self-supporting but the board is not required to cover by rates large expenditures and the interest thereon required for future needs and developments."

**Amendment No. 16**

On page 22, between lines 36 and 37, insert

"25808. The board of supervisors of a county or a city and county, or the city council of a municipality or the State of California or any agency thereof, having territory located within the district may file a request for a hearing before the district board as to the reasonableness of any rates or charges fixed by the district and as to any proposal for fixing the location of facilities by the district. The request shall be in writing and shall state the subject matter on which a hearing is desired.

25809. Upon the filing of a request for hearing as provided in Section 25808 the district board shall fix the time and place for hearing. The time fixed shall not be less than 15 days nor more than 60 days from the date such request is filed. Notice of such hearing shall be published by the board.

25810. At the time fixed for any hearing before the board any board of supervisors or city council eligible to file a request for hearing, not a party to the original request for hearing, may intervene and shall be entitled to be heard and to introduce evidence.

25811. The district, petitioner or petitioners, and the intervenors shall have the right to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in direct examination; and to rebut evidence introduced by other parties.

25812. Oral evidence shall be taken only on oath or affirmation. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious business affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in a civil action. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in a civil action.

25813. The attorney for the district shall be present at the hearing and shall advise the board on matters of law, and shall render such other assistance as may be requested by the board.

25814. A complete record of all proceedings and testimony before the board at such hearing shall be taken down by a reporter appointed by the board. In case an action is brought to review any decision of the board, a transcript of such testimony, together with all exhibits or copies thereof introduced, together with the written request for hearing and other proceedings in the cause shall constitute the record on review; provided, however, that the board and other parties may stipulate in writing that a specified portion of the evidence be certified to the court for judgment and in such case the portion of the evidence specified and the stipulation specifying such evidence shall be the record on review.

25815. Within 30 days after submission of the case the board shall render its decision in writing together with written findings of fact. Copies of the findings and decision shall be sent forthwith to the petitioners and intervenors by registered mail, postage prepaid.

25816. Within 40 days after the mailing of the decision to the petitioner, the petitioner may apply for a writ of mandate in the manner provided in the Code of Civil Procedure. The complete record of the proceedings, or such parts thereof as are designated by the petitioner, shall be prepared by the district and shall be delivered to the petitioner within 30 days after a request therefor, upon payment of the expense of preparation and certification thereof."

**Amendments read, and adopted.**

**Bill ordered printed, and re-referred to Committee on Transportation.**

**Senate Bill No. 564**—An act to add Section 6223 to the Public Resources Code, relating to priority of applications.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Natural Resources:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after the period, insert "Such priority shall not be applicable with respect to grants of easements and rights of way to the Department of Public Works pursuant to Section 6210.3."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1721**—An act relating to including the James W. Marshall Gold Discovery Site into the State Park System, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Natural Resources:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out the words "one million dollars", and insert "five hundred thousand dollars."

**Amendment No. 2**

On page 1, line 15, strike out "(\$1,000,000)", and insert "(\$500,000)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 561**—An act to amend Section 4167 of the Public Resources Code, relating to the use of adequate spark arresters.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 566**—An act to repeal Chapter 7 of Division 4 of the Public Resources Code, relating to logging permits.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 567**—An act to repeal Article 5 of Chapter 2, Division 4 of the Public Resources Code, relating to a brush-burning experiment.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 568**—An act to repeal Article 4 of Chapter 2, Division 4 of the Public Resources Code, relating to state forest.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 560**—An act to amend Section 4151 of the Public Resources Code, relating to fire permits.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 390**—An act to amend Section 8358 of the Revenue and Taxation Code, relating to aircraft fuel taxes.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1024**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 362 of the Statutes of 1953, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1545**—An act to amend Section 8603 of the Revenue and Taxation Code, relating to definition of the term "motor vehicle."

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1022**—An act to amend Sections 4656.2, 4671, and to repeal Sections 3660 and 3661 of the Revenue and Taxation Code, relating to tax-deeded lands.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

##### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "4656.2, 4671, and to repeal Sections 3660 and 3661", and insert "4102, 4149 and 4671".

##### Amendment No. 2

In line 3 of the title, after "to", insert "tax-sold and".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 3

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 4102 of the Revenue and Taxation Code is amended to read: 4102. The amount necessary to redeem shall be paid in lawful money of the United States and is the sum of the following:

- (a) The amount of sold taxes.
- (b) The delinquent penalties and costs which were a lien on the property at the time of the sale to the State.
- (c) Redemption penalties.
- (d) A redemption fee of [two dollars (\$2)] *one dollar and fifty cents (\$1.50)* on each separately valued parcel [hereafter] sold to the State [.] *subsequent to June 13, 1947.*

SEC. 2. Section 4149 of said code is amended to read:

4149. The amount necessary to redeem the parcel is the sum of the following:

- (a) The amount of sold taxes on the parcel.
- (b) Delinquent penalties and costs which were a lien on the parcel at the time of sale to the State computed on the amount of sold taxes on the parcel for that year.
- (c) Redemption penalties computed on the amount of sold taxes on the parcel.
- (d) A redemption fee of [two dollars (\$2)] *one dollar and fifty cents (\$1.50)* on each separately valued parcel [hereafter] sold to the State [.] *subsequent to June 13, 1947.*"

##### Amendment No. 4

On page 1, line 8, after "California", insert a comma.

##### Amendment No. 5

On page 1, lines 9 and 10, strike out "General Fund", and insert "State Redemption Tax Fund".

##### Amendment No. 6

On page 1, line 11, strike out "two dollars (\$2)", and insert "one dollar and fifty cents (\$1.50)".

##### Amendment No. 7

On page 1, line 17, strike out "two dollars (\$2)", and insert "one dollar and fifty cents (\$1.50)".

**Amendment No. 8**

On page 1, line 19, strike out "two dollars (\$2)", and insert "one dollar and fifty cents (\$1.50)".

**Amendment No. 9**

On page 1, strike out lines 20 to 26, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 611**—An act to add Section 2847.6 to, and to amend Section 2847 of, the Elections Code, relating to the removal of members of county central committees.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 23 of the printed bill, as amended in Senate March 21, 1955, after "committee", insert "in a county containing 20 or more assembly districts".

**Amendment No. 2**

On page 2, strike out lines 5 and 6, and insert "incapacitated to act, or".

**Amendment No. 3**

On page 2, line 10, after the period insert "In the case of a county central committee containing 20 or more assembly districts, a vacancy shall also exist on such committee when a member is removed therefrom pursuant to Section 2847.6."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1741**—An act to add Section 64.1 to the Vehicle Code, relating to the definition of traffic officer.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 143**—An act to amend Section 525.3 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, lines 12 and 13, of the printed bill, as amended in Assembly March 14, 1955, strike out "not use any lane except", and insert "use".

**Amendment No. 2**

On page 1, line 14, after "traffic", insert "except when overtaking and passing to the right of another vehicle as permitted under the provisions of this code".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 142**—An act to amend Section 530.5 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 140**—An act to amend Section 697 of the Vehicle Code, relating to height and length of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 871**—An act to amend Section 5371 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1740**—An act to amend Section 577 of the Vehicle Code, relating to the stopping of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1757**—An act to add Section 80 to Chapter 3 of Division 1 of the Vehicle Code, relating to the definition of traffic.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1758**—An act to add Section 92 to the Vehicle Code, relating to the definition of official traffic control device and signal.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 54**—An act to amend Sections 215 and 216 of the Vehicle Code, relating to the registration of foreign commercial vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 51**—An act to amend Sections 265 and 272 of, and to add Section 266.5 to, the Vehicle Code, relating to motor vehicle operators' and chauffeurs' licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 60**—An act to add Section 6386 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes, to take effect immediately.

Bill read second time, and ordered to third reading.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 1112**—An act to amend Section 4919 of the Education Code, relating to the reorganization of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Thompson, Way, and J. Howard Williams—27.

NOES—Senator Teale—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1381**—An act to amend Section 6537 of the Business and Professions Code, relating to barber colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Parkman, Richards, Short, Teale, Way, and J. Howard Williams—24.

NOES—Senator Murdy—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1382**—An act to amend Section 6560 of the Business and Professions Code, relating to barbers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1383**—An act to amend Section 6561 of the Business and Professions Code, relating to barbers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 17**—Relative to the inclusion of U. S. Highway 101 (from Los Angeles to the Oregon State line) and U. S. Highway 199 (from Crescent City to the Oregon State line) in the National System of Interstate Highways.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 1509**—An act to amend Section 37506 of the Water Code, relating to California Water District, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1222**—An act to amend Section 30701 of the Water Code, relating to county water districts.

**Motion to Refer Bill to Inactive File**

Senator John F. McCarthy moved that Senate Bill No. 1222 be placed on the inactive file.

Motion carried.

**Senate Bill No. 996**—An act to repeal Sections 701, 702, and 705 of the Insurance Code and to add Sections 701 and 705 to said code, relating to the duration of certificates of authority issued to insurance carriers and the annual fees therefor.

**Motion to Re-refer Senate Bill No. 996**

Senator Hulse moved that Senate Bill No. 996 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 989**—An act to amend Section 1860.3 of the Insurance Code, relating to the administration, enforcement and interpretation of provisions of the Insurance Code, relating to rates and rate making.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 341**—An act to amend Section 1504 of the Government Code, relating to personal liability for negligence of deputies or employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 596**—An act to amend Section 6860 of the Government Code, Section 1360 of the Financial Code and Section 1179 of the Insurance Code and to add Section 1209 to the Financial Code, relating to authorized investments for all public and private funds and their use as security for the performance of any act.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2125**—An act to amend Section 952 of the Agricultural Code, relating to cotton industry and the products thereof.

**Motion to Refer Bill to Inactive File**

Senator Hulse moved that Assembly Bill No. 2125 be placed on the inactive file.

Motion carried.

**Assembly Bill No. 443**—An act to amend Sections 28, 46.5, 291, 330.5, 370.1, 373.5, 571.5, 668, 1402, 1404, 2605, 3709, 3822, 3922, 3935, 3944, 5563, 5717, 5726, 5805, 5931.5, 9002, 9801, and 11053 of, and to add Sections 658.6 and 5755 to, and to repeal Sections 669, 670, 671, 672, 672.5, and 673 of, the Elections Code, relating to elections.

Bill read third time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate March 29, 1955, strike out "370.1,".

**Amendment No. 2**

In line 4 of the title, after "Sections", insert "370.1,".

**Amendment No. 3**

On page 2, strike out lines 28 through 39, inclusive, and insert

"SEC. 5. Section 370.1 is added to said code, to read:  
370.1. In addition to printing a complete index within and for each two-year period, as provided in Section 370 of this code, the county clerk or registrar of voters may print and maintain one complete and continuing index, by precinct, to the affidavits of registration and keep the index current by supplements and deletions as provided in Sections 370 and 372 of this code, and by reprinting portions of the index by precinct, as the need appears, the reprinted portions to contain the same information concerning each voter and to be in the same style and type of print as provided in Section 370."

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 4**

On page 2, strike out lines 48 through 52, inclusive, and insert

"571.5. When more than 400 [electors] voters are registered in a precinct the [electors] voters of said precinct may be divided into two or more groups and one

precinct board appointed to serve each group. The board or officer charged with the duty of conducting the election shall divide the voters into two or more groups as nearly equal in number as possible. When the [electors] voters of a precinct are so divided there may be one or [two] more polling places, but there shall be a ballot box for and a set of returns from each group."

#### Amendment No. 5

On page 3, strike out lines 1 through 4, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 640**—An act to amend Section 1956 of the Government Code, relating to insurance against the liability of public officers.

Bill read third time, and presented by Senator Short.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, and Way—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1873**—An act to add Article 5, comprising Sections 11628, 11629, and 11629.5 to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 48:** By Senator Breed—Relative to the death of William H. Park.

#### Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 48, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 48

**Senate Concurrent Resolution No. 48**—Relative to the death of William H. Park.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

Resolution ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 2.50 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, March 29, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 16, 1955, appointing

WALTER A. GORDON, to the Adult Authority;

KARL HOLTON, to the Board of Corrections;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Brown moved that the Senate confirm and consent to the appointment of Walter A. Gordon as a member of the Adult Authority.

The President put the question, "Will the Senate confirm and consent to the appointment of Walter A. Gordon as a member of the Adult Authority?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Walter A. Gordon as a member of the Adult Authority.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Brown moved that the Senate confirm and consent to the appointment of Karl Holton as a member of the Board of Corrections.

The President put the question, "Will the Senate confirm and consent to the appointment of Karl Holton as a member of the Board of Corrections?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Karl Holton as a member of the Board of Corrections.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 79

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk



## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 79**—Approving amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at a special election consolidated with the primary nominating election held in said city on the twenty-third day of February, 1955.

**Request for Unanimous Consent**

Senator Richards asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 79, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 79

**Assembly Concurrent Resolution No. 79**—Approving amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at a special election consolidated with the primary nominating election held in said city on the twenty-third day of February, 1955.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 68	Assembly Concurrent Resolution No. 74
Assembly Concurrent Resolution No. 71	Assembly Concurrent Resolution No. 76
Assembly Concurrent Resolution No. 72	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

**Assembly Concurrent Resolution No. 68**—Relative to welcoming members of the Committee on the Armed Forces Education Program to California.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 71**—Relative to congratulating the Honorable Gilbert H. Jertberg.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 72**—Relative to the Pacific Coast Intercollegiate Boxing Tournament.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 74**—Relative to the observance of Public Schools Week.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 76**—Relative to approving amendments to the charter of the City of Newport Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fifteenth day of March, 1955.

Referred to Committee on Rules.

#### Request for Unanimous Consent

Senator Murdy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 76, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 76

**Assembly Concurrent Resolution No. 76**—Relative to approving amendments to the charter of the City of Newport Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fifteenth day of March, 1955.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Cobey, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—28.  
NOES—None.

Resolution ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 97  
Assembly Bill No. 434  
Assembly Bill No. 988  
Assembly Bill No. 1051  
Assembly Bill No. 1174  
Assembly Bill No. 1383  
Assembly Bill No. 1405  
Assembly Bill No. 1505  
Assembly Bill No. 1616  
Assembly Bill No. 2009  
Assembly Bill No. 2107  
Assembly Bill No. 2109

Assembly Bill No. 2133  
Assembly Bill No. 2134  
Assembly Bill No. 2262  
Assembly Bill No. 2598  
Assembly Bill No. 2760  
Assembly Bill No. 2934  
Assembly Bill No. 2935  
Assembly Bill No. 3249  
Assembly Bill No. 3258  
Assembly Bill No. 3311  
Assembly Bill No. 3777

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 97**—An act to amend Sections 1736, 2071, and 2073 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Assembly Bill No. 434**—An act to amend Section 3131 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Assembly Bill No. 988**—An act to amend Section 13835 of the Education Code, relating to compensation of certificated employees.

Referred to Committee on Education.

**Assembly Bill No. 1051**—An act to amend Sections 212 and 213 of the Vehicle Code, relating to registration of motor vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 1174**—An act to amend Section 452.5 of the Vehicle Code, relating to the application of traffic laws to trolley coaches.

Referred to Committee on Transportation.

**Assembly Bill No. 1383**—An act to add Title 3, comprising Sections 241 to 254, inclusive, to Part 3 of Division 1 of the Civil Code, relating to duties of support and to make uniform the law in respect thereto.

Referred to Committee on Judiciary.

**Assembly Bill No. 1405**—An act to amend Section 1029 of, and to add Section 1029.1 to, the Education Code, relating to liability insurance of school districts.

Referred to Committee on Education.

**Assembly Bill No. 1505**—An act to amend Sections 4017, 4018, and 4019 of the Penal Code, relating to labor and time off for good behavior by prisoners in county and city jails.

Referred to Committee on Judiciary.

**Assembly Bill No. 1616**—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 2009**—An act to add Section 3065 to the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Assembly Bill No. 2107**—An act to amend Section 2921 of, and to add Section 3005 to, the Revenue and Taxation Code, relating to taxes on unsecured property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2109**—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2133**—An act to add Section 465.1 to the Vehicle Code, relating to the erection of traffic control devices on private roads or driveways.

Referred to Committee on Transportation.

**Assembly Bill No. 2134**—An act to add Section 465.2 to the Vehicle Code, relating to intersections designated by traffic signals.

Referred to Committee on Transportation.

**Assembly Bill No. 2262**—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately.

Referred to Committee on Transportation.

**Assembly Bill No. 2598**—An act to repeal Article 2 of Chapter 5, Division 7, Title 1 of the Government Code and to add Article 2 comprised of Sections 6540 to 6578, inclusive, to said Chapter 5, Division 7, Title 1 of said code, relating to the purposes, issuance, sale and payment of revenue bonds by an agency, commission or board created or provided for under Article 1 of said Chapter 5, the revenues derived from the project constructed from the bond proceeds, and authorizing the use of other revenues of the agency, commission or board for the payment of such revenue bonds.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2760**—An act to amend Section 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2934**—An act to amend Sections 6400 and 6462 of the Streets and Highways Code, relating to improvement bonds.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2935**—An act to amend Sections 8500 and 8651 of the Streets and Highways Code, relating to improvement bonds.

Referred to Committee on Local Government.

**Assembly Bill No. 3249**—An act to amend Sections 30350, 30652, and 30654 of, and to add Sections 30608, 30654.5, and 30659 to, the Streets and Highways Code, relating to toll bridges and other toll highway crossings, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

**Assembly Bill No. 3258**—An act to repeal Sections 31416 and 32858 of the Water Code, relating to county water districts.

Referred to Committee on Water Resources.

**Assembly Bill No. 3311**—An act to amend Section 2052 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.



**Assembly Bill No. 3777**—An act to amend Section 8603 of the Revenue and Taxation Code, relating to definition of the term "motor vehicle."

Referred to Committee on Transportation.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 389

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 52

Senate Bill No. 936

Senate Bill No. 1019

Senate Bill No. 1643

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were introduced, and read.

**Senate Concurrent Resolution No. 49:** By Senator Thompson—Relative to a study of visual requirements with respect to state employees.

Referred to Committee on Governmental Efficiency.

**Senate Joint Resolution No. 21:** By Senators Berry, Gibson, Cunningham, and Brown—Relative to the inclusion of certain highways in the National System of Interstate Highways.

Referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 512

Senator Abshire moved that Senate Bill No. 512 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 512**—An act to add Section 2655.1 to the Labor Code, and to amend Sections 2666, 6407, 1646, and 1699, of the Labor Code, and to amend Sections 18600 and 18653 of the Health and Safety Code, relating to regulations of state agencies.

Bill read second time.

#### Motion to Amend

Senator Abshire moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, after "Sections", insert "76,".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 76 of the Labor Code is amended to read:

76. The Commission of Housing may determine policies for the guidance of the division in all matters concerning the administration of the laws which the division is to enforce. *With the approval of the Director of Industrial Relations and the advice of the Commission of Housing the Chief of the Division of Housing shall in accordance with the provisions of Chapter 4 of Part 1 of Division 3 of Title 2 of the Government Code adopt, repeal, and amend rules and regulations consistent with law for the protection of the health, safety and the general welfare of the people of the State of California in order to interpret and make more specific the laws which the Division of Housing is to enforce.*

*The chief of the division shall not adopt, publish, or enforce any rules, regulations, orders, standards of general application, policies or interpretations which implement, interpret or make specific the law enforced or administered by the Division of Housing unless such rules are adopted in accordance with the provisions of Chapter 4 of Part 1 of Division 3 of Title 2 of the Government Code.*

SEC. 2. Section 2655.1 is added to said code, to read:

**Amendment No. 3**

On page 1, line 7, strike out "2", and insert "3".

**Amendment No. 4**

On page 1, line 18, strike out "3", and insert "4".

**Amendment No. 5**

On page 2, line 5, strike out "4", and insert "5".

**Amendment No. 6**

On page 2, line 12, strike out "5", and insert "6".

**Amendment No. 7**

On page 2, line 20, strike out "6", and insert "7".

**Amendment No. 8**

On page 3, line 12, strike out "7", and insert "8".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1762**

Senator Abshire moved that Senate Bill No. 1762 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1762**—An act to amend Sections 8, 10, and 17 of the Storm Water District Act of 1909 (Chapter 222 of the Statutes of 1909), relating to storm water districts.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 18, of the printed bill, strike out "unless the commissioners receive"; strike out line 19; and in line 20, strike out "Conservation Service,".

**Amendment No. 2**

On page 2, line 36, strike out ", provided"; strike out lines 37 to 40, inclusive, and insert a period.

**Amendment No. 3**

On page 3, line 17, after "forth", insert ", and the tax collector shall annually (after the first year), immediately after the first Monday of October give notice that the (giving the number) annual installment of the assessments of said district

is now due and payable, and that if not paid on or before the first Monday of January next ensuing, the same will become delinquent and will be collected in the same manner as delinquent taxes; and the same proceedings shall be had thereon as upon the collection of the first assessment. Such notice shall be published once a week for two weeks in a newspaper of general circulation published in the district, if there is one published in the district, or, if none, in a newspaper of general circulation published in each county in which any part of the district is situated".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1440

Senator Kraft moved that Senate Bill No. 1440 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1440**—An act to amend Sections 35104, 35108, 35251, 35257, 35258, 35402, 35404, 35406, 35411, 35412, 35413, 35418, 35423, 35428, 35560, 35565, 35568, and 35704 of the Streets and Highways Code, to repeal Section 35401 of said code, and to add Sections 35108.5, 35108.6, 35275, 35276, 35402.1, 35402.2, 35402.3, 35414.1, 35566, and 35706 to said code, and to add Chapter 6, comprising Section 35750 to 35756, inclusive, to Part 4 of Division 18 of said code, relating to districts formed under the Parking District Law of 1951, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Kraft moved the adoption of the following amendments:

#### Amendment No. 1

In line 5 of the title of the printed bill, as amended in Senate March 28, 1955, after "Sections", insert "35113".

#### Amendment No. 2

In line 7 of the title, strike out the second "and"; and strike out lines 8 and 9; and in line 10 strike out "of said code."

#### Amendment No. 3

On page 3, line 22, after "Sec. 5.", insert "Section 35113 is added to said code, to read:

35113. The curative clauses of this part are cumulative and each is to be given full effect.

SEC. 6."

#### Amendment No. 4

On page 4, line 9, strike out "6.", and insert "7."

#### Amendment No. 5

On page 4, line 30, strike out "7.", and insert "8."

#### Amendment No. 6

On page 5, line 22, strike out "8.", and insert "9."

#### Amendment No. 7

On page 5, line 30, strike out "9.", and insert "10."

#### Amendment No. 8

On page 5, line 46, strike out "10.", and insert "11."

#### Amendment No. 9

On page 5, line 47, strike out "11.", and insert "12."

**Amendment No. 10**

On page 6, line 9, strike out "12.", and insert "13."

**Amendment No. 11**

On page 6, line 38, strike out "13.", and insert "14."

**Amendment No. 12**

On page 6, line 49, strike out "14.", and insert "15."

**Amendment No. 13**

On page 7, line 15, strike out "15.", and insert "16."

**Amendment No. 14**

On page 7, line 21, strike out "16.", and insert "17."

**Amendment No. 15**

On page 7, line 30, strike out "17.", and insert "18."

**Amendment No. 16**

On page 7, line 45, strike out "18.", and insert "19."

**Amendment No. 17**

On page 7, line 49, after "facilities," insert "for the fixing and collecting of rentals, fees and charges for the use of parking facilities,".

**Amendment No. 18**

On page 8, line 7, strike out "19.", and insert "20."

**Amendment No. 19**

On page 8, line 12, strike out "as provided in the resolution of intention".

**Amendment No. 20**

On page 8, line 15, after "intention," insert "for the fixing and enforcement of parking meter rates".

**Amendment No. 21**

On page 8, line 24, strike out "20.", and insert "21."

**Amendment No. 22**

On page 8, line 45, strike out "21.", and insert "22."

**Amendment No. 23**

On page 9, line 1, strike out "22.", and insert "23."

**Amendment No. 24**

On page 9, line 7, strike out "23.", and insert "24."

**Amendment No. 25**

On page 9, line 16, strike out "24.", and insert "25."

**Amendment No. 26**

On page 9, line 27, strike out "25.", and insert "26."

**Amendment No. 27**

On page 9, line 38, strike out "26.", and insert "27."

**Amendment No. 28**

On page 10, line 1, strike out "27.", and insert "28."

**Amendment No. 29**

On page 10, line 22, strike out "28.", and insert "29."

**Amendment No. 30**

On page 10, line 28, strike out "29.", and insert "30."

**Amendment No. 31**

On page 10, strike out lines 44 to 51, inclusive; strike out all of page 11; and on page 12, strike out lines 1 to 6, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 714**

Senator Way moved that Senate Bill No. 714 be withdrawn from Committee on Transportation for purpose of amendment, and referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 714**—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 356 of", and insert "Sections 315, 356, 458, 507, 547, and 2109 of, to repeal Section 600 of, and to add Section 600 to".

**Amendment No. 2**

In line 2 of the title after the comma, insert "and to repeal Section 5 of Chapter 13 of the 1947 First Extraordinary Session,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1 strike out line 1, and insert

"SECTION 1. Section 315 of the Streets and Highways Code is amended to read: 315. Route 15 is from Route 56 near Fort Bragg to Route 37 near Emigrant Gap via Willits, Calpella, Williams and Colusa.

The bridge across the Sacramento River in the vicinity of the Town of Meridian, Sutter County, and connecting the Counties of Sutter and Colusa, or such portions thereof as are used for highway purposes to the extent provided in this section, is a part of Route 15 and is under the supervision and control of the department for maintenance purposes. The State assumes only that obligation of maintenance of this bridge, or highway portion thereof, imposed upon or assumed by the Counties of Sutter and Colusa under any contract or agreement existing on August 21, 1933, with any railroad company for the joint use or maintenance thereof. At any time in its discretion the department may relinquish any interest of the State in this bridge to the Counties of Sutter and Colusa, and thereupon the supervision and control of this bridge shall revert to and be vested in those counties.

[Provided, however, that Section 600 of this code shall be applicable to those portions of said route added to the State Highway System by this section in 1953, the same as if said portions had been added by the Collier Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any such portion, or portions, of said route until the same has been laid out and constructed as a state highway.]

Sec. 2. Section 356 of said code".

**Amendment No. 4**

On page 1 strike out lines 11 to 18, inclusive, and insert "Route 1 near Leggett Valley."

Sec. 3. Section 458 of said code is amended to read:

458. Route 158 is from Route 4 near San Fernando to Route 2 in the vicinity of El Toro.; provided, however, that Section 600 of this code shall be applicable to that portion of said route southerly of Route 167 near Signal Hill the same as if said portion had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway.]

Sec. 4. Section 507 of said code is amended to read:

507. Route 232 is from Sacramento to Marysville.; provided, however, that Section 600 of the Streets and Highways Code shall be applicable to the route added to the State Highway System by this section, the same as if said route had been added by the Collier-Burns Highway Act of 1947, and the Department of Public

Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway.]

SEC. 5. Section 547 of said code is amended to read:

547. Route 233 is from Route 83 near Sierraville to Route 21 near Vinton, via Loyalton. [Provided, however, that Section 600 of this code shall be applicable to those portions of said route added to the State Highway System by this section, the same as if said portions had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any such portion, or portions, of said route until the same has been laid out and constructed as a state highway.]

SEC. 6. Section 600 of said code is repealed.

SEC. 7. Section 600 is added to said code, to read:

600. The Department of Public Works shall maintain any existing road or roads on any routes or portions thereof added to the State Highway System after January 1, 1947, even though the same have not been laid out and constructed as state highways.

SEC. 8. Section 2109 of said code is amended to read:

2109. State highways in cities shall be maintained, constructed and improved out of the moneys received in the State Highway Fund under Section 2108; provided, the department is not required to maintain any route or portion of a route in any city which route or portion of route was added after January 1, 1947, until the same has been laid out and constructed as a state highway].

SEC. 9. Section 5 of Chapter 13 of the 1947 First Extraordinary Session is hereby repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 474

Senator Way moved that Senate Bill No. 474 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 474**—An act to amend Section 346 of the Streets and Highways Code, relating to state highways.

Bill read second time.

##### Motion to Amend

Senator Way moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 346 of", and insert "add Section 1133 to".

##### Amendment No. 2

In line 2 of the title, strike out "state".

##### Amendment No. 3

On page 1, strike out lines 1 to 4, inclusive, and insert  
"SECTION 1. Section 1133 is added to the Streets and Highways Code, to read:  
1133. Proceedings to abandon any private or byroad shall be the same as proceedings to abandon any county highway."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1518

Senator Burns moved that Senate Bill No. 1518 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1518**—An act to amend Sections 11554 and 15623 of, and to add Section 11560.1 to, the Government Code, relating to the State Board of Equalization.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 18 and 19, of the printed bill, strike out "equal to the salaries prescribed for Members of the Legislature", and insert "of seven thousand two hundred dollars (\$7,200)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 772

Senator Montgomery moved that Senate Bill No. 772 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 772**—An act to amend Section 45 of the Vehicle Code, relating to implements of husbandry.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "45", and insert "168".

**Amendment No. 2**

In line 2 of the title, strike out "implements of husbandry", and insert "special identification plates".

---

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 168 of the Vehicle Code is amended to read:

168. Special Highway Construction Equipment and *Special Mobile Equipment Identification Plates*. Special highway construction equipment and *special mobile equipment* shall not be subject to registration but prior to any movement on the highway, each piece of *any* such equipment shall display an equipment identification plate attached thereto.

Application for the identification plate shall be made [prior to January 15th of each year, or] before any such piece of equipment is moved over the highway to the department on a form furnished by the department, together with payment of a service charge of [three dollars (\$3)] *five dollars (\$5)*, the fees from which are to be credited to the Motor Vehicle Fund. Publicly owned special highway construction equipment [is] and *publicly owned special mobile equipment* are exempt from the said service charge.

[The department shall issue to each applicant a single metal plate with a distinguishing number and a receipt for the fee collected, which receipt shall contain the name and address of the applicant, the number of the plate issued, the serial number of the equipment, and a brief description of the same.

The receipt shall be carried in a suitable container attached to the equipment or immediately available for inspection of any peace officer.

In addition to the identification plate provided in this section, each piece of special highway construction equipment must also be plainly marked in letters not less than one inch in height indicating the name and address of the owner or, in lieu thereof, an ownership emblem or seal which will indicate such ownership.]

*The application shall include a statement by the owner of the use or uses which he intends to make of the equipment, a description of such equipment, including distinctive marks or features, if any, a photograph of the equipment, and such other information as may reasonably be required by the department to determine whether the applicant is entitled to be issued an identification plate for the equipment.*

*Each identification plate issued under this section shall bear a distinctive number to identify the equipment for which it is issued. The owner, upon being issued a plate, shall attach it to the equipment for which it is issued, and it shall be unlawful for any person to attach or use the plate upon any other equipment or vehicle. If the equipment is destroyed or the ownership thereof transferred to another person, the person to whom the plate was issued shall first remove the plate and, within 10 days after removing the plate, return it to the department, together with a notice, on a form approved by the department, that the equipment has been destroyed or the ownership thereof transferred to another person."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1671

Senator Donnelly moved that Senate Bill No. 1671 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1671**—An act to add Article 4 to Chapter 6 of Division 12 of the Education Code, relating to books and materials in the public schools.

Bill read second time.

##### Motion to Amend

Senator Donnelly moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 9, of the printed bill, after "purchased," insert "or donated".

##### Amendment No. 2

On page 1, line 11, after "district", insert "and prescribe the records to be kept in connection therewith".

##### Amendment No. 3

On page 1, following line 11, insert

"24662. The regulations adopted by the board pursuant to this article shall, among other matters, prohibit the selection, purchase, acceptance, or retention, for use or placement in any school library maintained by the district, of books or other materials which teach, advocate, sponsor, or otherwise tend to propagate, ideas or principles contrary to or at variance with the duties required of teachers by the provisions of Section 13230 of this code."

##### Amendment No. 4

On page 1, strike out lines 12 to 27, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.



## REPORTS OF STANDING COMMITTEES

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 79

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; noes 3.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 8

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; noes 1.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 120

Senate Bill No. 1507

Senate Bill No. 1506

Assembly Bill No. 3775

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 430

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1913

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Natural Resources.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Natural Resources.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 487

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 239  
Senate Bill No. 935

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 783  
Senate Bill No. 983

Senate Bill No. 1463  
Assembly Bill No. 1213

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 33

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 2.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## Committee on Finance

## SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 23	Senate Bill No. 633
Senate Bill No. 103	Senate Bill No. 1176
Senate Bill No. 113	Senate Bill No. 1322
Senate Bill No. 272	Senate Bill No. 1387
Senate Bill No. 275	Senate Bill No. 1842
Senate Bill No. 472	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 180

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

HULSE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 1554

Senate Bill No. 634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 8

Assembly Bill No. 383

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

## Committee on Business and Professions

## SENATE CHAMBER, SACRAMENTO, March 24, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1826

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

## Committee on Social Welfare

## SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 1279

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 6; absent 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DORSEY, Chairman

Above reported bill ordered to second reading.

## Committee on Rules

## SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Bill No. 1035

Assembly Bill No. 1036

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Joint Resolution No. 20

Assembly Concurrent Resolution No. 70

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 19

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 29

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to second reading.

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1209

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 780

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 176

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

DONNELLY, Chairman

Above reported bill ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:  
Senate Bill No. 150

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 69

Assembly Bill No. 840

Assembly Bill No. 1285

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bills ordered to second reading.

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 996

Senate Bill No. 1222

Senate Bill No. 1509

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 29, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 989

Senate Joint Resolution No. 17

And reports the same correctly engrossed.

WARD, Chairman

#### LETTER OF TRANSMITTAL

SACRAMENTO, March 30, 1955

*Hon. Harold J. Powers, President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: In a report filed March 14, 1955, we presented studies of, and our investigation into various important phases of the Workmen's Compensation Laws.

Herewith we submit our recommendations and conclusions upon some subjects discussed in that earlier report.

Investigation into other matters of vital importance to all persons and organizations interested in our Workmen's Compensation Law is in progress.

Respectfully submitted,

F. PRESLEY ABSHIRE, Chairman  
ROBERT I. MONTGOMERY, Vice Chairman  
HAROLD T. JOHNSON  
JOHN A. MURDY  
J. HOWARD WILLIAMS  
JACK B. TENNEY (Resigned)  
FRED WEYBRET (Deceased)

Letter of transmittal ordered printed in the Journal. and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

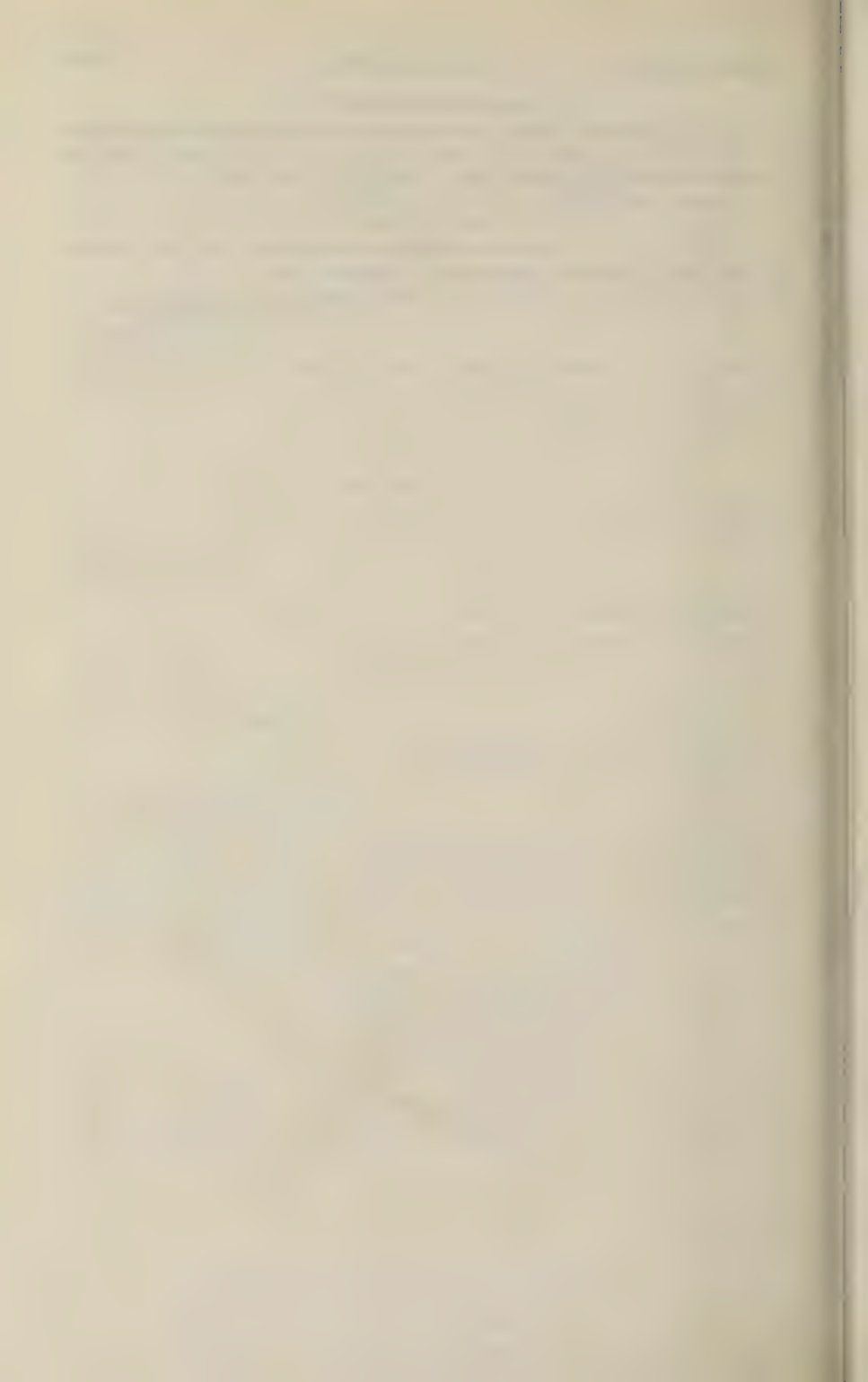
Senator Abshire moved that 3,500 additional copies of the second partial report submitted by the Senate Committee on Labor relating to Workmen's Compensation be printed for distribution.

Motion carried.

**ADJOURNMENT**

At 3.20 p.m., on motion of Senator Brown, the President declared the Senate adjourned until 2 p.m., Thursday, March 31, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-EIGHTH LEGISLATIVE DAY

FIFTY-FIRST CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, March 31, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Dorsey, on motion of Senator John F. McCarthy, due to illness.

Senator Abshire, on motion of Senator Grunsky, due to legislative business.

Senator Breed, on motion of Senator Ward, due to legislative business.

Senator Gibson, on motion of Senator Sutton, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James C. Bainbridge of Turlock, Howard D. Lusk of Modesto, and Enoch S. Christofferson, Mayor of Turlock.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William R. McDonald and Jefferson L. Garner of Hawthorne.



On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to M. E. Wright of Westminster.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Edna Monson and the following students from the civics class of Patterson Union High School: Norman Bean, Anniece Dennis, Kenneth Jackson, Archie Parker, Winifred Knutson, Ronnie Rogers, and Wanda Wedge.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Julius Cacocia, Jr., Mrs. Annette Cacocia, and Juliann Cacocia, all of St. Helena.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James J. Donahue and Jack Patridge of San Francisco.

On request of Senators Breed and Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal James E. Kerr, teachers Mrs. Mate Gabbert, Gerard Hauck, and Robert Larson, and the following students of the Castro Valley School District: Brent Christensen, Robert Comings, Jill Costello, Carol Cretser, Lee Ann Elmore, Lenna Engstrom, Sandra Getchell, John Groth, Nancy Gurley, Thomas Hendrickson, Thomas Hunter, Kenneth Jensen, Sharon Martin, James McCullough, Frank Melton, Victor Morelli, Joyce Mulgrew, Sharon Park, Michael Rothman, Gene St. Denis, Dorothea Snodgrass, Jackie Sones, William Staaek, Carol Staat, Sue Stavert, David Stewart, Fred Strong, Janet Taitson, Robert Tode, Barbara Ulrich, Elizabeth Vermeer, Timothy Viada, Richard Vicencio, John Zentmyer, Leanne Brothers, Michael Cross, William Cumero, Alex Davis, Robert DeMonte, Edith Dry, Richard Earle, Carol Erickson, William Foley, Dennis Frazier, Marcia Freeman, Ronald Furnish, Raymond Grueneich, Keith Hazard, Judy Henry, Douglas Hudson, Harriet Larsen, Jerilyn Lovejoy, Steven Martin, David Masucci, Beverly Moore, Charlene Olson, Richard Pisani, Donald Sandelin, Robert Soldat, Jeroldine Steiner, Ronald Thompson, Sally Timme, Sharon Ulrich, Videlle Vargen, Evanelle Wallon, Carol Webb, Suzanne Wilcox, Bruce Williams, and Barbara Burkhart.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher H. A. Steidley, bus driver Fred Leach, and the following students from Maxwell Union Grammar School: James Baggette, James Bruffett, Deanna Bell, George Corbin, Douglas Cox, Raylene Danley, David Dennis, Clyde Felix, Arthur Fouch, Robert Hall, Pauline Harmon, Frankie Immoos, Irene Immoos, Alphonse Martinez, Richard Mason, Anne Miller, Jonell Miller, Elsa Pfyf, Freddy Pilgrim, Joan Rae, Delton Shearin, Beverly Smart, Hilda Valente, Clarence Van Sant, Glenn Wallace, Charles Ward, Lynda Wells, David Perry, and Ruth Rahorst.

On request of Senators Breed and Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Roche and Mrs. Coleman, and the following students from the Bret Harte School, Hayward: Gene Allen, Robert Betten-court, Leslie Denend, William Derry, Bruce Fish, Charles James, Brent Kirkland, Kent Kirkland, Steven McCafferty, Richard McHale, Robert

Messer, Jerry Mills, Edward Nobriga, Russell Paige, Robert Pharris, Daniel Reid, Thomas Reid, Daniel Rose, Ronald Santos, Leslie Tomely, Anthony Zacharias, Sandra Adams, Barbara Bales, Janice Brown, Adele Howard, Pat Jones, Sheila Kearney, Diane Lindberg, Carol Lockwood, Diane Miranda, Joanne Rubio, Diane Sapeta, Frances Terry, Sandra Walters, and Elaine White.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Mrs. Anna Hedgpeth, parents Mrs. Eva Smith, Henry Fukuba, and the following students from Aromas Joint Union School: Carroll Armer, Geraldine Bates, David Beene, Bernice Bispo, Gary Blanton, Jessie Combs, Mary Hopper, Sandra Hopper, Tommy Johnson, Molly Munoz, Marian Musante, Stanley Rivera, Judy Scotti, Annette Smith, and Philip Smith.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dean Triggs of Ventura.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gordon Claycombe of Los Altos and Dr. Marcus Krupp of Palo Alto.

On request of Senators Thompson and Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Brinton of San Francisco.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cliff Marker of Beverly Hills and Herschel Phillips of Glendale.

### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
March 31, 1955

#### Report of Secretary of the Senate

*Hon. Harold J. Powers*  
*President of the Senate*

DEAR MR. PRESIDENT: This is to certify that the following resolution has been certified by the County Clerk of the County of Los Angeles and forwarded to the Senate under date of March 22, 1955:

#### *Resolution re Assessment Equalization*

WHEREAS, Chapter 1466 of the Statutes of 1949 threatens wholesale and automatic reductions in the assessed value of public utilities and other state assessed properties in the County of Los Angeles; and

WHEREAS, Such reductions would, under the provisions of the aforesaid chapter, shift the amount of these public utilities tax reductions to homeowners and other taxpaying groups; and

WHEREAS, The operation of this chapter could endanger the whole fiscal organization of this county and would strike a hard blow at the principles of equalized assessments and home rule in government; and

WHEREAS, The County Supervisors Association of California and the State Association of County Assessors, after long and careful study, continue to oppose this legislation; and

WHEREAS, This law, first enacted in 1949, has been suspended by the State Legislature from time to time, but unless repealed this year, will become operative on July 1, 1955; now, therefore, be it

*Resolved*, That this Board of Supervisors hereby expresses its opposition to Chapter 1466 of the Statutes of 1949, and urges its repeal, and the substitution for it of proper statutory procedure providing for intercounty equalization of locally assessed property only; and, be it further

*Resolved*, That copies of this resolution be sent to our representatives in the Legislature, to the Chairman of the Revenue and Taxation Committees of the Senate and of the Assembly, and to the Secretary of the Senate and the Chief Clerk of the Assembly.

Resolutions identical with the above have been adopted, certified and forwarded to the Senate by the following other counties of the State of California:

Kings	Butte
Napa	Colusa
Yolo	San Mateo
Sacramento	Plumas
Monterey	Siskiyou
Santa Cruz	Inyo
Contra Costa	Ventura
Del Norte	Madera
Tuolumne	Trinity
Nevada	San Benito
San Bernardino	El Dorado
Modoc	Merced
Alpine	Lassen
San Diego	Tulare
Tehama	Lake
Mendocino	Shasta
Mono	Solano
Yuba	San Joaquin
Mariposa	Riverside
Humboldt	San Luis Obispo

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

WATER PROJECT AUTHORITY OF THE STATE OF CALIFORNIA  
SACRAMENTO, CALIFORNIA, March 30, 1955

*Hon. Joseph A. Beck*  
*Secretary of the Senate*  
*State Capitol*

DEAR MR. BEEK: Pursuant to the directive of Section 4 of the Abshire-Kelly Salinity Control Barrier Act of 1953, the following two reports are transmitted herewith:

"Report to the Water Project Authority of the State of California from Board of Consultants on Salinity Control Barriers in San Francisco Bay Region," March 12, 1955.

"Report to the Water Project Authority of the State of California on Feasibility of Construction by the State of Barriers in the San Francisco Bay System," by the Division of Water Resources, March, 1955.

These reports were presented to and considered by the Water Project Authority on March 29, 1955, and the following resolution with respect thereto was unanimously adopted by the authority, and, in accordance with the direction of the authority, is hereby made a part of this transmittal:

"WHEREAS, The Water Project Authority of the State of California was directed by the Abshire-Kelly Salinity Control Barrier Act of 1953 to investigate and study the feasibility and economic value of a suitable salinity control barrier or barriers, and public works incidental thereto, at several alternate locations across San Francisco Bay, San Pablo Bay, Suisun Bay, and the Sacramento-San Joaquin Delta; and

"WHEREAS, The authority engaged a board of consulting engineers and contracted with the Department of Public Works, Division of Water Resources, to individually evaluate and report on the bay barrier problem; and

"WHEREAS, The authority has received and reviewed the reports of the board of consulting engineers and the Division of Water Resources; and

"WHEREAS, The report of the board of consulting engineers recommends that " \* \* \* the Biemond Plan be adopted as the long-range solution of the primary problems set forth in the Abshire-Kelly Salinity Control Barrier Act of 1953"; and

"WHEREAS, The report of the Division of Water Resources recommends as follows, that:

"1. Further consideration be given only to proposals to construct closed barriers across the San Francisco Bay system at or upstream from the Chipps Island site.

"2. The Biemond Plan, comprising the Junction Point Barrier Plan and the proposal for flood protection of the Sacramento-San Joaquin Delta, be studied in detail as a possible unit of the California Water Plan.



- "3. The State of California and the United States Bureau of Reclamation immediately study and determine their joint interest in providing an isolated fresh water channel across the delta as a means of curtailing the use of water for salinity control purposes, preventing additional water losses when transfer of greater quantities of water becomes necessary, and eliminating quality degradation and contact with mineralized return flows and connate waters.
- "4. The Congress of the United States and the United States Army Corps of Engineers be urged to include an investigation of the flood control proposals of the Biemond Plan in the flood control survey of the Sacramento-San Joaquin Delta, and in view of the need for early action to preserve the economy of the Delta, that initiation of the survey be expedited.
- "5. The authorized United States Army Corps of Engineers comprehensive survey of the San Francisco Bay area, including a model study, be completed at an early date in order that the harbor and river system may be developed with adequate factual engineering data, and that the survey include Suisun Bay and the Sacramento-San Joaquin Delta.
- "6. Investigation be made of the feasibility and desirability of partially restricting by a filled causeway the south arm of San Francisco Bay as a means of reducing the existing tidal ranges therein and for use as a trunk transportation facility."

*"Now, Therefore, Be It Resolved,* By the Water Project Authority of the State of California, that the Legislature be urged to authorize further detailed investigation of the Biemond Plan for the purposes of developing complete plans of the means of accomplishing delivery of fresh water to the San Francisco Bay area; providing urgently needed flood protection to valuable agricultural lands in the delta; conducting subsurface exploration work in the delta and designing the facilities appurtenant to the cross-delta aqueduct; obtaining more complete information on the hydrology of the delta; and studying integration of the recommended project in the California Water Plan; and, be it further

*"Resolved,* That the executive officer be directed to communicate with the Regional Director, Region II, U. S. Bureau of Reclamation and the District Engineer, Sacramento District, U. S. Corps of Engineers, with the objective of ascertaining the joint responsibilities, jurisdictions and interests of the Federal Government and the State of California in accordance with the recommendations of the reports; and, be it further

*"Resolved,* That copies of this resolution and of the reports of the board of consultants and Division of Water Resources, be transmitted to the Governor of California, to both houses of the Legislature, and to the President of the United States, the Chief of Engineers, Department of the Army, the Secretary of the Interior, and to members of the California delegation in the Congress."

Very truly yours,

FRANK B. DURKEE, Director of Public Works, Chairman

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 48

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1  
Senate Bill No. 637

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.



## ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 254  
Assembly Bill No. 437

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 390	Senate Bill No. 568
Senate Bill No. 560	Senate Bill No. 1024
Senate Bill No. 561	Senate Bill No. 1545
Senate Bill No. 566	Senate Joint Resolution No. 20
Senate Bill No. 567	

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 564	Senate Bill No. 1416
Senate Bill No. 570	Senate Concurrent Resolution No. 48
Senate Bill No. 1022	

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 611

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 52**—An act to add Section 600.5 to the Vehicle Code, relating to the disposal of garbage, refuse, and other litter upon public and private highways;

**Senate Bill No. 936**—An act to add Section 526.1 to the Streets and Highways Code, relating to one-way traffic in subterranean tubes;

**Senate Bill No. 1019**—An act to add Section 680.5 to the Streets and Highways Code, relating to contracts for the costs of removal, relocation and repair of facilities on state highways which are not freeways;

**Senate Bill No. 1643**—An act to amend Section 143.1 of the Streets and Highways Code, relating to the expenditure of funds available for state highways;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1955, at 11.15 a.m.

WARD, Chairman

## Committee on Education

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 372	Senate Bill No. 469
Senate Bill No. 424	Senate Bill No. 504

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 869

Assembly Bill No. 1349

Senate Bill No. 1465

Assembly Bill No. 1618

Assembly Bill No. 1109

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 24

Assembly Bill No. 560

Senate Bill No. 1977

Assembly Bill No. 1617

Assembly Bill No. 112

Assembly Bill No. 1797

Assembly Bill No. 113

Assembly Bill No. 1804

Assembly Bill No. 115

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

REGAN, Chairman

Above reported bills ordered to second reading.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1199

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS****Senate Bill No. 1279**—An act to amend Section 2181 of the Welfare and Institutions Code, relating to income of responsible relatives of applicants for or recipients of aid to the aged.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 22, of the printed bill, strike out "an allowance", and insert "Allowance".

**Amendment No. 2**

On page 1, line 22, after "for", insert "net".

**Amendment No. 3**

On page 1, line 24, strike out "connection with his business or", and insert "performance of his".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**Senate Bill No. 430**—An act authorizing a suit or suits against the State of California to quiet title to interests in certain real property in the County of Orange, State of California, or to reform a certain deed

relating thereto, or both, and authorizing reconveyance of certain interests heretofore conveyed to the State of California.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 3 of the printed bill, strike out lines 42 to 49, inclusive, and insert "SEC. 6. Any reconveyance, or decree in a quiet title action, or in an action to reform the deed hereinabove described, shall contain an express reservation to the State of the easement for highway purposes obtained by decree in condemnation, certified copy of which was recorded on April 12, 1937, in Book 611, page 98, Official Records of Orange County."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 487**—An act to add Chapter 1.5 to Title 8, and to repeal Sections 68805, 69101, and 72601 and Article 4, Chapter 5 of Title 8, and to amend Sections 71006, 73341, 73391, 73431, 73481, 73521, 73561, 73601, 73641, 73681, 73731, 73771, 73821, 73871, 73911, 73951, 73991, 74011, 74041, 74081, 74131, 74181, 74221, 74261, 74301, 74341, 74501, 74601, 74641, 74691, 74741, 74781, 74801, 74841, and 74881, of the Government Code, relating to the compensation of judges.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 1 of the title of the printed bill, after "add", insert "Section 68546 and".

##### Amendment No. 2

In line 3 of the title, strike out "71006," and insert "72055, 72056, 72057, 72058, 72059, 72060, 72061, 72062, 72065, 72066, 72067, 72068,".

##### Amendment No. 3

In line 8 of the title before the period, insert "and court fees".

##### Amendment No. 4

On page 2, strike out lines 20 to 37, inclusive.

##### Amendment No. 5

On page 3, strike out lines 34 to 38, inclusive, and insert

"SEC. 2. Section 68546 is added to said code, to read:

68546. If a judge is assigned by the chairman of the Judicial Council to the Supreme Court or a district court of appeal, or is assigned by the chairman of the Judicial Council to a superior, municipal, or justice court which is located in a county other than that in which such judge was elected or appointed, or to any two or more such courts, for a period of 30 or more calendar days in any fiscal year, the State, if the judge is assigned to the Supreme Court or a district court of appeal, or the county in which is located the superior, municipal, or justice court to which the judge is assigned, shall reimburse the county in which such judge was elected or appointed in an amount equal to the amount which such county of election or appointment paid toward the salary of such judge during the time for which such judge was assigned to the Supreme Court or a district court of appeal, or to a superior, municipal, or justice court in such county, as the case may be.

Whenever the chairman of the Judicial Council assigns a judge to the Supreme Court, or a district court of appeal, or to a superior, municipal, or justice court which is located in a county other than that in which the judge was elected or appointed, he shall give the Controller and the auditor of the county in which such judge was elected or appointed written notification of such assignment and when the assignment ceases he shall also give the Controller and such auditor written notification of the date upon which such assignment ceased. Such written notification shall

be made within 30 days after such an assignment is made and within 30 days after such an assignment ceases.

On or before August 1st of each fiscal year commencing with August 1, 1956, the Controller shall determine, and notify in writing the auditor of each county of the amount of reimbursement required by this section to which such county is entitled from the State and from any other county on account of assignments made during the preceding fiscal year, and he shall also determine and notify in writing the county auditor of each county which is required by this section to reimburse another county of the amount of reimbursement which such county is required to pay such other county on account of assignments made during the preceding fiscal year.

On or before September 1st of each fiscal year, commencing with September 1, 1956, the Controller shall draw his warrant for the payment to each county of the amount of reimbursement which he determined is due from the State to the county on account of assignments made during the preceding fiscal year.

On or before September 1st of each fiscal year commencing with September 1, 1956, the county auditor of each county shall draw his warrant for the reimbursement of each other county for assignments made during the preceding fiscal year in an amount equal to the amount specified as due such other county in the written notification of the Controller.

The payments shall be from the same funds as those from which payments for extra compensation and expenses are paid."

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 6

On page 6, after line 9, insert

"SEC. 38. Section 72055 of said code is amended to read:

72055. The fee for filing the complaint, or other first paper is [four] *six* dollars [(\$4)] (\$6), to include all proceedings before trial and all services to be performed in a judgment by default or for the trial of either a question of law or fact, including all affidavits, swearing witnesses and jury, and entry of judgment.

SEC. 39. Section 72056 of said code is amended to read:

72056. The fee for filing the first paper on behalf of any party, other than plaintiff, is [two] *three* dollars [(\$2)] (\$3), for each such party.

SEC. 40. Section 72057 of said code is amended to read:

72057. The fee for filing the papers transmitted from another court, on the transfer of a civil action or proceeding, and all proceedings before trial and all services, is [four] *six* dollars [(\$4)] (\$6).

SEC. 41. Section 72058 of said code is amended to read:

72058. When the venue in a case in a municipal court is changed, the fee for making up and transmission of transcript and papers is one dollar [(\$1)] *and fifty cents* (\$1.50), and a further sum equal to the fee for filing in the court to which the case is to be transferred. The clerk shall transmit such filing fee, with the papers in the case, to the clerk or judge of the court to which the case is transferred.

SEC. 42. Section 72059 of said code is amended to read:

72059. The fee for receiving and filing an abstract of judgment rendered by a judge of another court and for subsequent services based on it is [five] *six* dollars [(\$5)] (\$6).

SEC. 43. Section 72060 of said code is amended to read:

72060. The fee for certificate and transmitting transcript and papers on appeal is one dollar [(\$1)] *and fifty cents* (\$1.50).

SEC. 44. Section 72061 of said code is amended to read:

72061. The fee for issuing a transcript of the register of actions is one dollar [(\$1)] *and fifty cents* (\$1.50).

SEC. 45. Section 72062 of said code is amended to read:

72062. The fee for issuing an abstract of judgment is one dollar [(\$1)] *and fifty cents* (\$1.50).

SEC. 46. Section 72065 of said code is amended to read:

72065. The fee for issuing a writ of execution, a writ of restitution, a writ of possession, or any writ for the enforcement of any order or judgment is one dollar [(\$1)] *and fifty cents* (\$1.50).

SEC. 47. Section 72066 of said code is amended to read:

72066. The fee for issuing an order of sale is [two] *three* dollars [(\$2)] (\$3).

SEC. 48. Section 72067 of said code is amended to read:

72067. The fee for exemplification of record or other paper on file, besides the charges allowed for copying or comparing is [two] *three* dollars [(\$2)] (\$3).



SEC. 45. Section 72068 of said code is amended to read:  
72068. The fee for filing any notice of intention to move for a new trial of any cause is [three] four dollars [(\$3)] (\$4)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 239**—An act to amend Sections 14276, 15751, 15752, 15770, 15771, 15772, 15790, 15791, 15792, 15794, 15795, 15796, 15797, 15798, 15851, 15852, 15853, 15854, 15855, 15857, 15858, 15859, 15861, 15864, 15865, and 15866 of, to amend the title of Chapter 2 of Part 10, Division 3, Title 2 of, and to amend and renumber Section 13115, as added by Chapter 16 of the Statutes of 1951, to be Section 13114.5 of, and to add Sections 14105, 15770.1, 15770.2, 15770.3, 15770.4, 15790.5, 15791.5, and 15796.5 to, the Government Code, and to amend Section 1468 of the Fish and Game Code, relating to public works.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 8 of the title of the printed bill, strike out "15770.2,".

##### Amendment No. 2

On page 3, line 17, after "contractors," insert "specialty contractors,".

##### Amendment No. 3

On page 3, strike out lines 43 to 45, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 935**—An act to add Chapter 2.6 to Division 1, Title 2, of the Government Code, creating a California-Nevada Interstate Compact Commission and prescribing its powers and duties, and to provide an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in Senate March 11, 1955, strike out ", declaring the urgency thereof, to take effect immediately".

##### Amendment No. 2

On page 1, line 21, strike out "at large representing", and insert "who resides at any place within the State, who shall represent".

##### Amendment No. 3

On page 1, line 22, strike out "in California".

##### Amendment No. 4

On page 2, strike out lines 36 to 48, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 783**—An act to amend Sections 1091 and 36526 of the Government Code, relating to public officers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 983**—An act to add Section 19480.1 to the Business and Professions Code, relating to horse racing.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1463**—An act to amend Section 24862 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 33**—An act to add Section 69609 to the Government Code, relating to the number of judges of the Superior Court of Placer County.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 23**—An act to amend Section 438 of the Education Code, relating to the county superintendent of schools of a county of the thirty-eighth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 103**—An act to add Section 28301.1 to the Corporations Code, relating to the Retirement Systems Law.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 113**—An act to amend Section 2210.5 of the Streets and Highways Code, relating to federal aid for secondary highways.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 272**—An act to amend Sections 8703.1 and 8819.1 of the Education Code, relating to summer schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 275**—An act to amend Sections 1800, 1801, 1803, 1804, 1805, 1807, 1809, 1810, and 12100 of, and add Section 1809.1 to, the Financial Code, relating to the transmission of money.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 472**—An act to amend Section 7098 of the Education Code and to repeal Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to apportionments, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 633**—An act to add Section 3132 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3158 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1176**—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to the feeding of garbage to swine.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1322**—An act to add Sections 9650.2 and 9717 to, and to amend Sections 9700.5 and 9766 of, the Business and Professions Code, and to add Sections 8732.1 and 8747.5 to the Health and Safety Code, relating to cemeteries.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1387**—An act to repeal Chapter 9 of Division 2 of the Business and Professions Code; Divisions 15 and 22 of the Health and Safety Code; Chapter 8, Division 8 of the Business and Professions Code, and to add Chapter 9 to Division 2 of the Business and Professions Code, relating to pharmacy.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1842**—An act to add Section 48 to the Elections Code empowering the Secretary of State to call meetings of the county clerks and registrars of voters to discuss administration of the election laws and promote uniformity of procedure in such matters: Authorizing the same to be attended also by one designated deputy of each clerk or registrar; declaring expenses of such clerks, registrars, and deputies in attending such meetings as a county charge, and limiting the amount thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 180**—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1554**—An act to add Sections 7910.2 and 7957.1 to the Education Code, relating to state school building aid.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

##### Amendment No. 1

On page 1 of the printed bill, between lines 13 and 14, insert

"When the board makes an apportionment subject to this section, the rate of interest to be paid by the district on the sum apportioned to it shall be fixed, in the same manner as provided in Section 7722, at the time when the bond proceeds, from which the apportionment is made, are deposited in the State School Building Aid Fund."

##### Amendment No. 2

On page 1, after line 23, insert

"When the board makes an apportionment subject to this section, the rate of interest to be paid by the district on the sum apportioned to it shall be fixed, in the same manner as provided in Section 7722, at the time when the bond proceeds, from which the apportionment is made, are deposited in the State School Building Aid Fund."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 634**—An act to add Section 3131 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3157 to Article 6 of Chapter 5 or Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, lines 8 and 9 of the printed bill, after "article", insert ", but not to exceed the amount authorized to be invested by Section 3125".

**Amendment No. 2**

On page 1, line 16, after "article", insert ", but not exceed the amount authorized to be invested by Section 3151".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1826**—An act to amend Section 7640 of the Business and Professions Code, relating to funeral directors and embalmers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "who", insert "is duly qualified to".

**Amendment No. 2**

On page 1, line 5, strike out "disinfects or preserves", and insert "disinfect or preserve".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1209**—An act to amend Section 18851 of the Education Code, relating to the purchase of school supplies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 18, of the printed bill, as amended in Senate March 7, 1955, strike out the second "the"; and strike out lines 19 to 21, inclusive, and insert "where the list and specifications of standard school supplies and equipment to be furnished may be obtained and the time when, which shall not be less than 30 days after the date of completion of publication, and the place where bids will be opened."

**Amendment No. 2**

On page 1, lines 29 and 30, strike out "county school service fund", and insert "county general fund".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 780**—An act to amend Section 18404 of the Education Code, relating to school sites.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 21, of the printed bill, after "notice", insert "If the California Aeronautics Commission is no longer in operation, the Department of Education



shall, in lieu of notifying the commission, notify the Civil Aeronautics Authority or any other appropriate agency, in writing, of the proposed acquisition for the purpose of obtaining from the authority or other agency such information or assistance as it may desire to give."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 150**—An act to amend Section 422 of the Education Code, relating to county superintendents of schools of counties of the twenty-second class.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

##### Amendment No. 1

On page 1, lines 7 and 8, strike out "or a valid general administrative credential".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 176**—An act to amend Section 454 of the Education Code, relating to the superintendent of schools of a county of the fifty-fourth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Joint Resolution No. 19**—Relative to requesting the United States to pass legislation granting to the State of California and to the other western states all of the lands and minerals within their respective borders with the exception of lands within national parks, national monuments, national forests, and lands utilized for national defense and for the promotion of aviation and agriculture.

Resolution read.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

##### Amendment No. 1

On page 2 of the printed measure, strike out lines 31 and 32; and in line 33, strike out "of California concurring," and insert "Resolved by the Senate and Assembly of the State of California, jointly,".

##### Amendment No. 2

On page 2, line 40, after "exception", insert "of lands in use, or needed in the immediate future for use, in the discharge of governmental functions, and".

##### Amendment No. 3

On page 2, line 42, after the first "and", insert "of".

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Resolution No. 29**—Relative to the continuance of the Senate Interim Committee on a State-wide System of Beaches and Parks.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

In paragraph 4, strike out "the sum of five hundred dollars (\$500)", and insert "the sum of one thousand five hundred dollars (\$1,500)".

Amendment read, and adopted.

Resolution ordered amended, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 204**—An act to amend Sections 5000, 5075, 5150, 5251, 5258, 5356, 6601, 6620, 6659, 6700, 6703, and 6733 of the Welfare and Institutions Code, relating to the discharge of patients from state hospitals.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1213**—An act to amend Section 25615 of the Business and Professions Code, relating to the alcoholic content of beer.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 8**—An act to add Section 3042.5 to the Business and Professions Code, relating to the practice of optometry.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 383**—An act to amend Section 364.1 of the Agricultural Code, relating to public sales yards for the sale of cattle.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1035**—An act to amend Section 13661 of the Government Code, relating to distribution of state publications.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1036**—An act to amend Section 424 of the Government Code, relating to official colors of the State.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 69**—An act to add Section 8159.2 to the Education Code, relating to the maintenance of automobile driver training classes.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 840**—An act to amend Section 13841.1 of the Education Code, relating to leave of absence for illness or injury of school district employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1285**—An act to amend Section 13042 of, and to add Section 13043 to, the Education Code, relating to qualifications for teachers.

Bill read second time, and ordered to third reading.

**MOTION TO RE-REFER SENATE BILL NO. 33**

Senator Hulse moved that Senate Bill No. 33 be re-referred to Committee on Finance.

Motion carried.

**President pro Tempore of the Senate Presiding**

At 2.15 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 203**—An act to amend Section 610 of the Agricultural Code, relating to cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 204**—An act to repeal Section 612.5 of the Agricultural Code, relating to hoop cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 205**—An act to amend Section 613 of the Agricultural Code, relating to cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Byrne, Cobey, Coombs, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Ward, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 206**—An act to amend Section 614 of the Agricultural Code, relating to cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 207**—An act to add Section 614.1 to the Agricultural Code, relating to cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft,

McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1416**—An act to amend Section 28716 of, to add Section 28726 to, and to repeal Sections 28714, and 28724 of, the Health and Safety Code, relating to the Frozen Food Locker Plant Act of 1951.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 570**—An act to add Section 156.4 to the Vehicle Code, relating to motor vehicles using liquefied petroleum gas as a motor fuel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Byrne, Cobey, Coombs, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 564**—An act to add Section 6223 to the Public Resources Code, relating to priority of applications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 561**—An act to amend Section 4167 of the Public Resources Code, relating to the use of adequate spark arresters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senator McBride Presiding**

At 2.45 p.m., Senator James J. McBride of the Thirty-third District, presiding.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 566**—An act to repeal Chapter 7 of Division 4 of the Public Resources Code, relating to logging permits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 567**—An act to repeal Article 5 of Chapter 2, Division 4 of the Public Resources Code, relating to a brush-burning experiment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 568**—An act to repeal Article 4 of Chapter 2, Division 4 of the Public Resources Code, relating to state forest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 560**—An act to amend Section 4151 of the Public Resources Code, relating to fire permits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 390**—An act to amend Section 8358 of the Revenue and Taxation Code, relating to aircraft fuel taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1024**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 362 of the Statutes of 1953, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—Senator Dilworth—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Richards asked for, and was granted, unanimous consent to have the following statement regarding his vote on Senate Bill No. 1024 printed in the Journal:

I feel it should be stated, in the interest of Los Angeles County, that Chapter 1466, in an amended form, should go into effect. However, in its present form it is not acceptable to our county. For this reason I supported Senate Bill No. 1024 which will postpone the application of 1466 at present.

Los Angeles County must eventually have proper readjustment of tax assessment and distribution in its relationship with the rest of the State.

RICHARD RICHARDS

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1022**—An act to amend Sections 4102, 4149, and 4671 of the Revenue and Taxation Code, relating to tax-sold and tax-deeded lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 611**—An act to add Section 2847.6 to, and to amend Sections 2845 and 2847 of, the Elections Code, relating to the removal of members of county central committees.

Bill read third time.

**Point of Order**

Senator Grunsky arose to a point of order, and stated that Senator Richards was incorrect in stating that he was asking a question; his question had been answered, and that he was speaking in opposition to Senate Bill No. 611.

The President ruled the point well taken.

The President directed the Secretary to call the roll on final passage of Senate Bill No. 611.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Richards moved a call of the Senate.

Motion carried. Time, 3.18 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)\***

**Senate Joint Resolution No. 20**—Relative to payments in lieu of taxes by the Federal Government.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.22 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 443**—An act to amend Sections 28, 46.5, 291, 330.5, 373.5, 571.5, 668, 1402, 1404, 2605, 3709, 3822, 3922, 3935, 3944, 5563, 5717, 5726, 5805, 5931.5, 9002, 9801, and 11053 of, and to add Sections 370.1, 658.6 and 5755 to, and to repeal Sections 669, 670, 671, 672, 672.5, and 673 of, the Elections Code, relating to elections.

**Motion to Re-refer Assembly Bill No. 443**

Senator Hulse moved that Assembly Bill No. 443 be re-referred to Committee on Finance.

Motion carried.

**Assembly Bill No. 1000**—An act to amend Sections 16000 and 16002 of the Financial Code, relating to credit union charges and assessments.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Thompson, and Ward—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1001**—An act to amend Sections 14405, 14454, and 14501 of the Financial Code, relating to directors and other officials of credit unions.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, and Way—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1741**—An act to add Section 64.1 to the Vehicle Code, relating to the definition of traffic officer.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 143**—An act to amend Section 525.3 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 142**—An act to amend Section 530.5 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—27.

NOES—None.

Bill ordered transmitted to the Assembly.



**President of the Senate Presiding**

At 3.35 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Assembly Bill No. 140**—An act to amend Section 697 of the Vehicle Code, relating to height and length of vehicles.

Bill read third time, and presented by Senator Way.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 871**—An act to amend Section 5371 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, and Way—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1740**—An act to amend Section 577 of the Vehicle Code, relating to the stopping of vehicles.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1757**—An act to add Section 80 to Chapter 3 of Division 1 of the Vehicle Code, relating to the definition of traffic.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Thompson, Ward, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1758**—An act to add Section 92 to the Vehicle Code, relating to the definition of official traffic control device and signal.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.44 p.m., on motion of Senator Richards, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 611 passed by the following vote:

AYES—Senators Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, and Way—23.

NOES—Senators Berry, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Murdy, and Thompson—8.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 60**—An act to add Section 6386 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes, to take effect immediately.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Teale, Thompson, Ward, and Way—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 70**—Relative to congratulating Phil Woolpert on his selection as Coach of the Year.

Resolution read, and presented by Senator Robert I. McCarthy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Thompson, Ward, and Way—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 50:** By Senator Cunningham—Relating to an engineers survey by the Department of Public Works of a road from Twentynine Palms to Rice.

Referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1261**

Senator Robert I. McCarthy moved that Senate Bill No. 1261 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1261**—An act to amend Section 74505 of the Government Code, relating to the Municipal Court in the City and County of San Francisco.

Bill read second time.

**Motion to Amend**

Senator Robert I. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 74505 of", and insert "add Section 72003.5 to".

**Amendment No. 2**

Strike out lines 2 and 3 of the title, and insert "ing to municipal courts."

**Amendment No. 3**

On page 1, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 72003.5 is added to the Government Code, to read: 72003.5. When authorized by the board of supervisors, judges of the municipal court shall be allowed necessary expenses incurred in connection with attendance at meetings of recognized official organizations of which they are members in their official capacity as judges. Such expenses are a charge against the treasury of the county and shall be paid out of the general fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 830**

Senator Cobey moved that Senate Bill No. 830 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 830**—An act to amend Section 4311 of the Agricultural Code, relating to petitions for sales stimulation and consumer educational programs.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Senate March 14, 1955, strike out "and producers' associations", and insert ", including the members of producers' associations".

**Amendment No. 2**

On page 1, line 19, after the period, insert "In determining whether such petition has been signed by the required number of producers in accordance with this section, the director shall consider the approval of any nonprofit agricultural cooperative marketing association which is authorized by its members so to petition, as being the

petition of the producers who are members of, or stockholders in, such nonprofit agricultural cooperative marketing association."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 831

Senator Cobey moved that Senate Bill No. 831 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 831**—An act to add Section 4319.5 to the Agricultural Code, relating to appointment of persons to administer sales stimulation and consumer educational programs on fluid milk and fluid cream.

Bill read second time.

##### Motion to Amend

Senator Cobey moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 10, of the printed bill as amended in Senate March 15, 1955, strike out "public hearing", and insert "nomination meeting within the marketing area".

##### Amendment No. 2

On page 1, line 12, strike out "The public hearing shall"; and strike out all of lines 13 to 15, inclusive, and insert "A notice of such nomination meeting or meetings shall be mailed by the director to all producers of record with the department eligible to sign a petition for such a program, and if the program was initiated both by producers and distributors, such notice shall also be mailed to all distributors of record eligible to sign such petition for such marketing area."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1324

Senator Cobey moved that Senate Bill No. 1324 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1324**—An act to amend Section 12651 of the Water Code, relating to flood control.

Bill read second time.

##### Motion to Amend

Senator Cobey moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "12651", and insert "8621".

##### Amendment No. 2

On page 1, line 1, strike out "12651", and insert "8621".



**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1, between lines 2 and 3, insert

"§621. *Notwithstanding any of the provisions of Chapters 1 and 3 of Part 6 of Division 6, the board, with the approval of the Department of Finance, may, when a saving to the State will result, in lieu of acquiring all or any portion of the lands, easements, or rights of way, in connection with a flood control project, execute a substitute plan which includes provision for the State to construct works or contribute to the United States a portion of the construction cost of [any] the flood control project [under its jurisdiction] when such works to be constructed by the board or the changes in the design of the project are made which, while resulting in [increased] new or added state expenditures for construction [costs], will reduce the costs of the lands, easements, or rights of way which otherwise might be required. Any funds heretofore or hereafter appropriated or allocated to the board for the acquisition of lands, easements, or rights of way may be used for the purposes specified in this section.*

*In carrying out the provisions of this section, the board may negotiate with the United States and adopt, on behalf of the State, any necessary revision of a project authorized by Chapter 2 of Part 6 of Division 6, but no money shall be expended pursuant to this section to meet the requirements of the United States for local cooperation in connection with such authorized project unless the United States agrees to accept the substitute plan as meeting the requirements for local cooperation."*

#### Amendment No. 4

On page 1, strike out lines 3 to 19, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 135

Senator Collier moved that Senate Bill No. 135 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 135**—An act to add Sections 62.2, 217, 218, 219, and Division 2B to, and to amend Sections 215 and 216 of, the Vehicle Code, relating to highway user taxes and fees, creating the Reciprocity Commission, and defining the powers thereof.

Bill read second time.

#### Motion to Amend

Senator Collier moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate March 16, 1955, strike out "217".

#### Amendment No. 2

On page 2, line 9, strike out "217", and insert "218".

#### Amendment No. 3

On page 2, line 27, strike out "217 and 218", and insert "218 and 219".

#### Amendment No. 4

On page 2, line 33, strike out "217 and 218", and insert "218 and 219".

#### Amendment No. 5

On page 2, line 38, strike out "217 or 218", and insert "218 or 219".

#### Amendment No. 6

On page 2, line 52, strike out "217", and insert "218".

**Amendment No. 7**

On page 3, line 11, strike out "217", and insert "218".

**Amendment No. 8**

On page 3, line 12, strike out "217", and insert "218".

**Amendment No. 9**

On page 3, line 13, strike out "217", and insert "218".

**Amendment No. 10**

On page 3, lines 24 and 25, strike out "the laws of this State", and insert "this code and Division 2, Part 5, Revenue and Taxation Code."

**Amendment No. 11**

On page 4, line 25, strike out "218", and insert "219".

**Amendment No. 12**

On page 4, line 26, strike out "218", and insert "219".

**Amendment No. 13**

On page 5, line 21, strike out "217", and insert "218".

**Amendment No. 14**

On page 5, line 27, strike out "217", and insert "218".

**Amendment No. 15**

On page 6, lines 18 and 19, strike out "his last known place of residence", and insert "the address indicated in such record".

**Amendment No. 16**

On page 6, line 24, strike out "217", and insert "218".

**Amendment No. 17**

On page 6, line 27, strike out "three months", and insert "90 days".

**Amendment No. 18**

On page 6, line 30, strike out "month", and insert "30-day period".

**Amendment No. 19**

On page 6, strike out lines 39 to 41, inclusive, and insert

"(h) The Legislature declares that in enacting this Section 219, it adheres to the prin-".

**Amendment No. 20**

On page 3, line 36, after the period, insert "Prior to entering into agreement or arrangements under the authority herein granted the Reciprocity Commission shall give consideration to whether or not the total amount of revenue to be derived in this State from vehicles subject to the agreement or arrangement will equal that which would be received were the proportionate registration and licensing provisions of Section 218 applicable between this State and the state with which the agreement or arrangement is consummated; however, the authority of the commission to act shall not with respect to any agreement or arrangement or all the agreements or arrangements it enters into be restricted by this requirement."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 476**

Senator Way moved that Senate Bill No. 476 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 476**—An act to add Section 803.2 to the Fish and Game Code, relating to clams.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 16, inclusive, and insert "803.2. The commission shall close for the taking of razor clams (*Siliqua patula*) not more than 50 percent of razor clam bearing beaches within or offshore from Del Norte County as a clam preserve or preserves. The commission may from time to time vary the location of the closed and open portions of such beaches.

Before the commission closes, opens, or varies the location of the closed and open portions of razor clam bearing beaches, one or more members of the commission shall hold in the county to be affected a public hearing, notice of which has been published at least once in a newspaper of general circulation, printed and published in that county. The commission may determine which such newspaper will be most likely to give notice to the inhabitants of such county, and its determination shall be final and conclusive. The commission may authorize the director in its place and stead to hold such hearing in which event a copy of a transcript of all proceedings taken or had at said hearing shall be furnished to each commissioner at least five days before any such order is made by the commission."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 374**

Senator Dilworth moved that Senate Bill No. 374 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 374**—An act to amend Sections 12, 15, 16, 17, 22, 23 and 24 of, and to add Section 16.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Dilworth moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill as amended in Senate March 18, 1955, strike out "and 24", and insert " , 24, and 33".

**Amendment No. 2**

On page 4, line 27, strike out "To carry out the"; and strike out lines 28 to 52, inclusive; on page 5, strike out lines 1 to 22, inclusive, and insert "Any such contract shall not be executed without the assent of two-thirds of the qualified electors of the district voting at a special election to be held for that purpose, such election to be called and held, so far as practicable, in the same manner as bond elections for the district."

**Amendment No. 3**

On page 5, line 32, strike out "or completion", and insert ", completion, or repair".

**Amendment No. 4**

On page 6, line 33, strike out "or completion", and insert ", completion, or repair".

**Amendment No. 5**

On page 6, line 34, strike out "which in the opinion of the board will"; strike out line 35, and insert "and to provide for such bonded indebtedness to be payable from taxes levied upon less than all of the district, the board".

**Amendment No. 6**

On page 7, line 35, strike out "and", and insert "or".

**Amendment No. 7**

On page 9, line 38, strike out "not less than".

**Amendment No. 8**

On page 9, line 39, after "(60%)", insert "or more".

**Amendment No. 9**

On page 9, line 40, after "nixed", insert ", which land as so represented in said petition shall have an assessed valuation of not less than fifty percent (50%) of the land so proposed to be annexed".

**Amendment No. 10**

On page 9, line 46, strike out "desires to be annexed", and insert "may be annexed as theretofore determined by resolution adopted by the board of directors of the district".

**Amendment No. 11**

On page 10, line 45, strike out "land", and insert "taxable property".

**Amendment No. 12**

On page 11, lines 8 and 9, strike out " , if any, prescribed by", and insert "as theretofore determined by resolution of".

**Amendment No. 13**

On page 11, strike out lines 10 to 18, inclusive, and insert "From and after the date of the adoption of such resolution the".

**Amendment No. 14**

On page 13, strike out lines 4 and 5, and insert "trict purpose. Such moneys remaining from the sale of bonds of the district for an improvement district therein may also be used for any purpose which will benefit the property in the improvement district. Said moneys".

**Amendment No. 15**

On page 13, line 7, after "pose", insert "or improvement district purpose".

**Amendment No. 16**

On page 13, strike out lines 19 to 23, inclusive; and in line 24, strike out "against the district.", and insert "will pay the operating expenses of the district, and the improvement district, provide for repairs and depreciation of works, provide a reasonable surplus for improvements, extensions, and enlargements, pay the interest on any bonded debt, and provide a sinking or other fund for the payment of the principal of such debt as it may become due."

**Amendment No. 17**

On page 14, line 32, after "9." insert "Section 33 of said code is amended to read:

"Sec. 33. The inclusion in, or annexation or addition to, a municipal water district, of the corporate area of any public corporation or public agency, shall not destroy the identity or legal existence or impair the powers of any such public corporation or public agency, notwithstanding the identity of purpose, or substantial identity of purpose, of such municipal water district. *No public corporation or public agency having identity of purpose or substantial identity of purpose shall be formed partly or entirely within a municipal water district existing under this act without the consent of such municipal water district.*

SEC. 10."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.



## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1031

Senator McBride moved that Senate Bill No. 1031 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS OUT OF ORDER

**Senate Bill No. 1031**—An act to add Chapter 13 to Division 4 of, to add Article 14.5 to Chapter 15 of Division 3 of, and to add Section 5150.3, to the Education Code, relating to the education of emotionally disturbed children.

Bill read second time.

## Motion to Amend

Senator McBride moved the adoption of the following amendments:

## Amendment No. 1

Strike out the title of the proposed bill, and insert:  
"An act to provide for a study of the problems in the education of emotionally disturbed children in the public schools of California, and creating an appropriation therefor."

## Amendment No. 2

On page 1, strike out lines 1 through 27, inclusive, and strike out pages 2 and 3, and insert:

**SECTION 1.** The State Department of Education is hereby authorized and directed to cause a study of problems relating to emotionally disturbed children in the public schools of the State. The study shall include, but not necessarily be limited to, a determination of the needs now being met in the schools for properly supervising emotionally disturbed children, recommendations for standards to be developed so as to meet effectively severely and mildly disturbed children, an evaluation of the effectiveness of present special school programs designed to help emotionally disturbed children, a determination of the relationship between early identification of such children and their rehabilitation, and a report on administrative problems and costs which would be involved in the development and operation of a network of educational programs designed to meet the needs of emotionally disturbed children. A preliminary report of the study shall be prepared by the Department on or before January 1, 1956, and a final report thereon shall be prepared on or before January 1, 1956.

**SEC. 2.** There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred thousand dollars (\$100,000) for the purpose of carrying out the provisions of this act. There is hereby appropriated out of the State Department of Education for carrying out the study of the amount and costs of the program proposed the limited sum of \$42,500, not to be expended during the 1955-56 Fiscal Year, not more than forty-three thousand two hundred thirty-four dollars (\$43,234) during the 1956-57 Fiscal Year, and not more than forty-one thousand two hundred twenty-four dollars (\$41,224) during the 1957-58 Fiscal Year.

**SEC. 3.** The State Superintendent of Public Instruction is hereby authorized to appoint an advisory committee of five persons to assist in the preparation of a report for the project and the execution of the program. One member of the advisory committee shall be a licensed psychologist and one member thereof shall be a research specialist. From the funds appropriated under Section 2 of this act, the Department of Education is authorized to pay travel and subsistence expenses incurred by members of the advisory committee on attending meetings of the committee called by the State Superintendent of Public Instruction, provided that not more than five hundred dollars (\$500) shall be used for this purpose during each of the fiscal years 1955-56, 1956-57, and 1957-58."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1818

Senator Burns moved that Senate Bill No. 1818 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1818**—An act to add Part 1.5 (consisting of Sections 7200 to 7206 inclusive) to Division 2 of the Revenue and Taxation Code of the State of California relating to uniform sales and use taxes.

Bill read second time.

**Motion to Amend**

Senators Burns moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "(consisting of Sections 7200 to 7206, inclusive)".

**Amendment No. 2**

On page 1, lines 1 and 2, strike out "(consisting of Sections 7200 to 7206, inclusive)".

**Amendment No. 3**

On page 1, between lines 3 and 4, insert

"PART 1.5. UNIFORM LOCAL SALES AND USE TAXES".

**Amendment No. 4**

On page 1, line 5, after "Sales", insert "and Use".

**Amendment No. 5**

On page 2, between lines 2 and 3, insert

"(e) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with this part by any other city and county, county, or city in this State, shall be exempt from the tax due under this ordinance."

**Amendment No. 6**

On page 2, line 3, strike out "(e)", and insert "(f)".

**Amendment No. 7**

On page 2, strike out lines 27 to 30, inclusive, and insert

"(5) A provision that the storage, use or other consumption of tangible personal property, to the gross receipts from the sale of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with this part by any other city and county, county, or city in this State, shall be exempt from the tax due under this ordinance."

**Amendment No. 8**

On page 2, between lines 30 and 31, insert:

"7203. (a) If the board of supervisors levies a sales tax under the authority of Section 7201, it may impose a complementary tax upon the storage, use or other consumption in the county of tangible personal property purchased from any retailer for storage, use or other consumption in the county. Such tax, if levied, shall be at the rate of one percent (1%) of the sales price of the property whose storage, use or other consumption is subject to the tax.

(b) Every county use tax ordinance shall provide:

(1) That any retailer subject to a use tax under the county ordinance shall be entitled to credit against the payment of taxes due under the ordinance the amount of use tax due to any city under a city use tax ordinance.

(2) Provisions identical to the provisions contained in Division 2, Part 1, of this code, other than Section 6201, insofar as such provisions relate to the use tax except that the name of the county enacting the ordinance shall be substituted for that of the State.

(3) That all amendments subsequent to the date of such ordinance to the provisions of the Revenue and Taxation Code relating to the use tax shall automatically become a part of the ordinance.

(4) That the use tax return shall be filed by the retailer with the State Board of Equalization as a part of the return provided for in Section 6452, and all payments of the use tax shall be made to the board acting as agent for the county.

(5) That the county shall contract with the board to make all audits and assess and collect all deficiencies of the use tax.

(6) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with this part by any other city and county, county, or city in another county in this State, shall be exempt from the tax due under this ordinance.

7204. A retailer shall not be entitled to the credit provided for in subdivision (f) of Section 7202, and subsection (1) of subdivision (b) of Section 7203, unless the city sales or use tax ordinance, or both, provide:

(1) Provisions identical to the provisions contained in Division 2, Part 1, of this code, other than Sections 6051 and 6201, insofar as such provisions relate to the sales and use taxes, except that the name of the city enacting the ordinance shall be substituted for that of the State.

(2) That all amendments subsequent to the date of such ordinance to the provisions of the Revenue and Taxation Code relating to sales and use taxes shall automatically become a part of the ordinance.

(3) That the sales and use tax returns shall be filed by the retailer with the State Board of Equalization as a part of the return provided for in Section 6452 and all payments of the sales and use taxes shall be made to the board acting as agent for the city.

(4) That the city shall contract with the board to make all audits and assess and collect all deficiencies of the sales and use taxes.

(5) A provision that the storage, use or other consumption of tangible personal property, the gross receipts from the sale of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with this part by any city and county, county or city in this State, shall be exempt from the tax due under this ordinance."

**Amendment No. 9**

On page 2, line 31, strike out "7203", and insert "7205".

**Amendment No. 10**

On page 2, line 32, after "tion", insert "of a county".

**Amendment No. 11**

On page 2, line 33, strike out "within a county".

**Amendment No. 12**

On page 2, strike out lines 37, 38, and 39.

**Amendment No. 13**

On page 2, line 40, strike out "7205", and insert "7206".

**Amendment No. 14**

On page 2, line 48, strike out "7206", and insert "7207".

**Amendment No. 15**

On page 2, line 48, between "The" and "taxes", insert "sales".

**Amendment No. 16**

On page 3, immediately below line 8, insert

"7208. All retail sales for the purpose of this part shall be presumed to have been consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination.

7209. All use taxes collected by the board pursuant to contract with any city, city and county, or county, shall be placed in a fund to be known as the "Local Use Tax Fund" and shall be distributed on the first day of each calendar quarter, being paid to the cities, cities and counties, and counties levying use taxes in accordance with Section 7203. Payment shall be in the proportion that the population of each city, city and county, or county entitled to payment hereunder bears to the total population of all cities and counties and counties entitled to payment. For the purpose of this section the population is that determined by the last official decennial federal census.

7210. If any provision or provisions of this part, other than Sections 7205 or 7209, are declared to be invalid by a final decision of a court of competent jurisdiction, all of the provisions of this part shall be null and void, it being the intention of this Legislature that the sections, other than Sections 7205 and 7209, shall not be severable."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 361  
Assembly Bill No. 611  
Assembly Bill No. 683  
Assembly Bill No. 963  
Assembly Bill No. 1288

Assembly Bill No. 1306  
Assembly Bill No. 1609  
Assembly Bill No. 1731  
Assembly Bill No. 1880  
Assembly Bill No. 3774

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 361**—An act to amend Section 402b of the Penal Code, relating to refrigerators, iceboxes, and deep freeze lockers.

Referred to Committee on Judiciary.

**Assembly Bill No. 611**—An act to amend Sections 836 and 842 of the Penal Code, relating to warrants of arrest.

Referred to Committee on Judiciary.

**Assembly Bill No. 683**—An act to amend Section 3162 of the Financial Code, relating to the disposition of unclaimed property.

Referred to Committee on Judiciary.

**Assembly Bill No. 963**—An act to amend Section 640 of the Penal Code, relating to wire tapping.

Referred to Committee on Judiciary.

**Assembly Bill No. 1288**—An act to add Section 602.5 to the Welfare and Institutions Code, relating to probation committees.

Referred to Committee on Judiciary.

**Assembly Bill No. 1306**—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Referred to Committee on Judiciary.

**Assembly Bill No. 1609**—An act to amend Sections 6700 and 6703 of the Government Code, relating to Veterans Day.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1731**—An act to amend Section 1904 of the Corporations Code, relating to reduction of stated capital.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1880**—An act to amend Section 12845 of the Public Utilities Code, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Utilities.

**Assembly Bill No. 3774**—An act to amend Section 224 of the Labor Code, relating to payment of wages.

Referred to Committee on Labor.



**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 89

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 2573

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**REPORTS OF STANDING COMMITTEES****Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1764

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1123

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

JOHN F. MCCARTHY, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 966

Assembly Bill No. 766

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 304

Assembly Bill No. 765

Senate Bill No. 974

Assembly Bill No. 2687

Assembly Bill No. 436

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 146

Senate Bill No. 808

Senate Bill No. 334

Senate Bill No. 1278

Senate Bill No. 492

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1116

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, March 25, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Constitutional Amendment No. 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

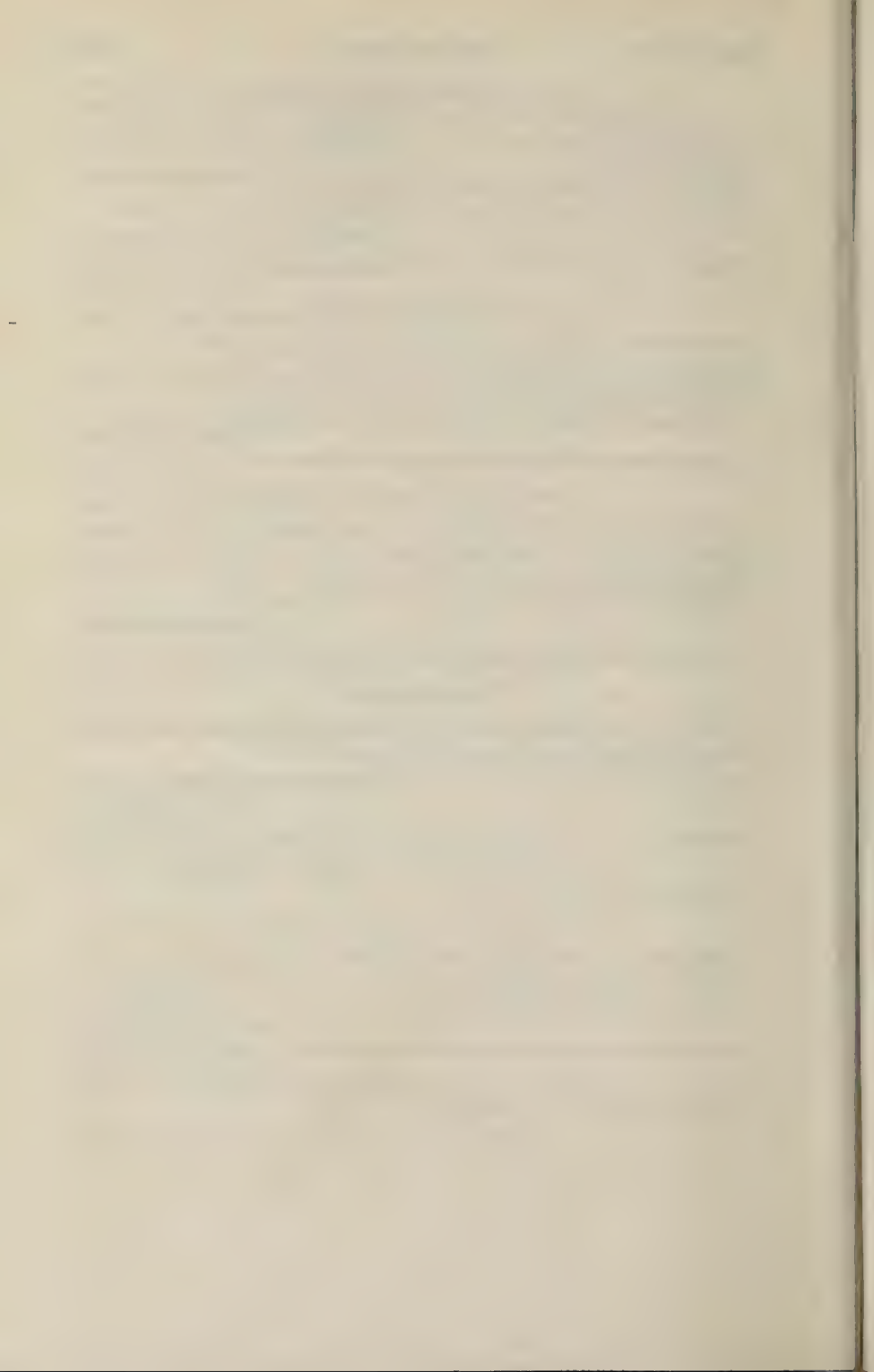
McBRIDE, Chairman

Above reported resolution ordered to second reading.

**ADJOURNMENT**

At 4 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 9 a.m., Friday, April 1, 1955.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY

FIFTY-SECOND CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 1, 1955

The Senate met at 9 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Breed, on motion of Senator Ward, due to legislative business.

Senator Dale C. Williams, on motion of Senator Ward, due to illness.

Senator Dorsey, on motion of Senator Ward, due to illness.

Senator Busch, on motion of Senator Ward, due to legislative business.

Senator Collier, on motion of Senator Ward, due to legislative business.

Senator Miller, on motion of Senator Ward, due to legislative business.

Senator Regan, on motion of Senator Ward, due to legislative business.

Senator Parkman, on motion of Senator Ward, due to legislative business.



**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Leona Moeller of Glendale.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Mrs. Mabel Jorgensen, Mrs. Roberta Jones, Mrs. Belle Munoz, Dan Hill, Fred Williamson, and the following students from Kettleman City Elementary School, Kettleman: Leatha Adams, Betty Sue Beckham, Connie Calderon, Pearly Mae Childress, Dalene Cope, Dori Jones, Audrey Kirkland, Mildred Miller, Louise Moon, Wilma Roberts, Alice Rocha, Velia Silva, Lonnie Bentley. Joe Carrasco, Connie Lee Drewry, Clifford Gallaway, Kenneth King, Mack Maloney, Sam Williams, and Ignacio Salazar.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to S. K. Banerji, Consul General of India, and E. A. Srinivasan, Press Officer.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. A. Prophet of Los Angeles, Leo A. Hill and W. S. Walker of Long Beach.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Maxine Taylor and Lester E. Taylor of Mill Valley.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jessie M. Cryan and Ray Gray of San Jose.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Brother Edmund and the following students from the San Joaquin Memorial High School, Fresno: Gil Bray, William George, John Houlihan, J. Hefferman, Charles Lozano, Russ Mateso, Dennis Volpa, and James Seambray.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Mrs. Ruth Dolson and the following students from the Modesto Evening Junior College: Mrs. Herminia Andrade, Antonio Andrade, Mrs. Diolinda Andrade, Mrs. Carmela Baggesi, Mrs. Mary Borello, Mrs. Tony Boodrookas, Mrs. Hilda Bettencourt, Mrs. Nano Benjamin, Mrs. Frances D'Accardo, Mrs. Pete De Salva, Mrs. Joe Fagundes, Mrs. Hideko Friseia, Mrs. Nina Genova, Sabas Lambaren, Miss Mary Lemos, Bill Millios, Quirino Mendoza, Mrs. Alma Shimmmon, Mrs. T. Shibusawa, Y. Shibusawa, Bastiaan Weststeyn, and Mrs. Bow Kee Young.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Edna Wells, Mrs. Hazel Thoma, Mrs. Marie Sipma, and the following students from Ripon: Sharon Cline, Stanley Cunningham, Alice Hageman, Lynda Kjono, Carolyn Thoma, Elaine Wray, Martin Baer, Shirley Franscella, Dale Kuil, Richard Machado, David Rebeiro, James Tederman, Barbara Birehler, Roy Busch, Shirley Fredriks, Jane Kaminga, Harvey Turnbull, Howard Wray, Dorothy Jane Bumgarner, Dorothy Gomes, Dick Hageman, Edna Mae Harden, Robert Keyes, Mary Lou

Kuil, Marain Rickley, Alice Tederman, John Thomas, and Kenneth Vreiling.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Les Claypool, Jerry Pachó, H. D. Van Petten of Los Angeles.

On request of Senator Robert I. McCarthy, the privilege of the floor or the Senate Chamber for this day was unanimously extended to James "Foghorn" Murphy of San Francisco.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bob Osborne of Berkeley.

#### CALL OF THE SENATE

Senator Ward moved a call of the Senate.

Motion carried.

Time, 9.05 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 23

Senate Bill No. 783

Senate Bill No. 176

Senate Bill No. 983

Senate Bill No. 180

Senate Bill No. 1176

Senate Bill No. 272

Senate Bill No. 1463

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 634

Senate Bill No. 1554

Senate Bill No. 275

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 150

Senate Bill No. 1209

Senate Bill No. 430

Senate Bill No. 1826

Senate Bill No. 780

Senate Joint Resolution No. 19

And reports the same correctly engrossed.

WARD, Chairman

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 372**—An act to add Chapter 24 to Division 3 of the Education Code, to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money

for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

On page 3, line 30 of the printed bill, strike out "November", and insert "July".

##### Amendment No. 2

On page 3, line 33, strike out "December", and insert "August".

##### Amendment No. 3

On page 4, between lines 6 and 7, insert

"7979.5. The State Allocation Board may make apportionments to school districts pursuant to Chapter 19 of this division in amounts which, in total, do not exceed the amount of bonds authorized by Section 18 of Article XVI of the California Constitution, the proceeds of which are for grants and loans to school districts as provided by said Section 18, before the sale of such bonds and the deposit of the proceeds thereof in the State School Building Aid Fund if it designates any such apportionment as being subject to the sale of bonds in a sufficient amount, and the deposit of the proceeds thereof, in such fund.

When the board makes an apportionment subject to this section, the rate of interest to be paid by the district on the sum apportioned to it shall be fixed, in the same manner as provided in Section 7722, at the time when the bond proceeds, from which the apportionment is made, are deposited in the State School Building Aid Fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 424**—An act to repeal Sections 1813, 1819, 1820, 3129, 3130, 3131, 3132, 4124, 4125, 4126, and 4127 of, to amend Sections 1671, 1801, 1804, 1805, 1806, 1808, 1809, 1818, 1822, 1825, 1826, 1828, 1829, 6358, 7402, 7404, and 7407 of, to amend and renumber Sections 3133 and 4128 of, and to add Sections 1819 and 1820 of, the Education Code, relating to school district elections.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

On page 7 of the printed bill, as amended in Senate March 10, 1955, strike out line 9; and in line 10, strike out "notices," and insert "election. At least four signed copies of the order calling each bond election shall be filed with the county superintendent of schools who shall post notices of election".

##### Amendment No. 2

On page 7, line 35, strike out "The same information shall be furnished the"; and strike out all of lines 36 and 37.

##### Amendment No. 3

On page 7, in lines 51 and 52, strike out "at the election", and insert "on the proposition of issuing bonds of the district".

##### Amendment No. 4

On page 8, in lines 4 and 5, strike out "and to the county superintendent of schools".

##### Amendment No. 5

On page 7, line 22, strike out "the", and insert "his".

**Amendment No. 6**

On page 8, line 9, after "district", insert "The governing board shall certify to the county superintendent of schools the results of the election."

**Amendment No. 7**

On page 7, after line 40, insert  
"No defect in the time of mailing or in any card mailed except the statement as to the amount of the proposed bond issue shall invalidate the bonds."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 469**—An act to add Section 13050.1 to the Education Code, relating to credentials of school business managers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 13050.1", and insert "Sections 12150, 13050.1, and 14384".

**Amendment No. 2**

In line 2 of the title, strike out "credentials of school business managers", and insert "the qualifications for school business managers, the licensing thereof, and the retirement status of such public school employees".

**Amendment No. 3**

On page 1, line 1, strike out "13050.1", and insert "12150".

**Amendment No. 4**

On page 1, between lines 2 and 3, insert  
"12150. The minimum standard for a school business manager credential shall be as high a general standard as conditions at the time will warrant.  
This credential shall authorize service as a school business manager.  
SEC. 2. Section 13050.1 is added to said code, to read:":

**Amendment No. 5**

On page 1, line 4, strike out "This section", and insert "The State Board of Education shall issue to each person employed as a school business manager by the governing board of any school district on the effective date of this section a school business manager credential. Any person employed as such business manager on that date may continue to perform the services of a school business manager without possessing such credential until the issuance of the credential authorizing such services by the board."

**Amendment No. 6**

On page 1, strike out lines 5 to 7, inclusive, and insert  
"SEC. 3. Section 14384 is added to said code, to read:  
14384. A person employed as a school business manager by the governing board of any school district on the effective date of this section who has been required to become a member of the State Employees' Retirement System or any other retirement system shall continue as a member of the system of which he is a member unless he elects to transfer his membership to the State Teachers' Retirement System within 90 days after becoming eligible for membership in this system."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 504**—An act to amend Sections 21362, 21364, 21367, 21368, 21371, 21372, 21381, 21382, 21383, 21384, 21391, 21392, 21393, 21395, and 21396 of, to add Sections 21364.1 and 21385 to, and to add Article 5 to Chapter 8 of Division 10 to, the Education Code, relating to the residential schools known as the California Academies for dependent, neglected and homeless children.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 2 of the title of the printed bill as amended in Senate March 24, 1955, strike out "21372".

**Amendment No. 2**

Strike out line 4 of the title, and insert "to add Article 5 to Chapter 8 of Division 10 to, and to repeal Section 21372 of, the edu-".

**Amendment No. 3**

On page 2, line 7, after "shall", insert "prescribe rules and regulations for the government of the schools and shall".

**Amendment No. 4**

On page 2, lines 22 and 23, strike out "to be adopted by the board".

**Amendment No. 5**

On page 3, strike out lines 18 to 26, inclusive, and insert "21371. Each academy shall include within its curriculum academic subjects, vocational training, physical culture, home economics, and such other subjects of training as may be determined to be proper and suitable."

**Amendment No. 6**

On page 3, line 33, strike out "cases to be submitted", and insert "a child".

**Amendment No. 7**

On page 3, line 34, strike out "cases of".

**Amendment No. 8**

On page 3, strike out lines 38 to 52, inclusive; and on page 4, strike out lines 1 to 6, inclusive, and insert

"21382. Any parent or guardian, the welfare director of the county, the person in charge of a state-licensed child placing agency in the county, may petition the committee to recommend the admission of any child between the ages of 10 and 17 years as a pupil of the California Academies."

**Amendment No. 9**

On page 4, strike out lines 32 to 38, inclusive, and insert

"21384. When the parents or guardian of a child enrolled in an academy and the superintendent of the academy and the County Selective Committee agree that it is for the child's best interests to leave the academy, either temporarily or permanently, it shall be the duty of the County Selective".

**Amendment No. 10**

On page 4, line 41, strike out "make", and insert "assist the parent or guardian in making".

**Amendment No. 11**

On page 7, after line 24, insert

"SEC. 17. Section 21372 of said code is repealed"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 869**—An act to amend Section 3066 of the Civil Code, relating to the sale of unclaimed clothing or household goods left for cleaning or repair.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 2, line 15, of the printed bill, after "notice", insert ", for a period of 30 days,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1465**—An act to add Sections 70041.1, 70046.1, 70055.1, 73395, 73396, 73397, 73398, 73399, 73400, and 74045 to the Government Code, relating to official reporters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 18, of the printed bill, strike out "every", and insert "such".

Amendment read, and adopted.

**Motion to Further Amend**

Senator Thompson moved the adoption of the following amendment:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "73400," insert "73401,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 24**—An act to add Chapter 5b, comprising Sections 853.1 to 853.4 to Title 3, Part 2, of the Penal Code, relating to proceedings in violation of county ordinances.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1977**—An act to add Section 748.5 to the Code of Civil Procedure, relating to quiet title actions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1199**—An act to amend Sections 20343 and 20343.1 of, and to repeal Section 20345 of, the Education Code, relating to student fees at state colleges.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 20343 and", and insert "Section".

**Amendment No. 2**

In lines 1 and 2 of the title, strike out ", and to repeal Section 20345 of,".

**Amendment No. 3**

On page 1, strike out lines 1 to 17, inclusive.

**Amendment No. 4**

On page 1, line 18, strike out "SEC. 2", and insert SECTION 1".

**Amendment No. 5**

On page 1, strike out line 25.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1764**—An act to amend Section 71043 of the Government Code, relating to population of judicial districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 966**—An act to amend Sections 50022.1, 50022.2, 50022.3, and 50022.5 of the Government Code, relating to enactment of codes by local agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "generally", and insert "nationally".

**Amendment No. 2**

On page 1, strike out line 10, and insert "or approved published compilations of proposed rules, regulations or standards of any private organiza-".

**Amendment No. 3**

On page 1, between lines 24 and 25, insert

"(e) 'Approved,' as used in this article, means the approval of the legislative body of the local agency, as the result of investigation and tests conducted by such agency or by reason of the accepted principles or tests by recognized national or state authorities, technical, or scientific organizations."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 304**—An act to add Chapter 4 (consisting of Sections 60900 to 60926, inclusive,) to Part 7 of Division 3 of Title 5 of the Government Code, relating to community service districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 974**—An act to amend Section 27 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933 as amended), relating to the Orange County Water District and deleting the provisions with respect to replenishment assessments in the event of a basin-wise adjudication.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 146**—An act to amend Section 430 of the Education Code, relating to the compensation of public officers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 334**—An act to add Section 11537 of the Public Utilities Code, relating to municipal utility districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 492**—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 808**—An act creating the Montalvo Municipal Improvement District, providing for the merger therewith of the Montalvo Sanitary District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1278**—An act to amend Section 74013 of the Government Code, relating to the municipal court established in a district embracing the City of Oxnard and Port Hueneme.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1116**—An act to amend Section 7779 of the Education Code, relating to the Public School System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7779", and insert "Sections 5085 and 7778".

##### Amendment No. 2

In line 2 of the title, before the period, insert "declaring the urgency thereof, to take effect immediately".

##### Amendment No. 3

On page 1, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 5085 of the Education Code is amended to read:

5085. Whenever, subsequent to the date on which a conditional apportionment made to a state-aided district becomes final, less than all of such district is included in another district, the Director of Finance shall determine what portion of such apportionment was expended or will be expended for property acquired or to be acquired by the acquiring district. Any determination made by the Director of Finance under this section may be redetermined by him, from time to time, until the project for which the apportionment was made has been completed, and the final cost thereof determined and the final determination has been made pursuant to such final cost. The Director of Finance shall promptly notify the State Controller, the governing board of the state-aided district and of the acquiring district, the superintendent of schools, the auditor, and the treasurer of the counties having jurisdiction over said districts of each determination and redetermination made by him under this section. No redetermination shall be retroactive nor affect the liability of any school district for any payment or annual repayment, or portion thereof, previously made by or on behalf of such district to the State under the provisions of this chapter.

On and after the date of such change of boundaries, the acquiring district succeeds to and is vested with all of the duties, powers, purposes, jurisdiction, and responsibilities of the state-aided district with respect to that portion of the apportionment which the Director of Finance has determined or redetermined under this section was expended, or will be expended, for property acquired or to be acquired by the acquiring district, and the unexpended part of such portion of the apportionment in the Public School Building Fund of the state-aided district shall be transferred to the Public School Building Fund of the acquiring district. In addition, and at the same time, the acquiring district shall become liable for the payment to the State of that portion of the annual repayment and all other payments due the State under Section 5057 and other provisions of this chapter with respect to that portion of the apportionment which the Director of Finance has determined or redetermined was expended, or will be expended for property acquired, or to be acquired by the acquiring district.

*For any fiscal year the state-aided district's portion of the annual repayment for a grade level shall not exceed the amount which would be determined if such annual repayment as computed under Sections 5054 to 5057, inclusive, were distributed between the state-aided district and the acquiring district in proportion to the assessed valuation in the remainder of the state-aided district and in the territory transferred to the acquiring district as of the effective date of the transfer. The amount by which the state-aided district's liability for repayment of a portion of an apportionment to a grade level, as determined in the preceding paragraphs of this section, exceeds the amount of the state-aided district's portion of the annual repayment for such grade level, as determined in this paragraph, shall be the "deferred payment" for the fiscal year. The total of such deferred payments shall be added to the amount owed by the district for the apportionment to the grade level. If the total amount owed by the district for the grade level is not repaid before the date provided in Section 5059 for the cancellation of unpaid balances, any remaining amount owed shall be canceled.*



**SEC. 2. Section 7778 of said code is amended to read:**

7778. Whenever, subsequent to the date on which a conditional apportionment made to a state-aided district becomes final, less than all of such district is included in another district, the Director of Finance shall determine what portion of such apportionment was expended or will be expended for property acquired or to be acquired by the acquiring district. Any determination made by the Director of Finance under this section may be redetermined by him, from time to time, until the project for which the apportionment was made has been completed, and the final cost thereof determined and the final determination has been made pursuant to such final cost. The Director of Finance shall promptly notify the State Controller, the governing board of the state-aided district and of the acquiring district, the superintendent of schools, the auditor, and the treasurer of the counties having jurisdiction over said districts of each determination and redetermination made by him under this section. No redetermination shall be retroactive nor affect the liability of any school district for any payment or annual repayment, or portion thereof, previously made by or on behalf of such district to the State under the provisions of this chapter.

On and after the date of such change of boundaries, the acquiring district succeeds to and is vested with all of the duties, powers, purposes, jurisdiction, and responsibilities of the state-aided district with respect to that portion of the apportionment which the Director of Finance has determined or redetermined under this section was expended, or will be expended, for property acquired or to be acquired by the acquiring district, and the unexpended part of such portion of the apportionment in the state school building fund of the state-aided district shall be transferred to the state school building fund of the acquiring district. In addition, and at the same time, the acquiring district shall become liable for the payment to the State of that portion of the annual repayment and all other payments due the State under Section 7729 and other provisions of this chapter with respect to that portion of the apportionment which the Director of Finance has determined or redetermined was expended, or will be expended for property acquired, or to be acquired by the acquiring district.

*For any fiscal year the state-aided district's portion of the annual repayment for a grade level shall not exceed the amount which would be determined if such annual repayment as computed under Sections 7726 to 7729, inclusive, were distributed between the state-aided district and the acquiring district in proportion to the assessed valuation in the remainder of the state-aided district and in the territory transferred to the acquiring district as of the effective date of the transfer. The amount by which the state-aided district's liability for repayment of a portion of an apportionment to a grade level, as determined in the preceding paragraphs of this section, exceeds the amount of the state-aided district's portion of the annual repayment for such grade level, as determined in this paragraph, shall be the "deferred payment" for the fiscal year. The total of such deferred payments shall be added to the amount owed by the district for the apportionment to the grade level. If the total amount owed by the district for the grade level is not repaid before the date provided in Section 7732 for the cancellation of unpaid balances, any remaining amount owed shall be cancelled. "Annual repayment," as used in this section, refers to repayment computed under Sections 7726 through 7729 and excludes amounts by which annual repayments from the state-aided district may be increased under the provisions of Section 7724.1, and amounts for which the state-aided district is liable under the provisions of Section 7714.1. Whenever a site for which repayments are being made under Section 7714.1 is transferred to an acquiring district the acquiring district shall be liable for the repayments required under Section 7714.1.*

**SEC. 3.** This act shall apply to computations of annual repayments of school districts and deductions from State School Fund apportionments made during the 1955-1956 Fiscal Year and each fiscal year thereafter. If, under this act, the annual repayment and deduction of a district for the 1955-56 Fiscal Year would be different than that previously computed for such fiscal year, the Controller shall recompute such annual repayment and deduction and, on or before September 1, 1955, notify the governing board of the district and the other officers referred to in Education Code Sections 5062 and 7735 of the amount to be deducted as recomputed pursuant to this act.

**SEC. 4.** This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Under the existing law upon the change in boundaries of a district receiving state school building aid, the amount of repayment which the district makes on such aid is reduced in proportion to the amount of the state aid which was used for facilities which the district loses as a result of the change of boundaries. This type of reduction is insufficient and inequitable to the district and the taxpayers thereof where the percentage of assessed valuation lost by the state-aided district as a result of the change of boundaries is much greater than the percentage of state aid financed facilities lost by the district. In order to ameliorate this unfair

burden on the taxpayers of such districts to avoid jeopardizing the whole school program of such district during the 1955-1956 Fiscal Year it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1109**—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims courts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 2, lines 4 and 5 of the printed bill, as amended in Assembly March 16, 1955, strike out "or city or city and county".

##### Amendment No. 2

On page 2, lines 6 and 7, strike out "or city or city and county".

##### Amendment No. 3

On page 2, line 16, strike out "or city or city and county".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1349**—An act to amend Sections 290, 647, and 647a of the Penal Code, relating to the offense of loitering.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 3, line 35, of the printed bill as amended in Assembly March 10, 1955, strike out "either", and insert "any".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1618**—An act to amend Section 25 of the Civil Code, relating to minors.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 7, of the printed bill, strike out "female", and insert "person".

##### Amendment No. 2

On page 1, line 14, strike out "her", and insert "his".

##### Amendment No. 3

On page 1, line 16, strike out "her", and insert "his".

##### Amendment No. 4

On page 1, line 17, strike out "her", and insert "his".

**Amendment No. 5**

On page 1, line 19, strike out "she", and insert "he".

**Amendment No. 6**

On page 1, line 21, strike out "female".

**Amendment No. 7**

On page 1, line 21, strike out "her", and insert "his".

**Amendment No. 8**

On page 1, line 23, strike out "her", and insert "his".

**Amendment No. 9**

On page 1, line 24, strike out "she", and insert "he".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 112**—An act to amend Section 772 of the Probate Code, relating to sales of estate property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 113**—An act to amend Section 7 of the Civil Code, relating to holidays.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 115**—An act to amend Section 850 of the Probate Code, relating to contracts of decedents.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 560**—An act to amend Section 515 of the Code of Civil Procedure, relating to the sufficiency of sureties.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1617**—An act to add Section 949a to the Code of Civil Procedure, relating to court jurisdiction over child custody and removal from the State pending appeal.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1797**—An act to add Sections 1192.1 and 1192.2 to the Penal Code, relating to pleas of guilty.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1804**—An act to amend Section 987a of the Penal Code, relating to compensation of counsel appointed by a court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 766**—An act to amend Section 5847 of, and to add Section 5835.3 to, the Streets and Highways Code, relating to county maintenance districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 16, of the printed bill, after the period, insert "The replacement of any such obsolete equipment with any such new modern equipment, except for work done by a utility district or a private utility company under contract with the maintenance district, shall be subject to the provisions of Section 5834."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 436**—An act to create a flood control district to be called Del Norte County Flood Control District and dividing said district into zones; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the retention and reclaiming of drainage, storm, flood, and other waters and to save and conserve such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 765**—An act to amend Sections 4870, 4895, 4910, and 4926 of, and to add Section 4906.1 to, the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2687**—An act to amend Section 28107 of the Government Code, relating to compensation for public service in a county of the seventh class.

Bill read second time, and ordered to third reading.

**Assembly Constitutional Amendment No. 3**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1½ of Article XIII thereof, relating to the tax exemption of church property.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 1, line 17 of the printed measure as amended in Assembly March 9, 1955, strike out "together with all"; and strike out lines 18 to 22 inclusive, and insert "and, until the Legislature shall otherwise provide by law, that real property owned by the owner of the building which the owner is required by law to make available for, and which is necessarily and reasonably required and exclusively used for the parking of the automobiles of persons while attending or engaged in religious worship in said building whether or not said real property is contiguous to land on



which said building is located, and which real property has not been rented or used for any commercial purpose at any other time during the preceding year, shall be".

Amendment read, and adopted.

Resolution ordered printed, and to third reading.

### THIRD READING OF SENATE BILLS

**Senate Bill No. 1545**—An act to amend Section 8603 of the Revenue and Taxation Code, relating to definition of the term "motor vehicle."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Cobey, Coombs, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—21.

NOES—Senators Cunningham, Donnelly, and Teale—3.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 430**—An act authorizing a suit or suits against the State of California to quiet title to interests in certain real property in the County of Orange, State of California, or to reform a certain deed relating thereto, or both, and authorizing reconveyance of certain interests heretofore conveyed to the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Cobey, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1463**—An act to amend Section 24862 of the Business and Professions code, relating to alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 23**—An act to amend Section 438 of the Education Code, relating to the county superintendent of schools of a county of the thirty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Cobey, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 103**—An act to add Section 28301.1 to the Corporations Code, relating to the Retirement Systems Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 272**—An act to amend Sections 8703.1 and 8819.1 of the Education Code, relating to summer schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1176**—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to the feeding of garbage to swine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1387**—An act to repeal Chapter 9 of Division 2 of the Business and Professions Code; Divisions 15 and 22 of the Health and Safety Code; Chapter 8, Division 8 of the Business and Professions Code, and to add Chapter 9 to Division 2 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1387:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

Sacramento, March 25, 1955

To the Honorable Members of the Senate  
Sacramento, California

GENTLEMEN:

**Senate Bill No. 1387**, "An act to repeal Chapter 9 of Division 2 of the Business and Professions Code; Divisions 15 and 22 of the Health and Safety Code; Chapter 8, Division 8 of the Business and Professions Code, and to add Chapter 9 to Division 2 of the Business and Professions Code, relating to pharmacy,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill recodifies the pharmacy law of the State of California. I am advised that it, in fact, makes no new appropriation of money. It is necessary that this bill be passed as early in the session as possible in order that the law in the new form will be on the books and it will then be possible to consider subsequent changes in the pharmacy law at the present session of the Legislature.

I therefore recommend consideration of Senate Bill No. 1387 as an emergency measure.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 180**—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Abshire, Berry, Brown, Burns, Cobey, Coombs, Cunningham, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—25.

**NOES**—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1554**—An act to add Sections 7910.2 and 7957.1 to the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Murdy, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1826**—An act to amend Section 7640 of the Business and Professions Code, relating to funeral directors and embalmers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1209**—An act to amend Section 18851 of the Education Code, relating to the purchase of school supplies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Murdy, Richards, Sutton, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 780**—An act to amend Section 18404 of the Education Code, relating to school sites.

**Motion to Re-refer Senate Bill No. 780**

Senator Hulse moved that Senate Bill No. 780 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 150**—An act to amend Section 422 of the Education Code, relating to county superintendents of schools of counties of the twenty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Cunningham, Desmond, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered:

By Senators Sutton, Erhart, and Teale:

**Senate Resolution No. 29**

Relating to the continuance of the Senate Interim Committee on a State-wide System of Beaches and Parks

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on a State-wide System of Beaches and Parks, created by Senate Resolution No. 118 of the 1953 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under Senate Resolution No. 118, 1953 Session, and this resolution, and in addition to any money heretofore made available, the sum of one thousand five hundred dollars (\$1,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for such expenses, charges, and claims, to be disbursed in the manner heretofore provided.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Murdy, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—25.

**NOES**—None.

#### **FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH**

At 9.44 a.m., on motion of Senator Ward, further proceedings under the call of the Senate were dispensed with.

#### **RECESS**

At 9.45 a.m., on motion of Senator Robert I. McCarthy, the Senate recessed for the purpose of allowing Senator Robert I. McCarthy to introduce distinguished guests.

The President appointed Senator Robert I. McCarthy and Senator Richards as a Committee to Escort Mr. S. K. Banerji, Consul General of India, and Mr. E. A. Srinivasan, Press Officer, to the rostrum.

Senator Robert I. McCarthy introduced Mr. Banerji, who addressed the Senate comparing his country of India and the United States. He stated that India was a very old country and a very young republic of just seven and one-half years. The population of India is 372 million with a very low standard of living and it is the aim of the new government to raise that standard under the same methods the United States has used, their constitution having borrowed heavily from the constitution of this Country.

#### **REASSEMBLED**

At 9.50 a.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Assistant Secretary Lachlan M. Richards, Jr., at the desk.

#### **Call of the Senate**

Senator Ward moved a call of the Senate.

Motion carried.

Time, 9.51 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### **PROCEEDINGS UNDER CALL OF THE SENATE**

Secretary J. A. Beek at the Desk

#### **CONSIDERATION OF DAILY FILE (RESUMED)**

#### **THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 783**—An act to amend Sections 1091 and 36526 of the Government Code, relating to public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 472**—An act to amend Section 7098 of the Education Code and to repeal Section 16.6 of Chapter 1510 of the Statutes of 1953, relating to apportionments, declaring the urgency thereof, to take effect immediately.

**Motion to Re-refer Senate Bill No. 472**

Senator Harold T. Johnson moved that Senate Bill No. 472 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 633**—An act to add Section 3132 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3158 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 634**—An act to add Section 3131 to Article 5 of Chapter 5 of Part 2 of Division 1 of, and to add Section 3157 to Article 6 of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 176**—An act to amend Section 454 of the Education Code, relating to the superintendent of schools of a county of the fifty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 19**—Relative to requesting United States to grant California and western states lands and minerals within state borders with the exception of lands within national parks and monuments, national forests and lands utilized for national defense.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 204**—An act to amend Sections 5000, 5075, 5150, 5251, 5258, 5356, 6601, 6620, 6659, 6700, 6703, and 6733 of the Welfare and Institutions Code, relating to the discharge of patients from state hospitals.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

### Secretary J. A. Beek at the Desk

**Assembly Bill No. 8**—An act to add Section 3042.5 to the Business and Professions Code, relating to the practice of optometry.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 383**—An act to amend Section 364.1 of the Agricultural Code, relating to public sales yards for the sale of cattle.

Bill read third time, and presented by Senator Byrne.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1035**—An act to amend Section 13661 of the Government Code, relating to distribution of state publications.

Bill read third time, and presented by Senator Erhart.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy,

Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1036**—An act to amend Section 424 of the Government Code, relating to official colors of the State.

Bill read third time, and presented by Senator Erhart.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 69**—An act to add Section 8159.2 to the Education Code, relating to the maintenance of automobile driver training classes.

Bill read third time, and presented by Senator Murdy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—Senator Coombs—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 840**—An act to amend Section 13841.1 of the Education Code, relating to leave of absence for illness or injury of school district employees.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1285**—An act to amend Section 13042 of, and to add Section 13043 to, the Education Code, relating to qualifications for teachers.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.



Assistant Secretary Lachlan M. Richards, at the Desk

#### LETTER OF TRANSMITTAL

SENATE CHAMBER, STATE CAPITOL  
SACRAMENTO, CALIFORNIA, March 29, 1955

*Hon. Harold J. Powers, President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 142, read and adopted June 10, 1953, at the Regular Session of the Legislature, the Senate Interim Committee on Social Welfare submits a partial report with findings and recommendations on the "Absent Father Problem in the Aid to Needy Children Program."

The members of the committee feel impelled to acknowledge that a large portion of the work of the committee which is reflected in this report was completed under the able direction of the late Honorable Fred Weybret. In a sense, this report is a monument to the ability of Senator Weybret and we therefore dedicate it to his memory.

The committee gratefully acknowledges the cooperation extended to the staff by the State Department of Social Welfare, county welfare administrators, district attorneys, probation officers and personnel of other state and county agencies in submitting information requested by the committee.

Respectfully submitted,

FRED WEYBRET, Chairman (deceased)  
JOHN A. MURDY, Chairman (vice Weybret)  
SWIFT BERRY, Vice Chairman  
F. PRESLEY ABSHIRE  
HUGH P. DONNELLY

Letter of Transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### MOTION TO PRINT REPORT

Senator Murdy moved that 2,000 additional copies of the partial report submitted by the Senate Interim Committee on Social Welfare be printed for distribution.

Motion carried.

#### LETTER OF TRANSMITTAL

SACRAMENTO, CALIFORNIA, March 30, 1955

*Hon. Harold J. Powers, President of the Senate  
Hon. L. H. Lincoln, Speaker of the Assembly  
Members of the Legislature*

GENTLEMEN: The Joint Interim Committee on Marine Affairs and Bay Area Development, created pursuant to Assembly Concurrent Resolution No. 108, Chapter 237, Statutes of 1953, herewith presents its report, findings and recommendations.

Respectfully submitted,

ARTHUR H. BREED, JR., Chairman  
CHARLES EDWARD CHAPEL, Vice Chairman  
FRED H. KRAFT  
JOHN F. MCCARTHY  
A. W. WAY  
THOMAS W. CALDECOTT  
SHERIDAN N. HEGLAND  
S. C. MASTERSON  
EARL W. STANLEY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### MOTION TO PRINT REPORT

Senator Kraft moved that 5,000 additional copies of the report submitted by the Joint Interim Committee on Marine Affairs and Bay Area Development be printed for distribution.

Motion carried.

## RESOLUTIONS

The following resolution was offered :

By Senator Abshire :

**Senate Resolution No. 87**

Relative to printing Water Project Authority report

WHEREAS, On March 30th, there was submitted to the Legislature by the Water Project Authority of the State of California two reports prepared pursuant to the Abshire-Kelly Salinity Control Barrier Act of 1953; and

WHEREAS, These reports are a most informative and enlightening study of this subject and for which there is great public demand; and

WHEREAS, There are sufficient funds in the appropriation for the investigation made by Chapter 1104, Statutes of 1953, to have printed for the information of the public 2,500 copies of these reports; now, therefore, be it

*Resolved*, That the Secretary of the Senate is directed to request the State Printer to print these reports as expeditiously as possible in order that this important document may be made available to the public.

Resolution read, and, on motion of Senator Abshire, adopted.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 862**

Senator Short moved that Senate Bill No. 862 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 862**—An act to amend Section 685 of the Vehicle Code, relating to the transportation of workmen by truck.

Bill read second time.

**Motion to Amend**

Senator Short moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "any", insert "such".

**Amendment No. 2**

On page 1, line 16, after the period, insert "If the department finds that the vehicle is equipped as required by this code, it shall issue to the operator an appropriate sticker evidencing such fact and containing the date the vehicle was inspected. The operator shall affix the sticker upon the front windshield of the vehicle, in the lower corner thereof farthest removed from the driver's position."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1539**

Senator Donnelly moved that Senate Bill No. 1539 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1539**—An act to amend Sections 302, 303, 308, 981, 1059 and 2604 of, and to renumber and amend Sections 352, 353 and 354 of, to add Section 355 to, and to repeal Sections 132, 304, 351 and 2058 of, and to repeal the heading of Article 2 of Chapter 2 of Part 1

of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "1059", insert ", 2111".

**Amendment No. 2**

On page 1, line 12, strike out "The Director may appoint a deputy director", and insert "The deputy director shall be appointed by the Governor subject to the approval of the Senate."

**Amendment No. 3**

On page 1, line 18, after "Code.", insert "The deputy director shall fill the position in the department which is exempt from civil service under Art. XXIV, Sec. 4, subsection (5), of the Constitution of this State."

**Amendment No. 4**

On page 3, strike out lines 40 to 50, and insert  
"355. The Governor shall appoint a State Advisory Council composed of seven members for the purpose of discussing problems relating to the administration of this division and of making recommendations in regard thereto to the director. Each member appointed to the Advisory Council shall have a thorough knowledge of the Unemployment Insurance Code of this State and have had substantial experience other than as a state or federal employee in connection with its operation. Three members shall represent employers, three shall represent labor and one shall represent the public. The council may select and nominate an executive secretary and the director shall appoint the person so nominated who shall be exempt from civil service, removable by the council and shall receive compensation as determined by the council. Such compensation shall be deemed part of the expenses incurred in the administration of the Unemployment Insurance Code. Members of the council shall not receive any compensation but shall be reimbursed for any necessary expenses incurred by reason of the attendance at meetings of the council. The council shall on January 31st and July 31st of each year and on such other occasions as it deems proper file a written report to the Governor embodying the activities of the council and its recommendations to the director, a copy of which reports shall be filed in the office of the Secretary of State for purposes of public examination."

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 5**

On page 3, after line 50, insert

"SEC. 13. Section 2111 of said code is amended to read:

2111. Except as otherwise provided in Section 1094 information obtained in the course of administration of this division is confidential and shall not be published or open to public inspection in any manner. [Any commissioner] Any director, deputy director, member of the Appeals Board, member of State Advisory Council or employee of the department who violates this section is guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1371**

Senator Kraft moved that Senate Bill No. 1371 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1371**—An act to amend Sections 4043, 4041, 4056 and 4092 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "4043, 4041, 4056 and 4092", and insert "4145 and 4165".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 4145 of the Business and Professions Code is amended to read:

4145. No hypodermic needle or hypodermic syringe shall be sold for human use *for the administration of hypnotics or narcotics* except upon the prescription of a physician and surgeon, dentist or chiropodist. [The foregoing provisions shall not apply to sales of hypodermic needles or hypodermic syringes for human use for the purpose of administering adrenalin or insulin to persons suffering from diabetes or asthma.]

SEC. 2. Section 4165 of said code is amended to read:

4165. No hypodermic needle or hypodermic syringe shall be sold for human use *for the administration of hypnotics or narcotics* except upon the prescription of a physician and surgeon, dentist or chiropodist. [The foregoing provisions shall not apply to sales of hypodermic needles or hypodermic syringes for human use for the purpose of administering adrenalin or insulin to persons suffering from diabetes or asthma.]

SEC. 3. Section 1 of this act becomes operative only if Senate Bill No. 1387 is enacted by the Legislature at its 1955 Regular Session, and in such case at the same time as said Senate Bill No. 1387 takes effect, at which time Section 4165 of the Business and Professions Code, as amended by this act, is repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 655**

Senator Abshire moved that Senate Bill No. 655 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 655**—An act to amend Section 30.6 of the Sonoma County Flood Control and Water Conservation District Act, relating to the Sonoma County Flood Control and Water Conservation District.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 30.6", and insert "Sections 14, 16, 19, and 22".



**Amendment No. 2**

In line 4 of the title, after "District", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, line 1, strike out "30.6", and insert "14".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 4**

On page 1, strike out lines 3 to 12, inclusive, and insert

"Sec. 14. The board must estimate and determine the amount of money necessary to be raised to construct or purchase necessary works and acquire the necessary property and rights therefor and otherwise carry out the provisions of this act.

For the purpose of ascertaining the amount of money necessary to be raised for such purposes, or any of them, the board shall cause such surveys, examinations, drawings and plans to be made as shall furnish the proper basis for said estimate.

*The surveys, examinations, drawings, plans, and estimate may provide that the works necessary for a completed project may be constructed progressively during a period of years. Such report may cover one or more separate projects or works of improvement all designed to carry out the provisions of this act.*

In the estimate of the amount necessary to be raised, the board may include a sum sufficient to pay the interest on the bonds to be issued for a period of three years or less. All such surveys, examinations, drawings, and plans shall be made under the direction of the engineer of the district and shall be certified by him. After receiving such report the board shall determine and declare by resolution whether or not the proposed plan of work is satisfactory and whether or not the project, as set forth in said report, is feasible, and if so, shall make an order determining the amount of bonds that should be issued in order to raise the amount of money necessary therefor, and in determining said amount, sufficient [shall] *may* be included to cover the cost of inspection of works in course of construction.

SEC. 2. Section 16 of said act is amended to read:

Sec. 16. After the adoption of said report and estimate of the amount of money required to be raised the board shall call a special election and submit to the qualified voters of said district [the] a proposition [ : ] *or propositions of incurring bonded indebtedness in order to carry out the provisions of this act.*

[Shall the district incur a bonded indebtedness for the purpose of providing for the conservation, control and disposition of flood and storm waters of said district and to protect from damage from such storm and flood waters, the waterways, property, public highways, and public places in said district, generating electric energy, and for any other purpose set forth in Section 3 hereof?]

*Several separate propositions of incurring bonded indebtedness may be submitted separately to the voters at the same election if such respective propositions are separately stated in the resolution calling the election and on the ballot to be used at the election.*

The resolution calling the special election shall recite the objects and purposes for which the indebtedness is proposed to be incurred; provided, that it shall be sufficient to give a brief general description of such objects and purposes; and said resolution shall state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor and shall fix the maximum rate of interest to be paid on said indebtedness which shall not exceed 5 percent per annum, and shall fix the date on which the special election shall be held and the manner of voting for and against the incurring of such indebtedness.

For the purpose of said election, the board shall, in its resolution, establish election precincts within the boundaries of said district, and may form election precincts by consolidating the precincts established for general election purposes in said district to a number not exceeding six for each such bond election precinct, and shall designate a polling place and appoint two inspectors, two judges and two clerks for each of such precincts.

In all particulars not recited in such resolution, such election shall be held as nearly as practicable in conformity with the general election laws of the State.

At such election all persons whose names appear on the last great register of County of Sonoma as residing within the district shall be entitled to vote, except as hereinafter otherwise provided.

Such resolution calling such election shall be published once a day for at least seven days, in some newspaper published at least six days a week in said district, or once a week for two weeks in some newspaper published less than six days a week

in such district, and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days a week. No further notice of such election need be given.

Any defect or irregularity in the proceedings prior to the election shall not affect the validity of the bonds.

If at such election, two-thirds or more of the votes are cast in favor of the incurring of such bonded indebtedness, then the bonds of said district, for the amounts stated in such proceedings, shall be issued and sold as provided in this act.

Notwithstanding any other provision of this act, a majority vote shall be sufficient to authorize the issuance of revenue bonds, and a two-thirds vote shall be required only for the issuance of general obligation bonds.

SEC. 3. Section 19 of said act is amended to read:

SEC. 19. Subject to the provisions of this act, the board shall prescribe by resolution the form of the bonds and of the interest coupons attached thereto and shall fix the rate of interest said bonds shall bear, not to exceed 5 percent per annum. *The board may divide any authorized issue into one or more series and fix different dates for the bonds of each such series. The bonds of each such series shall mature serially [in amounts to be fixed by the board, payment of the bonds commencing not later than five years from the date thereof and being completed in not more than forty years from said date] and become payable in not to exceed 40 years from the date of each such series in such amounts as the board may fix; provided, that the earliest maturity of bonds of any series shall not be more than five years from the date of such series. The board shall fix the place, or places (which may be within or without the State of California and which shall be designated in said bonds) where said bonds together with the interest thereon shall be payable.*

Callable bonds may be redeemed in such amounts and manner and at such prices as the board may prescribe by resolution.

SEC. 4. Section 22 of said act is amended to read:

SEC. 22. The district may sell *the whole, or from time to time any part, of the bonds so issued at the times or in the manner the board deems to be to the public interest; provided, that all bonds shall be sold on sealed proposals to the highest bidder after advertising for bids by publication of notice of sale once, not less than 10 days prior to the date of sale, in a newspaper of general circulation circulating in the district. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale. The bonds may be registered with the treasurer in accordance with the provisions of any law applicable to the registration of municipal bonds, and thereafter the principal and interest thereon shall be paid to the proper registered owner thereof.*

SEC. 5. All acts and proceedings taken by or on behalf of the board of the Sonoma County Flood Control and Water Conservation District under the Sonoma County Flood Control and Water Conservation District Act for or in connection with the calling or holding of any election for the issuance of bonds of said district are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of said board and of any person, public officer, board or agency heretofore done or taken upon the question of the authorization of such bonds. If any election has heretofore been called for the purpose of submitting to the voters of the district the proposition of issuing bonds in order to carry out the provisions of said act, such bonds, if authorized by the required vote in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal, valid and binding obligations of said district.

SEC. 6. This act is an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect. A statement of the facts constituting such necessity is as follows:

The peace, health and safety of the citizens of the State require the immediate construction and financing by the issuance and sale of bonds authorized by this act as soon as possible and before this act would otherwise become effective of urgently needed projects or works of improvement provided for under said act. The district requires the immediate construction of projects or works of improvement for water conservation and the control, disposition and distribution of water resources, the cost of which is beyond the means of the property owners and taxpayers of the district so that it is necessary to obtain financial aid from the United States Government therefor. The United States Government has approved the construction of the Coyote Valley Dam project on the Russian River and authorized the appropriation of eleven million five hundred twenty-two thousand dollars (\$11,522,000) for accomplishment of the initial stage thereof, provided the district shall contribute five million five hundred ninety-eight thousand dollars (\$5,598,000) in cash prior to the commencement of construction. In order to make the required immediate

contribution of said sum in order to obtain such financial and other aid from the United States Government, the district must immediately issue bonds under said act as amended hereby."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1718

Senator Desmond moved that Senate Bill No. 1718 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1718**—An act to amend Section 8031 and to repeal Section 8032 of the Business and Professions Code, relating to the licensing and regulation of shorthand reporters.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8031", and insert "Sections 8020 and 8031 of,".

#### Amendment No. 2

In line 1 of the title, after "8032 of", insert a comma.

#### Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 8020 of the Business and Professions Code is amended to read:

8020. Any citizen of the United States over the age of 21 years, of good moral character, having a high school education or its equivalent as determined by the board, and being a bona fide resident of this State for at least six months prior to the date of his application and continuing to and including the date of his admission, who has satisfactorily passed an examination under such regulations as the board may prescribe shall be entitled to a certificate and shall be styled and known as a certified shorthand reporter. *No person shall be admitted to the examination unless he first presents satisfactory evidence to the board that he has both:*

(a) *Made a verbatim shorthand report of such portion of the oral proceedings of a court of record of this State as may be prescribed by the board, not to exceed 60 hours, and such report was taken under the supervision of a certified shorthand reporter designated by the board.*

(b) *Transcribed satisfactorily such portion, as shall be designated by the board, of his notes of such report.*

SEC. 2. Section 8031 of said code is amended to read:".

#### Amendment No. 4

On page 1, line 5, strike out "application for a certificate", and insert "filing an application for each examination".

#### Amendment No. 5

On page 1, line 6, strike out "for each examination".

#### Amendment No. 6

On page 1, strike out line 9; and in line 10, strike out "thereafter", and insert "shall be issued upon the payment of the license fee, and thereafter the license fee shall be paid".

#### Amendment No. 7

On page 1, line 10, strike out "but", and insert a period.



**Amendment No. 8**

On page 1, line 13, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 769**

Senator Desmond moved that Senate Bill No. 769 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 769**—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Senate March 18, 1955, after the period insert

"This section shall not apply to racing meets conducted on district fairgrounds under existing leases or under extensions or renewals of such leases."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1517**

Senator Montgomery moved that Senate Bill No. 1517 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1517**—An act to add Section 4396 to the Agricultural Code, relating to marketing and stabilization of milk and milk products.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "weekly", and insert "four times monthly. In the event that milk is purchased by a distributor in bulk from a producer and picked up from bulk tanks installed upon the producer's dairy location, such test shall be made for each such delivery and the results of such test shall be reported to the producer for each such delivery".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.



## WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 224

Senator Cobey moved that Assembly Bill No. 224 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 224**—An act to amend Section 2351 and 2353 of the Elections Code, relating to publications.

Bill read second time.

## Motion to Amend

Senator Cobey moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 2351 and 2353", and insert "Sections 2351, 2353, 2703, and 2705".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 2

On page 2, after line 44, insert

"SEC. 3. Section 2703 of said code is amended to read:

2703. Each county clerk shall, upon receipt of the certified list of candidates, publish under the proper party designation the title of each office (except a non-partisan office) which appears on the list. The publication shall include the names and addresses of all persons for whom nomination papers have been filed with the Secretary of State for each of the offices, and also the names of all candidates for the State Senate and Assembly when they are to be voted for wholly within only his county and the names of candidates for the county central committee, filed in the office of the county clerk. He shall also publish the title of each nonpartisan office, together with the names and addresses of all persons for whom nomination papers have been filed for each nonpartisan office, either in the Office of the Secretary of State or in the office of the county clerk, and shall state that candidates for nonpartisan offices may be voted for at the primary election, by any voter of the county, whether registered as intending to affiliate with any political party or not. He shall also publish the date of the primary election, and the hours during which the polls will be open [.] . [and that the primary election will be held at the legally designated polling places in each precinct, which polling places shall be particularly designated.]

SEC. 4. Section 2705 of said code is amended to read:

2705. The list of candidates and notice of election published by the county clerk shall be in substantially the following form:

NOTICE BY COUNTY CLERK OF TIME AND PLACE OF PRIMARY ELECTION, POLITICAL PARTIES ENTITLED TO PARTICIPATE THEREIN, OFFICES FOR WHICH CANDIDATES ARE TO BE NOMINATED OR ELECTED, AND NAMES AND ADDRESSES OF CANDIDATES.

Notice is hereby given that a primary election is to be held in the County of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that hereinafter under the designation of each of the political parties entitled to participate therein there is stated the title of each office to be voted on, and the name and address of each person for whom a nomination paper has been filed for each office and who is entitled to be voted for in this county, the name of each person being stated under the name of the party or principle he represents.

## PARTY

## STATE (AND DISTRICT) OFFICES

(Post office  
address of  
candidate)

(Title of office)

(Name of candidate)

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## DISTRICT

## CONGRESSIONAL OFFICES

DISTRICT

## LEGISLATIVE OFFICES

DISTRICT

## MEMBERS OF COUNTY CENTRAL COMMITTEE

Member of County  
Central Committee

District.

to be elected.

Member of County  
Central Committee

District.

to be elected.

PARTY

## STATE (AND DISTRICT) OFFICES

Notice is also hereby given that following are the nonpartisan offices for which candidates are to be nominated at the primary election, together with the names and addresses of all persons for whom nomination papers have been filed for each office, and that candidates for these offices may be voted for, at the primary election, by any voter of this county, whether registered as intending to affiliate with any political party or not.

## NONPARTISAN OFFICES

## JUDICIAL OFFICES

(Post office  
address of  
candidate)

(Title of office)

(Name of candidate)

DISTRICT

## SCHOOL OFFICES

## COUNTY OFFICES

SUPERVISOR DISTRICT

Notice is also hereby given that at the primary election the polls will be open from the hour of 7 o'clock a.m. to the hour of 7 o'clock p.m. on the day thereof [I.] [and that during those hours the election will be held at the legally designated polling places in each precinct in this county, which are as follows:

	(Name or number of precinct)	City of	(Location of polling place)
Precinct	_____	_____	_____
Precinct	_____	_____	_____
Precinct	_____	Town of	_____
Precinct	_____	(Outside of City)	_____
Precinct	_____	_____	_____

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

County Clerk".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 229**

Senator Cobey moved that Assembly Bill No. 229 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 229**—An act to add Section 2743.5 to the Elections Code, relating to the direct primary.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 3000 of,".

**Amendment No. 2**

On page 1, after line 6, insert

"Sec. 2. Section 3000 of said code is amended to read:

3000. A candidate for any public office, including that of presidential elector, for which no nonpartisan candidate has been nominated *or elected* at any primary election, may be nominated subsequent to or in lieu of a primary election pursuant to this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 987**

Senator Richards moved that Senate Bill No. 987 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 987**—An act to repeal Division 10 of, and to add Division 10, comprising Sections 24501 to 27509, inclusive, to, the Public Utilities Code, to amend Section 1241 of the Code of Civil Procedure, and to amend Section 1355.1 of the Financial Code, relating to transit districts.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 46, of the printed bill, as amended in Senate March 30, 1955, after "tory," insert "in Alameda or Contra Costa Counties,".

**Amendment No. 2**

On page 2, after line 51, insert

"It is necessary that a district be formed in Alameda and Contra Costa Counties to meet the transit problem, for the area involved covers more than one city and is in two counties; moreover, the problem is unique to these counties due to their geographic location in relation to the centers of employment of many of their residents. Although a municipal utility district could provide transportation facilities, there is already an existent municipal utility district in part of the area which provides water and sewage disposal to persons who will not necessarily be benefited by the transportation facilities, and if a new municipal utility district is formed, there is a possibility of its becoming merged by operation of law with the existent district, which would result in those persons in the existent district being inequitably

taxed to pay for the transit facilities and those benefited only by the transit facilities being taxed to support the water and sewage disposal functions of the district.

Also, there are existing transportation facilities in the area which may be taken over by the transit district and special provisions relating to this transfer and to the employees of these facilities, as provided for by this division, are necessary to protect the public interest."

#### **Amendment No. 3**

On page 4, strike out lines 25 to 27, inclusive, and insert "sons nominated to serve as a member of the board showing separately each ward and its nominees and those nominated to be elected at large."

#### **Amendment No. 4**

On page 4, line 30, after "resides", insert "or of the district for directors elected at large".

#### **Amendment No. 5**

On page 4, lines 33 and 34, strike out "by wards", and insert "one from each ward and two at large".

#### **Amendment No. 6**

On page 5, line 9, after "respectively," insert "or in the district as a whole for those elected at large,".

#### **Amendment No. 7**

On page 5, line 48, strike out "five directors, one from each ward," and insert "seven directors, one from each ward, and two at large,".

#### **Amendment No. 8**

On page 6, line 19, after "paper", insert " , for those directors elected by wards,".

#### **Amendment No. 9**

On page 6, line 24, after "district:" insert "The nomination paper for directors elected at large shall contain the name of the candidate, with such other information as may be required herein, and shall be signed by fifty voters of the district."

#### **Amendment No. 10**

On page 6, strike out lines 47 and 48, and insert "upon and elected one from each ward and two at large."

#### **Amendment No. 11**

On page 7, line 13, after "elected", insert "by wards and the one elected at large".

#### **Amendment No. 12**

On page 7, line 14, strike out the first "two", and insert "three".

#### **Amendment No. 13**

On page 8, line 45, after "proceedings", insert "and may provide by ordinance or resolution that each member shall receive for each attendance at the meetings of the board the sum of twenty dollars (\$20) but not to exceed one hundred dollars (\$100) in any calendar month and shall be allowed such necessary traveling and personal expenses incurred in the performance of his duties as authorized by the board."

#### **Amendment No. 14**

On page 24, line 12, strike out "utilities", and insert "transit facilities of the district".

#### **Amendment No. 15**

On page 24, lines 17 and 18, strike out "or the State of California or any agency thereof".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### **Motion to Print With a Rush Order**

Senator Richards moved that Senate Bill No. 987 be sent to print with a rush order.

Motion carried.



## REPORTS OF STANDING COMMITTEES

## Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1147

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1195

Senate Bill No. 1375

Senate Bill No. 1358

Senate Bill No. 1377

Senate Bill No. 1361

Senate Bill No. 1378

Senate Bill No. 1364

Senate Bill No. 1379

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1366

Senate Bill No. 1373

Senate Bill No. 1372

Senate Bill No. 1374

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business & Professions, to which was referred:

Senate Bill No. 279

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; noes 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 280

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 9.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 278

Senate Bill No. 1365

Senate Bill No. 1148

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1546

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1150

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 4; noes 3; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 283

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1145

Senate Bill No. 1370

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1335

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

KRAFT, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1355

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 192

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 282

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

KRAFT, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1376

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

**Committee on Agriculture**

## SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 849

Senate Bill No. 1157

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 12; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 302

Senate Bill No. 303

Assembly Bill No. 1970

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 12; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 1793

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 8; noes 5.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 1179

Senate Bill No. 1187

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 1082

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bill ordered to second reading.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

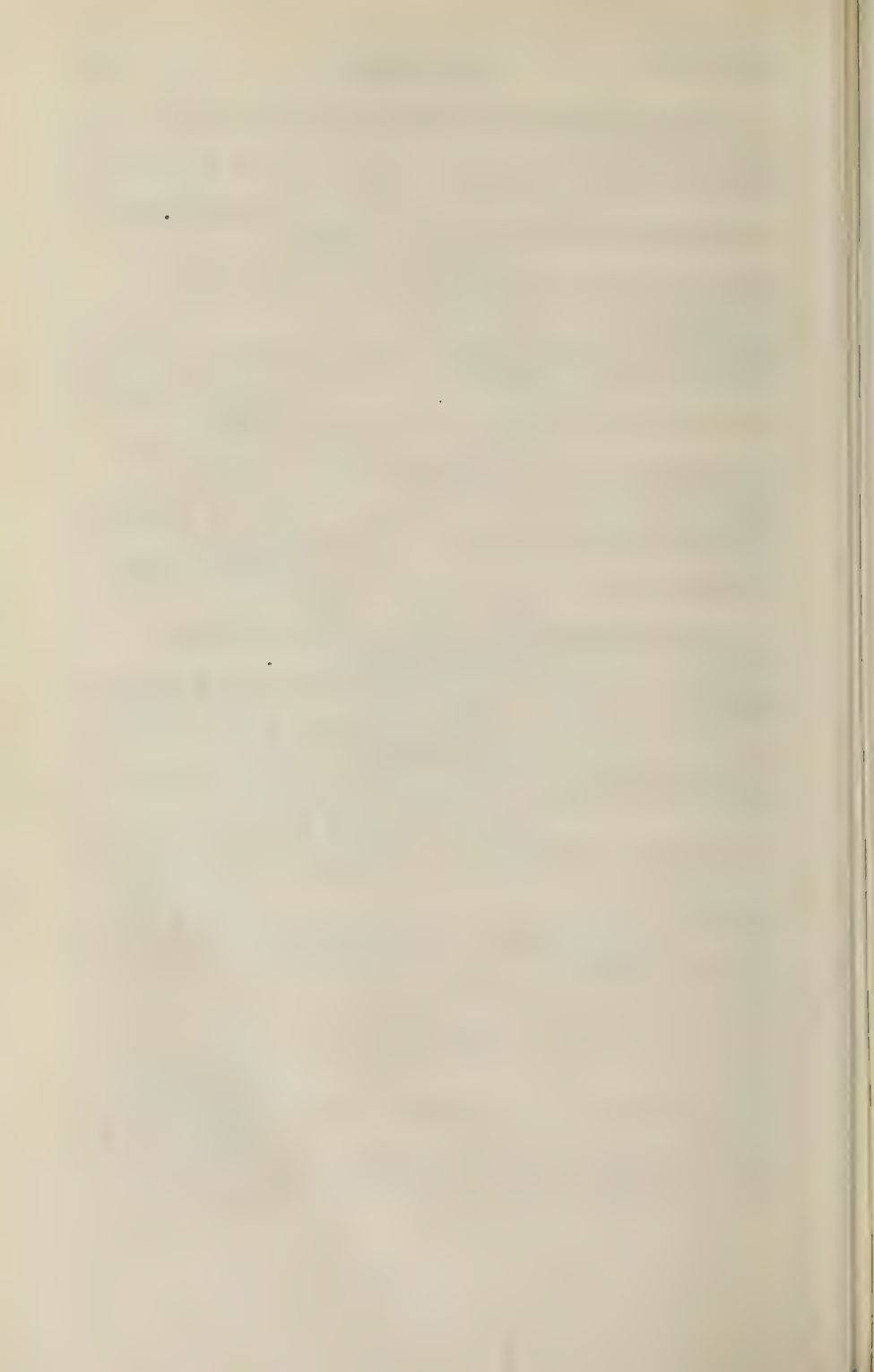
At 11.08 a.m., on motion of Senator Ward, further proceedings under the call of the Senate were dispensed with.

#### ADJOURNMENT

At 11.10 a.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Monday, April 4, 1955.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

FIFTY-FIFTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 4, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### PLEDGE OF ALLEGIANCE

Senator Erhart led the Senate in pledging allegiance to the Flag.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

### LEAVES OF ABSENCE FOR THE DAY

#### Request for Unanimous Consent

Senator Byrne was granted unanimous consent to be absent from the Senate Chamber on legislative business, upon request of Senator Murdy.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert and Susan Scrim of Colton and Ray Ferguson of Ontario.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert Beverly, Fred Adam, and William Rosenthal, all of Los Angeles.

On request of Senators Miller and Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Al Paulsen, Peter Stevenson, and John Stevenson, all of Richmond.

On request of Senators Berry and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to leaders Mrs. Jack Berry, Mrs. James W. Clark, Mrs. Harold Lyons, guests Kathie Lyons, Roger Swift Berry, and the following Brownies from Arden Brownie Troop No. 72: Ann Shaffrath, Betty Bidstrup, Cheryl Eckhoff, Janet Lyons, Janice McCormack, Kristen Peterson, Lorrey Bolles, Lynne Evans, Pamela Clark, and Printha Berry.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frank O. Bell of Vallejo, United States Marshal, Northern California Division.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Ralph Dills of Los Angeles.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan Love, President Republicans of Burlingame.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sisters Agnes Josph, Pauline Marie, Agnes Cecelia, Elizabeth, Eleanor Marie, and the following students from Notre Dame High School, Marysville: Carma Jane Adams, Delfina Aguiar, Florinda Aguiar, Betsy Allen, Louise Arellano, Cecelia Arnoldy, Dolores Astobiza, Sylvia Barbieri, Georgia Benson, Jean Bettencourt, Susan Billman, Madelyn Bolton, Charlsey Cairo, Caroline Carlquist, Marion Chan, Barbara Cook, Susann Cota, Georganna Clement, Kathleen Cress, Patricia De Marlo, Brenda Farley, Joan Flynn, Aileen Forderhase, Emma Jean Gilliam, Lois Ann Grazer, Jonne Hamilton, Marilyn Hama, Joan Harlan, Hope Harney, Colleen Irish, Faye Johnson, Molly Lowden, Barbara Lowe, Ann Mathews, Cynthia May, Frances McCoy, Rosalie McDonald, Regina McKenzie, Judith Micheli, Bette Mohatt, Joan Moore, Jeanette Morrison, Helen Nash, Joan Nash, Linda Nicholson, Lolane Nieto, Kathleen Norris, Rose Ann Powers, Carmen Ramirez, Kay Reed, Marjorie Roberts, Dolores Roe, Theresa Rudez, Charm Salopek, Eloise Sanchez, Sandra Schohr, Orva Schulz, Judy Staas, Toni Ann Steidl-mayer, Nona Tilley, Joan Van Campen, Patricia Van Campen, Patricia Walsh, Mary Ann Walton, Ann White, Merle Williams, Kathleen Wilson, and Karen Wong.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roswell P. Flower of Whittier; Dennis A. Flower of Brawley; Mrs. Don Pierce, Mrs. A. W. Way, Miss Barbara Brown, and Miss Beatrice Brown, all of Eureka.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Byron L. Lampson, Janice Lee Lampson, and Judy Bye Lampson, all of Geyserville; and Mrs. F. Presley Abshire of Santa Rosa.

On request of Senators Dilworth and Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr.

and Mrs. Donald Dilworth of Riobamba, Ecuador, and their children, Miss Patricia Dilworth, Donald Dilworth, Jr., and Miss Carol Dilworth.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Grote, Mrs. Thor Scott, Mr. Price, Rochelle Scott, Mrs. Hazel Green, Mrs. Dorothy Fritts, Mrs. Clara Green, Mrs. Reba Odell, and the following members of Brownie Scout Troop No. 20 and Troop No. 95 of Concord: Bonnie Bartels, Diane Fritts, Carol Green, Shirley Green, Carol Hudson, Margaret Nofrey, Margaret Odell, Charmaine Salter, Sherry Spotswood, Charyle Dangen, Cathy Grote, Susan Hansen, Maryln Joos, Diane Neworth, Judy Price, Sue Roberts, Andrea Scott, and Donna Stumbo.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. and Mrs. L. E. Montenegro and daughter Marilyn of Los Angeles; Cora Lincoln of Compton; and Mr. and Mrs. George M. Cocksels of Los Angeles.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Margaret Mealia of Roseville, Mrs. Helen Sessarago of Arden Park, and A. E. Williams of Colfax.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wallace S. Averill of Boise, Idaho, former member of the Idaho Legislature.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Robert Grand, instructors Mr. Ward, Mr. Bee, Mrs. Hamm, and the following students from Saratoga School, Saratoga: Steve Blankenburg, Hugh Campbell, Pam Carleton, David Cartmell, Mike Coughlan, Wayne Cox, Shirley Eckert, Joe Fierro, Bonnie Goddard, Lowell Gresham, John Hamilton, Donna Herd, Virgil Hereford, Carol Holmes, Ruben Martinez, Perry Nelson, Allan Northrup, Jean Norton, Nancy Oliver, Gerrie Pesar, Dwayne Richards, Suzanne Robertson, Bob Roggash, James Rosenfeld, Charleen Row, Margaret Sanguinetti, Charles Schmidt, Bob Standish, Jeff Straub, Peter Vaughn, Gordon Werne, Marie Yonge, Don Glover, Mareen Firenzi, Gary Hall, Barbara Walker, Charles Roggash, Gary Myers, Dean Clark, Shirley Williams, Sally Eckert, Ralph Richards, Jeri Piper, Gary Hartman, Jane Wilson, Bill Brown, Harold Halverson, Larry Palm, Mary Liz Chase, Annette Blattner, Janie Higgins, Judy Grace, Tom Harville, Gruee Giancola, Barney Wallace, Janet Herrell, Virginia Kline, Cheryl Bias, Evelyn Bilderaya, Marilyn Proctor, Janel Norton, John Knox, Nancy Hinman, Tim Martin, Ronnie Carlson, and Patti Barrett.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Omie Mears of Independence.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Naomi Busch, Jimmie Busch, Mrs. Janice Busch Zimmerman, Miss Judy Busch and Miss Jill Busch.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Anita, Mrs. Lavelle, Mrs. Peretti, and the following students from Holy Angels



School from Sacramento: Donna Blair, Marvine Case, Geraldine Gonzales, Marlene Gresham, Dianne Horger, RoseAnn Lavelle, Rosalie Lima, Clara Luna, Charlottier Ferreira, Dianne Morrow, Margaret O'Leary, Aurora Mora, Joann Pieretti, Patricia Salamone, Barbara Silverstein, Karen Sullivan, Sally Tobia, Julia Ann Ugenti, Juanita Urbano, Carol Ann Vesci, Alicia Perez, Jessie Aguayo, Frank Baeta, Gerald Bakerich, Richard Balassi, Joe Delgado, Joe Elizalde, Ben Escajeda, Charles Esgro, Stevan Gundy, Charles Hecht, Bill Lima, Joe Lavatto, Andy Moline, Patrick Murphy, Manuel Silva, Jerry Soares, Ralph Trevino, Ramon Villalobos, and Robert Moberly.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Marjorie Vaught, Mrs. Marion Coulter, both of Pismo Beach, and Mrs. A. A. Erhart.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Willard Kimball, Donald Dennis, both of Saratoga, and Dr. and Mrs. Seymour Galina and their daughter Helen of Los Altos.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following adults and boys from Boy Scout Cub Pack No. 41, Redwood Heights School, Oakland: Gary Schneider, Wayne Schelling, Tom Smith, Paul Smith, Robert Falaschi, Glenn Peterson, Kenneth Feldstein, Marvin Ross, Roger Kokores, Larry Runyon, Jim Teran, Terry Guernsey, Dennis Bushell, Roger Kientz, Donald Schnarr, Gary Goodrich, Donald Sarver, Lawrence Shewfelt, Gary Sommer, Joel Kuechle, Jonathan Kasmaul, Jeffrey Jagoda, Clyde Batavia, Stuart Heller, Garry Gregory, Tom Cherry, Jim Doak, Tom Doak, Jimmy Harverberg, Aaron Klein, Kurt Junge, Paul Cavagnalo, Steven Cavagnalo, Normal Gadsby, Robert Grandt, Michael Grant, Dan Pressler, Alan Wallack, Larry Esslinger, Richard Esslinger, Paula Kokores, Scoutmaster L. A. Cavagnalo, Chas. C. Gadsby, secretary, and parents Mrs. Schnarr, Mrs. Bushell, Mrs. Feldstein, Mrs. Falaschi, Mrs. Kusmaul, Mrs. Jagoda, Mrs. Kokores, Mrs. Klein, and Mrs. Cavagnalo.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Pat Murphy of Klamath.

On request of Senators Abshire and Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Simon of San Francisco.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Dortha Harding, and Al Harding, both from Pismo Beach.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor J. A. Russell, bus driver Bud Neeley, and the following students from Orland High School civics class: Shirley Ballew, Clarence Baker, Fred Baker, Verda Belle Bayless, Barbara Berlinger, Norma Brown, Shirley But-ton, Rex Clark, Vivian Cook, Belva Ellsworth, Carol Erickson, Fred Fossek, Bernice Haldorson, Nyla Hall, Catherine Hogan, Victor Jones, Beverly Kandler, Denton Kees, Ronald Le Donne, Carol La Rue, Erma Lynn, Winifred Macy, Robert Mann, Rose Marie Miller, Sarah Morris,

Glen Peters, Roger Rongley, Mary Severs, Frank Simons, Rose Marie Simons, Sharon Sivesind, Don Vereschagin, Jim Wadsworth, and Barbara Woods.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
April 4, 1955

*Hon. Harold J. Powers*  
*President of the Senate*

DEAR MR. PRESIDENT: This is the fifty-fifth calendar day. Upon the conclusion of business on the fifty-fourth calendar day in 1953, we had received from committee 890 bills, given second reading to 696 bills and sent to enrollment 303 bills.

To date this session, we have received from committee 672 bills, given second reading to 514, and sent to enrollment 237. In this respect, we are 66 bills behind our position of two years ago.

If we do not meet on Saturdays and Sundays, we have 48 days remaining in which to complete the work of the session. Assuming that we will pass as many bills this session as we did two years ago (2,331), we will have to dispose of an average of 44 measures per day in order to complete the work on the eighth of June, the 120th day of the session.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 1, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

COLEMAN E. STEWART, a native of Santa Barbara County; resident of Sacramento; received his L.L.B. degree from Stanford University in 1921, and practiced law from that time until 1949; is past president of the Santa Barbara County Bar; former city attorney, and also deputy district attorney of Santa Barbara County; for the past few years worked out of Sacramento as a hearing officer of the division of administrative procedure, Department of Professional and Vocational Standards. From July 1, 1950, to March 1, 1951, he was acting chief of the division;

to the Alcoholic Beverage Control Appeals Board (original appointment), for the term prescribed by law, ending at the pleasure of the Governor.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 1, 1955

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

DR. ARNOLD L. MORSE, a native of Mendocino County; resident of Sloughhouse; received his D.D.S. degree from the University of California dental school in 1916 and following graduation was an instructor in operative and prosthetic dentistry for two years; practiced dentistry in Stockton from 1919 until his retirement in 1951. Since then he has devoted his time to cattle ranching activities in San Joaquin and Amador Counties. He is veteran of World War I; member of the Seventh District Dental Society, the California State Dental Association and the National Dental Association;

to the California Unemployment Insurance Appeals Board and member, California Employment Stabilization Commission, vice Edward Cain, resigned, for the term prescribed by law, ending December 31, 1958.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 490

Senate Bill No. 491

Senate Bill No. 626

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to:

Assembly Bill No. 596

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 143

Assembly Bill No. 840

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

**Assembly Bill No. 628**—An act to amend Sections 3632, 3634, 3862, 3863, and 3871 of the Education Code, relating to school districts;

And appointed Messrs. Porter, Lowrey, and Lindsay as a Committee on Conference to meet a like Committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 827

Assembly Bill No. 925

Assembly Bill No. 1067

Assembly Bill No. 1355

Assembly Bill No. 1356

Assembly Bill No. 1432

Assembly Bill No. 2344

Assembly Bill No. 2891

Assembly Bill No. 3314

Assembly Bill No. 3345

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 827**—An act to amend Section 270e of the Penal Code and Section 195 of the Civil Code, relating to presumptions of illegitimacy.

Referred to Committee on Judiciary.

**Assembly Bill No. 925**—An act to amend Section 224n of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

**Assembly Bill No. 1067**—An act to amend Section 353.9 of the Agricultural Code, relating to cattle hide and brand inspection fees.

Referred to Committee on Agriculture.

**Assembly Bill No. 1355**—An act to amend Section 224 of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

**Assembly Bill No. 1356**—An act to amend Section 701 of the Welfare and Institutions Code, relating to abandonment proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 1432**—An act to amend Section 9502 of the Business and Professions Code, relating to dyeing.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2344**—An act to add Section 225r to the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

**Assembly Bill No. 2891**—An act to amend Section 818 of, and to add Section 818.2 to, the Agricultural Code, relating to standards for potatoes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

**Assembly Bill No. 3314**—An act to amend Sections 2300 and 2309 of the Welfare and Institutions Code, relating to institutions for aged persons.

Referred to Committee on Social Welfare.

**Assembly Bill No. 3345**—An act to add Chapter 5b to Division 6 of the Agricultural Code, relating to grain and seed cleaners.

Referred to Committee on Agriculture.

#### MOTION TO APPROVE JOURNALS

Senator Ward moved that the Journals for Monday, March 28, 1955; Tuesday, March 29, 1955; Wednesday, March 30, 1955; Thursday, March 31, 1955; and Friday, April 1, 1955 be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SACRAMENTO, CALIFORNIA, April 1, 1955

MR. PRESIDENT: The Committee on Rules made the following change in committee time:

*Thursday*

Local Government from 9 a.m. to 10 a.m., Room 4040

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 24

Senate Bill No. 808

Senate Bill No. 146

Senate Bill No. 974

Senate Bill No. 304

Senate Bill No. 1278

Senate Bill No. 334

Senate Bill No. 1764

Senate Bill No. 492

Senate Bill No. 1977

And reports the same correctly engrossed.

WARD, Chairman



SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 869

Senate Bill No. 966

Senate Bill No. 1465

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1199

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, April 4, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 48—Relative to the death of William H. Park;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourth day of April, 1955, at 11 a.m.

WARD, Chairman

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 30, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 927

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported bill ordered to second reading.

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1640

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Water Resources, to which was referred: Assembly Bill No. 1905

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

WILLIAMS, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Water Resources, to which was referred: Assembly Bill No. 2999

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1362

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 51:** By Senators Coombs and Gibson—Relative to the establishment of a state college in the area of Napa and Solano Counties.

Referred to Committee on Rules.

**RESOLUTIONS**

The following resolution was offered:

By Senator Richards:

**Senate Resolution No. 88**

Relative to requesting the Secretary of the Navy to reconsider the decision to close the San Pedro Naval Supply Depot

WHEREAS, The Secretary of the Navy has announced that the Navy intends to disestablish, on June 30, 1955, the San Pedro Naval Supply Depot, a multimillion dollar facility which, during 1954, furnished some 48 million dollars worth of supplies to 187 Navy, Military Sea Transport, and Coast Guard ships, and to 71 shore establishments; and

WHEREAS, Closing of this vital defense facility will occasion the loss of employment for many of the 850 trained and skilled workers currently employed by the depot and will deal a severe blow to the economy of the San Pedro Harbor area; and

WHEREAS, The current perilous world situation facing our Nation would appear to dictate a strengthening and an increase in our defense facilities and the training of additional workers rather than the closing of facilities and discharging of skilled workers; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the Senate of the State of California do hereby request the Secretary of the Navy to seriously reconsider the wisdom of closing the San Pedro Naval Supply Depot; and, be it further

*Resolved*, That the Secretary of the Senate is hereby directed to prepare and transmit suitable copies of this resolution to the Secretary of the Navy of the United States and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and, on motion of Senator Richards, unanimously adopted.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Grunsky:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 9906 of the Government Code, relating to regulation of legislative advocates, and declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

SENATOR GRUNSKY

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 4, 1955

The Committee on Rules recommends that permission be granted to introduce the bills as requested, and that the bills be referred to Committee on Legislative Representation.

WARD, Chairman

The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

**NOES**—None.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

**Senate Bill No. 1983:** By Senator Grunsky—An act to amend Section 9906 of the Government Code, relating to regulation of legislative advocates, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Legislative Representation.

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 389**—An act to amend Section 73 of the Streets and Highways Code, relating to the relinquishment of state highways or portions thereof.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 389?

**Amendment No. 1**

On page 2, line 7, of the printed bill, after "vesting", insert "of".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 389 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—37.

**NOES**—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 983**—An act to add Section 19480.1 to the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Parkman,

Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—29.

NOES—Senators Cobey, Dilworth, Donnelly, Robert I. McCarthy, Murdy, and Richards—6.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 113**—An act to amend Section 2210.5 of the Streets and Highways Code, relating to federal aid for secondary highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burnas, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 275**—An act to amend Sections 1800, 1801, 1803, 1804, 1805, 1807, 1809, 1810, and 12100 of, and add Section 1809.1 to, the Financial Code, relating to the transmission of money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Parkman, Sutton, Thompson, Way, Dale C. Williams, and J. Howard Williams—29.

NOES—Senators Murdy and Richards—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1322**—An act to add Sections 9650.2 and 9717 to, and to amend Sections 9700.5 and 9766 of, the Business and Professions Code, and to add Sections 8732.1 and 8747.5 to the Health and Safety Code, relating to cemeteries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1842**—An act to add Section 48 to the Elections Code empowering the Secretary of State to call meetings of the county clerks and registrars of voters to discuss administration of the election laws and promote uniformity of procedure in such matters. Authorizing the same to be attended also by one designated deputy of each clerk or registrar; declaring expenses of such clerks, registrars, and deputies in attending such meetings as a county charge, and limiting the amount thereof.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 869**—An act to amend Section 3066 of the Civil Code, relating to the sale of unclaimed clothing or household goods left for cleaning or repair.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1465**—An act to add Sections 70041.1, 70046.1, 70055.1, 73395, 73396, 73397, 73398, 73399, 73400, 73401, and 74045 to the Government Code, relating to official reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 24**—An act to add Chapter 5b, comprising Sections 853.1 to 853.4 to Title 3, Part 2, of the Penal Code, relating to proceedings in violation of county ordinances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1977**—An act to add Section 748.5 to the Code of Civil Procedure, relating to quiet title actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C.

Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1764**—An act to amend Section 71043 of the Government Code, relating to population of judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 966**—An act to amend Sections 50022.1, 50022.2, 50022.3, and 50022.5 of the Government Code, relating to enactment of codes by local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—36.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Senate Bill No. 304**—An act to add Chapter 4 (consisting of Sections 60900 to 60926, inclusive,) to Part 7 of Division 3 of Title 5 of the Government Code, relating to community service districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 974**—An act to amend Section 27 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933 as amended), relating to the Orange County Water District and deleting the provisions with respect to replenishment assessments in the event of a basin-wise adjudication.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I.

McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—34.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 334**—An act to add Section 11537 of the Public Utilities Code, relating to municipal utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 808**—An act creating the Montalvo Municipal Improvement District, providing for the merger therewith of the Montalvo Sanitary District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—32.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1278**—An act to amend Section 74013 of the Government Code, relating to the municipal court established in a district embracing the City of Oxnard and Port Hueneme.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—34.  
NOES—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 54**—An act to amend Sections 215 and 216 of the Vehicle Code, relating to the registration of foreign commercial vehicles.

Bill read third time, and presented by Senator John F. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1213**—An act to amend Section 25615 of the Business and Professions Code, relating to the alcoholic content of beer.

Bill read third time, and presented by Senator Brown.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—Senators Abshire, Dilworth, Donnelly, Dorsey, and Murdy—5.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1109**—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims courts.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—32.

NOES—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1349**—An act to amend Sections 290, 647, and 647a of the Penal Code, relating to the offense of loitering.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 112**—An act to amend Section 772 of the Probate Code, relating to sales of estate property.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 115**—An act to amend Section 850 of the Probate Code, relating to contracts of decedents.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I.



McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 560**—An act to amend Section 515 of the Code of Civil Procedure, relating to the sufficiency of sureties.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 1147**—An act to amend Section 11013 of the Business and Professions Code, relating to real estate subdivisions.

### Motion to Re-refer Senate Bill No. 1147

Senator Hulse moved that Senate Bill No. 1147 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1195**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine in state institutions.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

#### Amendment No. 1

On page 1, line 11, of the printed bill, after "year", insert "or until October 1, 1957, whichever is later".

#### Amendment No. 2

On page 1, line 22, after the period, insert "The provisions of this section shall terminate on October 1, 1957."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1358**—An act to amend Section 4002 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4002 of", and insert "add Sections 4036.5 and 4046 to".

#### Amendment No. 2

On page 1, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 4036.5 is added to the Business and Professions Code, to read:

4036.5. In recognition of and consistent with the decisions of the appellate courts of this State, the Legislature hereby declares the practice of pharmacy to be a profession.

SEC. 2. Section 4046 is added to said code, to read:

4046. In recognition of and consistent with the decisions of the appellate courts of this State, the Legislature hereby declares the practice of pharmacy to be a profession.

SEC. 3. Section 2 of this act becomes operative only if Senate Bill No. 1387 is enacted by the Legislature at its 1955 Regular Session, and in such case at the same time as said Senate Bill No. 1387 takes effect, at which time Section 4036.5 of the Business and Professions Code, as added to said code by this act, is repealed."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1361**—An act to amend Sections 4009 and 4008 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 2, line 8, of the printed bill, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

##### Amendment No. 2

On page 2, line 10, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1364**—An act to repeal Sections 4033 and 4038 of, and to add Sections 4033 and 4038 to, the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 17, of the printed bill, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

##### Amendment No. 2

On page 1, line 19, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1375**—An act to amend Sections 4096 and 4089 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 2, line 6, of the printed bill, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

**Amendment No. 2**

On page 3, line 8, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1377**—An act to add Sections 4237 and 4393 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "----- Bill No. ----" and insert "Senate Bill No. 1387".

**Amendment No. 2**

On page 1, line 16, after "Section 1", insert "of".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1378**—An act to amend Sections 4251 and 4411 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 2, line 2, of the printed bill, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

**Amendment No. 2**

On page 2, line 5, after "Section 1", insert "of".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1379**—An act to amend Sections 4256 and 4416 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 12, of the printed bill, strike out "ten dollars (\$10)", and insert "five dollars (\$5)".

**Amendment No. 2**

On page 1, lines 14 and 15, strike out "This subsection shall not become effective until August 1, 1949."

**Amendment No. 3**

On page 2, line 41, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1366**—An act to repeal Sections 4033.2, 4033.3, and 4084 of, and to add Sections 4033.2 and 4084 to, the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 27, of the printed bill, strike out "\_\_\_\_\_ Bill No. \_\_\_\_\_", and insert "Senate Bill No. 1387".

##### Amendment No. 2

One page 1, line 29, strike out "\_\_\_\_\_ Bill No. \_\_\_\_\_" and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1372**—An act to add Section 4045 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 4033.5 and".

##### Amendment No. 2

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 4033.5 is added to the Business and Professions Code, to read:

4033.5. "Chemical" or "chemicals" includes all chemicals intended for use in the cure, mitigation, treatment, or prevention of disease in man or other animals, but does not include chemicals used for any other purpose.

SEC. 2. Section 4045 is added to said code, to read:

4045. "Chemical" or "chemicals" includes all chemicals intended for use in the cure, mitigation, treatment, or prevention of disease in man or other animals, but does not include chemicals used for any other purpose.

SEC. 3. Section 2 of this act becomes operative only if Senate Bill No. 1387 is enacted by the Legislature at its 1955 Regular Session, and in such case at the same time as said Senate Bill No. 1387 takes effect, at which time Section 4033.5 of the Business and Professions Code, as added by this act, is repealed."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1373**—An act to amend Sections 4048 and 4036 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 23, of the printed bill, strike out "\_\_\_\_\_ Bill No. \_\_\_\_", and insert "Senate Bill No. 1387".

##### Amendment No. 2

On page 1, line 25, strike out "\_\_\_\_\_ Bill No. \_\_\_\_", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1374**—An act to add Sections 4052 and 4061 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 18, of the printed bill, after "thereof.", insert "This section shall not apply to grocers and general dealers as specified in Sections 4042, 4044, 4045, and 4046 of this code."

**Amendment No. 2**

On page 2, line 7, after "thereof.", insert "This section shall not apply to grocers and general dealers as specified in Sections 4055, 4057, 4058, and 4059 of this code."

**Amendment No. 3**

On page 2, line 9, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

**Amendment No. 4**

On page 2, line 11, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 279**—An act to add Section 11528.1 to the Business and Professions Code, relating to proposed subdivisions and real estate.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1 of the printed bill, line 11, strike out "three miles", and insert "one mile".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 280**—An act to amend Sections 11511, 11526, 11529, 11531, 11537, 11538, 11543, 11554, 11555, and 11565, and to repeal Section 11505 and Article 6 of Chapter 2 of Part 2 of Division 4, of the Business and Professions Code, relating to real estate subdivisions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "11543".

**Amendment No. 2**

On page 2, line 48, after "sell", insert "or lease".

**Amendment No. 3**

On page 2, line 49, strike out "or to sell", and insert "or lease, or to sell or lease".

**Amendment No. 4**

On page 3, line 5, strike out " ", contracted for sale or sold", and insert "or lease, contracted for sale or lease, or sold or leased".

**Amendment No. 5**

On page 3, strike out lines 9 to 22, inclusive.

**Amendment No. 6**

On page 3, line 23, strike out "9", and insert "8".

**Amendment No. 7**

On page 3, line 33, strike out "10", and insert "9".

**Amendment No. 8**

On page 3, line 41, strike out "11", and insert "10".

**Amendment No. 9**

On page 3, line 46, strike out "12", and insert "11".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 278**—An act to amend Sections 11543 and 11544 of the Business and Professions Code, relating to sewers and other facilities in real estate subdivisions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "sewers drains, or other facilities", and insert "sewers, drains, or other facilities for sewers and drains,".

**Amendment No. 2**

On page 1, line 9, after "property", insert "not".

**Amendment No. 3**

On page 1, line 10, after "such", insert "sewers, drains, or other".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1365**—An act to repeal Sections 4033.1 and 4034 of, and to add Sections 4033.1 and 4034 to, the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

**Amendment No. 2**

On page 1, line 15, strike out "----- Bill No. - --", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1148**—An act to amend Sections 11011.5, 11013, 11019, and 11021 of the Business and Professions Code, relating to real estate subdivisions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "11013,".

**Amendment No. 2**

On page 1, strike out lines 7 to 24, inclusive.

**Amendment No. 3**

On page 1, line 25, strike out "3", and insert "2".

**Amendment No. 4**

On page 2, line 10, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1546**—An act to amend Section 2665 of the Business and Professions Code, relating to the practice of physical therapy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 16, and insert "within the scope of their licenses;".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1150**—An act to add Section 11019.3 and 11019.4 to the Business and Professions Code, relating to real estate subdivisions.

**Motion to Re-refer Senate Bill No. 1150**

Senator Kraft moved that Senate Bill No. 1150 be re-referred to Committee on Business and Professions.

Motion carried.

**Senate Bill No. 283**—An act to amend Sections 11000 and 11535 of the Business and Professions Code, relating to real estate subdivisions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "11000", and insert "§769, 11000,".

**Amendment No. 2**

On page 1, strike out lines 17 to 24, inclusive, and insert "provided further, that other in respect to a community apartment project, as defined in Section 11004, this chapter does not apply to the leasing of apartments, offices, stores, or similar space within an apartment building, industrial building, or commercial building."

**Amendment No. 3**

On page 2, lines 3 and 4, strike out "last preceding", and insert "latest adopted county".

**Amendment No. 4**

On page 2, line 5, after "sale", insert "or lease".

**Amendment No. 5**

On page 2, strike out lines 7 to 13, inclusive, and insert "year period; provided, that this chapter shall not apply to the leasing of apartments, offices, stores, or similar space within an apartment building, industrial building, or commercial building, nor shall this chapter apply to mineral, oil or gas leases."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 6**

On page 2, after line 35, insert

"Sec. 3. Section 8769 of said code is amended to read:

8769. The charge for filing any record of survey and for indexing the same, shall be [one dollar (\$1)] *five dollars (\$5)*.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1145**—An act to add Sections 11018.1, 11018.2 and 11018.3 to the Business and Professions Code, relating to real estate subdivisions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 16, of the printed bill, strike out "a neutral escrow depository", and insert "an escrow depository approved by the commissioner".

**Amendment No. 2**

On page 2, strike out lines 4 to 7, inclusive.

**Amendment No. 3**

On page 2, strike out lines 22 to 26, inclusive, and insert

"11018.3. Before issuing a public report, the commissioner may require satisfactory evidence that the project is reasonably suitable for the use represented by the owner, his agent, or subdivider. The commissioner shall not,".

**Amendment No. 4**

On page 2, line 29, strike out "of", and insert "or".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1370**—An act to add Sections 4042, 4043, 4049, 4050, 4051 to, to amend Sections 4030, 4033, 4050, 4085, 4087, 4090, 4093, 4166, 4231, 4232, 4233, 4256, 4385, 4386, 4387, and 4416 of, and to repeal Section 4062 of the Business and Professions Code, and to amend Section 20755 of the Health and Safety Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill, strike out "sell or dispense", and insert "or sell".



**Amendment No. 2**

On page 1, line 6, strike out "of a medical practitioner".

**Amendment No. 3**

On page 1, line 10, after "pharmacist", insert "; provided, that the prohibitions of this section shall not apply to a manufacturer or wholesaler if the board shall find that sufficient, qualified supervision is employed by the manufacturer or wholesaler to adequately safeguard and protect the public health, and provided further that this section shall not apply to any laboratory licensed by the National Institute of Health".

**Amendment No. 4**

On page 2, line 48, strike out "recognized", and insert "approved".

**Amendment No. 5**

On page 3, line 6, strike out "seventeenth", and insert "eighteenth".

**Amendment No. 6**

On page 5, lines 13 and 14, strike out ", sell or dispense", and insert "or sell".

**Amendment No. 7**

On page 5, line 15, strike out "of a medical practitioner".

**Amendment No. 8**

On page 5, line 19, after "pharmacist", insert "; provided, that the prohibitions of this section shall not apply to a manufacturer or wholesaler if the board shall find that sufficient, qualified supervision is employed by the manufacturer or wholesaler to adequately safeguard and protect the public health, and provided further that this section shall not apply to any laboratory licensed by the National Institute of Health".

**Amendment No. 9**

On page 6, line 5, strike out "recognized", and insert "approved".

**Amendment No. 10**

On page 6, line 15, strike out "seventeenth", and insert "eighteenth".

**Amendment No. 11**

On page 7, line 51, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

**Amendment No. 12**

On page 8, line 1, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 192**—An act to amend Section 7208 of. and to add Section 7211.9 to, the Business and Professions Code, relating to guide dogs for the blind.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1355**—An act to amend Section 380 of the Penal Code, relating to drugs and medicines.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1335**—An act to amend Section 5286 of the Business and Professions Code of the State of California relating to outdoor advertising.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 282**—An act to amend Section 11014 of the Business and Professions Code, relating to the investigation of real estate subdivisions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1376**—An act to amend Sections 4196 and 4094 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 10, of the printed bill, after "paid to the board.", strike out the remainder of that line; and strike out lines 11, 12 and 13.

**Amendment No. 2**

On page 1, line 22, after "be paid to the board.", strike out the remainder of that line; and strike out lines 23, 24, and 25.

**Amendment No. 3**

On page 1, line 27, of the printed bill, strike out "-----Bill No.-----", and insert "Senate Bill No. 1387".

**Amendment No. 4**

On page 1, line 29, strike out "-----Bill No.-----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 849**—An act to amend Sections 1300.12, 1300.15, 1300.16, 1300.18, 1300.19, 1300.20 and 1300.28 of the Agricultural Code, relating to the administration and enforcement of the California Marketing Act of 1937, as amended, and marketing orders and marketing agreements issued and made effective thereunder.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 9, line 24, of the printed bill as amended in Senate March 16, 1955, after the period, insert "Inspections to insure compliance with any sanitation requirements established hereunder shall be carried on, insofar as practicable, by agencies of the State responsible for the maintenance of sanitary conditions in the processing and handling of the agricultural commodity concerned in any marketing order or marketing agreement authorizing such requirements."

**Amendment No. 2**

On line 14, line 17, strike out "sixty (60)", and insert "ninety (90)".

**Amendment No. 3**

On page 22, line 29, after "days", insert "after service upon the owner".

**Amendment No. 4**

On page 22, line 34, after "file", insert "at or before the hearing on said order".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1157**—An act to add Section 1160 to the Agricultural Code, relating to production and marketing of olives.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1160", and insert "Sections 1300.15a, 1300.17a, 2226.5, 2713, and 3218".

**Amendment No. 2**

On page 1, strike out lines 1 to 11, inclusive, and insert:

"SECTION 1. Section 1300.15a is added to the Agricultural Code, to read:

1300.15a. The marketing of green ripe olives shall not be subject to any provisions of a marketing order which limits the total quantity of such commodity which may be marketed nor to provisions thereof relating to the establishment and operation of surplus pools.

SEC. 2. Section 1300.17a is added to said code, to read:

1300.17a. No assessment for advertising or sales promotion activities shall be levied under any marketing order with respect to the marketing and handling of green ripe olives except that green ripe olives may be assessed for their proportionate share of administrative costs.

SEC. 3. Section 2226.5 is added to said code, to read:

2226.5. The marketing of green ripe olives shall not be subject to the provisions of any marketing program which limits the total quantity of such commodity which may be marketed nor to provisions thereof relating to the establishment and operation of stabilization and surplus pools.

SEC. 4. Section 2713 is added to said code, to read:

2713. The marketing of green ripe olives shall not be subject to the provisions of any marketing agreement or order which limits the total quantity of such commodity which may be marketed nor to provisions thereof relating to the establishment and operation of reserve or surplus pools.

SEC. 5. Section 3218 is added to said code, to read:

3218. The marketing of green ripe olives shall not be subject to the provisions of any marketing agreement or order which limits the total quantity of such commodity which may be marketed nor to provisions thereof relating to the establishment and operation of reserve surplus pools."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 302**—An act to amend Sections 819, 828.65, 829.2 and 829.45 of the Agricultural Code, relating to agricultural containers.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendment:

**Amendment No. 1**

On page 4, strike out lines 18 and 19 of the printed bill, as amended in Senate March 14, 1955, and insert

"829.45. 17. Sweet potatoes, numbers 27, 47, 48, 48A, 48B, and 50A.

18. Tomatoes, number 27.

19. Asparagus, numbers 51 and 52."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 303**—An act to amend Section 828.53 of the Agricultural Code, relating to grape containers.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1970**—An act to amend Sections 803, 803.5, 806, 828.15, 828.25, 828.4, and 829.2 of the Agricultural Code, relating to standard containers for fruit, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1793**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1082**—An act to add Section 559 to, and to repeal Sections 663 and 664 of, the Agricultural Code, relating to the sanitation of milk products plants.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

On page 2, line 21, strike out "ice cream or".

##### Amendment No. 2

On page 2, line 22, strike out "or products are", and insert "is".

##### Amendment No. 3

On page 2, line 23, strike out "they are", and insert "it is".

##### Amendment No. 4

On page 2, line 25, strike out "ice cream mix or".

##### Amendment No. 5

On page 2, line 26, after "products", insert "and the fluid milk and cream therein shall be Grade A, the mix shall contain not less than 12 percent total milk solids, not less than 4 percent butterfat, nor shall it contain more than one-half of 1 percent stabilizer. Said product shall be delivered from the freezing device at not less than 27° F. and shall contain not more than 75,000 bacteria per gram.

550.1. Every person complying with the provisions of Section 559 shall not be required to pay the fee provided for in subsection (a) of Section 661 and shall pay in lieu thereof a fee of ten dollars (\$10) for each calendar year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Desmond moved that Senate Bill No. 803 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### Request for Unanimous Consent

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 803, at this time, for consideration.

#### CONSIDERATION OF SENATE BILL NO. 803

**Senate Bill No. 803**—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3925, 3926, 3946, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

##### Amendment No. 1

On the primary election ballot shown after page 13 of the printed bill, as amended in Senate March 28, 1955, in the legislative portion of such ballot, after "Thomas J. Doyle", strike out "Dem."



**Amendment No. 2**

On the primary election ballot shown after page 13, in the legislative portion of such ballot, after "Frederick (Fred) L. Boon", strike out ", Rep."

**Amendment No. 3**

On the nonpartisan portion of the primary election ballot, shown on the page following the complete ballot, in the legislative section of such nonpartisan portion of the ballot, after "Thomas J. Doyle", strike out ", Dem."

**Amendment No. 4**

On the nonpartisan portion of the primary election ballot, shown on the page following the complete ballot, in the legislative section of such nonpartisan portion of the ballot, after "Frederick (Fred) L. Boon", strike out ", Rep."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**REPORTS OF STANDING COMMITTEES****Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Assembly Bill No. 120

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 858

Assembly Bill No. 2839

Assembly Bill No. 2840

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Assembly Bill No. 1180

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 1703

Assembly Bill No. 109

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:  
 Assembly Bill No. 144  
 Assembly Bill No. 1179

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:  
 Senate Bill No. 1760

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bill ordered to second reading.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 284  
 Senate Bill No. 1067  
 Senate Bill No. 1068

Senate Bill No. 1196  
 Senate Bill No. 1275

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 3  
 Assembly Bill No. 288  
 Assembly Bill No. 429  
 Assembly Bill No. 442  
 Assembly Bill No. 829  
 Assembly Bill No. 959  
 Assembly Bill No. 961

Assembly Bill No. 1206  
 Assembly Bill No. 1224  
 Assembly Bill No. 1647  
 Assembly Bill No. 1669  
 Assembly Bill No. 1803  
 Assembly Bill No. 1949

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 3**—An act to amend Section 45 of the Vehicle Code, relating to implements of husbandry.

Referred to Committee on Agriculture.

**Assembly Bill No. 288**—An act to amend Section 34092 of the Government Code, relating to duties of city clerks.

Referred to Committee on Elections.

**Assembly Bill No. 429**—An act to amend Section 4538 of the Elections Code, relating to campaign statements.

Referred to Committee on Elections.

**Assembly Bill No. 442**—An act to amend Sections 7201, 7202 and 7203 of the Elections Code, relating to the disposition of election supplies by the county clerk.

Referred to Committee on Elections.

**Assembly Bill No. 829**—An act to amend Section 270 of the Penal Code, relating to the duty of a mother to support her children.

Referred to Committee on Judiciary.

**Assembly Bill No. 959**—An act to amend Section 29434 of the Government Code, relating to the population basis for a sheriff's special fund.

Referred to Committee on Judiciary.

**Assembly Bill No. 961**—An act to amend Section 29403 of the Government Code, relating to the population basis for a district attorney's special fund.

Referred to Committee on Judiciary.

**Assembly Bill No. 1206**—An act to amend Section 226 of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

**Assembly Bill No. 1224**—An act to amend Section 446 of the Code of Civil Procedure and Sections 118 and 126 of the Penal Code, relating to verification pleadings and the punishment for false statements.

Referred to Committee on Judiciary.

**Assembly Bill No. 1647**—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1669**—An act to add Section 821.85 to the Agricultural Code, relating to apples, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

**Assembly Bill No. 1803**—An act to amend Sections 4852.01, 4852.02, 4852.03, 4852.06, and 4852.18 of the Penal Code, relating to procedure for restoration of rights and application for pardon.

Referred to Committee on Judiciary.

**Assembly Bill No. 1949**—An act to amend Section 7076 of the Water Code, relating to reports of water wells.

Referred to Committee on Public Health and Safety.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 895

Senator Gibson moved that Senate Bill No. 895 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 895**—An act to amend Section 5000 of the Business and Professions Code, relating to accountancy.

Bill read second time.

## Motion to Amend

Senator Gibson moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5000 of", and insert "Sections 5008, 5054, 5060, 5081, 5083, 5100, 5115, and 5116 of, to renumber and amend Section 5084 of, to add Sections 5080.5, 5105, 5106, 5107, and 5108 to, and to repeal Section 5000.5 of,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 5000.5 of the Business and Professions Code is repealed.

SEC. 2. Section 5008 of said code is amended to read:

5008. [At least once during each calendar year,] The board [shall] *may, from time to time*, prepare and distribute to all holders of certified public accountant certificates and to all persons registered for the practice of public accounting, a report of the activities of the board [for the preceding calendar year], and may likewise distribute reports of other matters of interest to the public and to practitioners.

SEC. 3. Section 5084 of said code is renumbered and amended to read:

[5084.] 5009. The board [shall at least once in each calendar year] *may, from time to time*, prepare a printed register which shall contain, following a copy of this act, and rules and regulations of the board thereunder, an alphabetical list of the names, certificate numbers, business connections and addresses of all certified public accountants of whom permits have been issued *during the period covered by the register* [for that year], and an alphabetical list of the names of the partnerships of certified public accountants to whom permits have been issued *during the period covered by the register* [for that year], followed by an alphabetical list of the names, permit numbers, business connections and addresses of all public accountants to whom permits have been issued *during the period covered by the register* [for that year], and an alphabetical list of the partnerships practicing public accountancy to whom permits have been issued *during the period covered by the register* [for that year]. A register shall be mailed to every person listed therein, and to such other persons or concerns as the board, in its discretion, may determine is for the public welfare.

SEC. 4. Section 5054 of said code is amended to read:

5054. The amount of fees prescribed by this chapter is that fixed by the following schedule:

(a) The application fee for the certificate of certified public accountants is twenty-five dollars (\$25). Should the applicant fail to pass the required examination, re-examination at subsequent examinations will be given the same applicant for an additional fee of ten dollars (\$10) for each examination.

(b) The preliminary examination fee is ten dollars (\$10).

(c) The registration fee is ten dollars (\$10).

(d) The annual renewal fee [is five dollars (\$5)] *shall be set by the board at a sum not less than three dollars (\$3) nor more than seven dollars and fifty cents (\$7.50).*

(e) The renewal fee after expiration of permit is [seven dollars and fifty cents (\$7.50)] *an amount equal to the sum of two dollars and fifty cents (\$2.50) plus the amount of the annual renewal fee established under subdivision (d) of this section for each year of delinquency.*

SEC. 5. Section 5060 of said code is amended to read:

5060. After six months from the effective date of this chapter no person shall engage in the practice of public accountancy in this State unless such person is the holder of a *valid* permit to practice public accountancy issued by the board. Provided, however, that nothing in this chapter shall prohibit a certified public accountant or a public accountant of another state, or any accountant of a foreign country lawfully practicing therein, from temporarily practicing in this State on professional business incident to his regular practice in another state or country.

SEC. 6. Section 5080.5 is added to said code, to read:

5080.5. No person shall engage in the practice of accountancy as a partnership unless the partnership is registered by the board under the provisions of Sections 5081 or 5083.



SEC. 7. Section 5081 of said code is amended to read:

5081. A partnership engaged in this State in the practice of public accountancy may register with the board as a partnership of certified public accountants provided it meets the following requirements:

(a) At least one general partner thereof must be a certified public accountant of this State in good standing or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code.

(b) Each partner thereof personally engaged within this State in the practice of public accountancy as a member thereof must be a certified public accountant of this State in good standing or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code.

(c) Each partner thereof must be a certified public accountant of some state in good standing.

(d) Each resident manager in charge of an office of the firm in this State must be a certified public accountant of this State in good standing, or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code.

Application for such registration must be made upon the affidavit of a general partner of such partnership who holds a *valid* permit in this State to practice as a certified public accountant, or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code. The affidavit shall set forth such information as may be prescribed by the rules of the board. The board shall in each case determine whether the applicant is eligible for registration. A partnership which is so registered and which holds a *valid* permit issued under this article may use the words "certified public accountants" or the abbreviation "C. P. A.'s" in connection with its partnership name. Notification shall be given the board within one month after the admission to or withdrawal of a partner from any partnership so registered.

Any registration of a partnership under this section granted in reliance upon the provisions of Section 5096 of this code shall terminate forthwith if the board rejects the application under said Section 5096 of the general partner who signed such application for registration as a partnership, or any partner personally engaged in the practice of public accountancy in this State, or any resident manager of such partnership in charge of an office in this State.

SEC. 8. Section 5083 of said code is amended to read:

5083. A partnership engaged in this State in the practice of public accountancy may register with the board as a partnership of public accountants provided it meets the following requirements:

(a) At least one general partner thereof must be a certified public accountant or a public accountant of this State in good standing, or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code.

(b) Each partner thereof personally engaged within this State in the practice of public accountancy as a member thereof must be a certified public accountant or a public accountant of this State in good standing, or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code.

(c) Each partner thereof must be a certified public accountant or public accountant of this State or actively engaged in the practice of public accountancy in some state.

(d) Each resident manager in charge of an office of a firm in this State must be a certified public accountant or a public accountant of this State in good standing, or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code.

Application for such registration must be made upon the affidavit of a general partner of such partnership who holds a *valid* permit to practice in this State as a certified public accountant or as a public accountant, or must have applied for a certificate as a certified public accountant under the provisions of Section 5096 of this code. The affidavit shall set forth such information as may be prescribed by the rules of the board. The board shall in each case determine whether the applicant is eligible for registration. A partnership which is so registered and which holds a *valid* permit issued under this article may use the words "public accountants" in connection with its partnership name. Notification shall be given the board within one month after the admission to or withdrawal of a partner from any partnership so registered.

Any registration of a partnership under this section granted in reliance upon the provisions of Section 5096 of this code shall terminate forthwith if the board rejects the application under said Section 5096, of the general partner who signed such application for registration as a partnership, or any partner personally engaged in the practice of public accountancy in this State, or any resident manager of such partnership in charge of an office in this State.

SEC. 9. Section 5100 of said code is amended to read:

5100. After notice and hearing the board may revoke [or], suspend or refuse to renew any permit or certificate granted under Articles 6 and 7 of this chapter,

[or any registration granted under Article 6 of this chapter, or may revoke, suspend or refuse to renew any permit to practice issued under Article 6 of this chapter,] or may censure the holder of any such permit or certificate for any one or any combination of the following causes:

(a) Conviction of a felony or of any crime involving moral turpitude under the laws of any state or of the United States arising out of or in connection with the practice of accountancy.

(b) Conviction of any crime, an essential element of which is dishonesty, deceit or fraud.

(c) Fraud or deceit in obtaining a certificate as a certified public accountant or in obtaining registration under this chapter or in obtaining a permit to practice public accountancy under this chapter.

(d) Dishonesty, fraud or gross negligence in the practice of public accountancy.

(e) Cancellation, revocation or suspension of certificate or other authority to practice or refusal to renew the certificate or other authority to practice as a certified public accountant or a public accountant by any other state or foreign country.

(f) Violation of any of the provisions of Section 5115 of this chapter.

(g) Wilful violation of a rule or regulation promulgated by the board under the authority granted under this chapter.

(h) Suspension or revocation of the right to practice before any governmental body or agency.

SEC. 10. Section 5105 is added to said code, to read:

5105. Any certified public accountant or public accountant whose certificate, registration or permit has been canceled, revoked, or suspended, shall upon request of the board relinquish his certificate or permit; provided, however, that upon the expiration of the period of suspension the board will immediately return any suspended certificate or permit which has been relinquished.

SEC. 11. Section 5106 is added to said code, to read:

5106. Any certified public accountant or public accountant who is delinquent in the payment of his renewal fee shall upon request of the board relinquish his certificate, or permit; provided, however, the board shall reissue any certificate or permit which has been relinquished for nonpayment of renewal fees upon the filing of an application within the time prescribed by Section 5080, accompanied by payment of the delinquent fee for all intervening years.

SEC. 12. Section 5107 is added to said code, to read:

5107. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this article. The record of the conviction shall be conclusive evidence thereof. The board may order the certificate or permit suspended or revoked, or may decline to issue a certificate or permit, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made, suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty or dismissing the accusation, information or indictment.

SEC. 13. Section 5108 is added to said code, to read:

5108. The adjudication of insanity of mental illness, or the voluntary commitment or admission to a state hospital for a mental illness shall operate as a suspension of the right to practice of any certificate or permit holder under this chapter, such suspension to continue until restoration to or declaration of sanity or mental competence. The record of adjudication, judgment or order of voluntary commitment is conclusive evidence of such insanity or mental illness, and upon receipt of a certified copy of any such adjudication, judgment, voluntary commitment or order by the board it shall immediately suspend the certificate or permit of the person adjudicated or committed and shall not restore such certificate or permit to good standing until it shall receive competent evidence of restoration to or declaration of sanity and until it is satisfied that, with due regard for the public interest, said person's right to practice may be safely reinstated.

SEC. 14. Section 5115 of said code is amended to read:

5115. Any person [shall be] who violates any of the provisions of this chapter is guilty of a misdemeanor, punishable by imprisonment for not more than six months, or by a fine of not more than five hundred dollars (\$500), or both. [, for each separate offense:

(a) Who shall violate Section 5060 of this chapter.

(b) Who shall violate Section 5063 of this chapter.

(c) Who shall violate Section 5064 of this chapter.

(d) Who shall violate Section 5065 of this chapter.]

Whenever the board has reason to believe that any person is liable to punishment under this article, the board or with its approval any administrative committee, may certify the facts to the appropriate enforcement officer of the city or county where the alleged violation had taken place and such officer may cause appropriate proceedings to be brought.

SEC. 15. Section 5116 of said code is amended to read:

5116. The display or uttering by a person of a card, sign, advertisement or other printed, engraved or written instrument or device, bearing a person's name in conjunction with the words "certified public accountant" or any abbreviation thereof or the words "public accountant" or any abbreviation thereof shall be prima facie evidence in any prosecution, proceeding or hearing brought under this article that the person whose name is so displayed caused or procured the display or uttering of such card, sign, advertisement or other printed, engraved or written instrument or device. Any such display or uttering shall be prima facie evidence that the person whose name is so displayed holds himself or herself out as a certified public accountant, or a public accountant holding a permit to practice public accountancy in this State under the provisions of this chapter. In any prosecution or hearing under this chapter, evidence of the commission of a single act prohibited by this chapter shall be sufficient to justify a conviction without evidence of a general course of conduct."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 911

Senator Gibson moved that Senate Bill No. 911 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 911**--An act to amend Section 5620 of the Business and Professions Code, relating to landscape architects.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5620 of", and insert "Sections 5621, 5630 and 5630 of, to add Sections 5675 and 5676 to, and to add the title of Article 5 to Chapter 3.5 of Division 3 of,".

**PRINTER'S NOTE**--There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 5621 of said code is amended to read:

5621. The terms of the members of the board first appointed shall expire as follows: one member January 15, 1954, two members January 15, 1955, two members January 15, 1956. Thereafter appointments shall be for a four year term. *No member shall hold office beyond the term for which he was appointed unless reappointed.* Vacancies occurring prior to the expiration of the term shall be filled by appointment for the unexpired term.

*No person shall serve as a member of the board for more than three terms.*

SEC. 2. Section 5630 of said code is amended to read:

5630. The board shall formulate and adopt a code of rules and regulations for its government in the examination of applicants for certificates to practice landscape architecture in this State, and it may formulate and adopt such other rules and regulations, including but not limited to rules and regulations establishing standards and prerequisites for the accreditation of schools of landscape architecture, as may be necessary and proper to carry out the provisions of this chapter, if such rules or regulations are not inconsistent with this chapter. The board may from time to time repeal, amend and modify its rules and regulations.



SEC. 2.5. The title of Article 5 of Chapter 3.5 of Division 3 is added to said code immediately preceding Section 5660, to read:

Article 5. Discipline

SEC. 3. Section 5675 is added to said code to read:

5675. A conviction of a felony in connection with the practice of landscape architecture constitutes a ground for disciplinary action. The record of the conviction shall be conclusive evidence thereof.

SEC. 4. Section 5676 is added to said code to read:

5676. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this article. The board may order the certificate suspended or revoked, or may decline to issue a certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation or indictment.

SEC. 5. Section 5680 of said code is amended to read:

5680. (a) Every landscape architect shall pay an annual license fee to the department. The fee shall be due and payable on or before the thirty-first day of January of each year and shall become delinquent thereafter.

(b) If the annual license fee is not paid before it becomes delinquent, a penalty of three dollars (\$3) shall be added to the amount thereof.

(c) If the annual license fee and penalty are not paid before the thirtieth day of June in the year in which they become due, the landscape architect's certificate shall be suspended from and after the expiration of 30 days from the date of mailing by registered mail, return receipt requested, postage prepaid and addressed to the landscape architect at his address as it appears in the records of the board; a notice of the delinquency of the landscape architect stating that upon the expiration of time herein allowed his certificate will be suspended, unless within said time, the annual license fee and penalty are remitted.

(d) After the certificate has been suspended, it may be reinstated upon the payment of [the reinstatement fee] *all delinquent fees and penalties, and a reinstatement fee which shall be set annually by the board at a sum of less than two dollars and fifty cents (\$2.50) nor more than twelve dollars and fifty cents (\$12.50)*, and such proof of the landscape architect's qualifications as may be required in the sound discretion of the board.

(e) The board shall issue a receipt to each landscape architect promptly upon payment of the annual license fee."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 212

Senator Brown moved that Senate Bill No. 212 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 212**—An act to amend Sections 35119, 35121, and 35122 of the Government Code, relating to cities.

Bill read second time.

Motion to Amend

Senator Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "person", and insert "owner of an equitable or legal interest in land within the territory to be annexed".



**Amendment No. 2**

On page 1, line 13, strike out "the designation of the lands in which"; and in line 14, strike out "he has any interest, either legal or equitable", and insert "a general description of such land, sufficient to identify it on the last equalized county assessment roll".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 440**

Senator Brown moved that Senate Bill No. 440 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 440**—An act to add Sections 5037 and 5038 to the Public Resources Code, relating to the State Park System, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "State Park System", and insert "Death Valley Historical Museum".

**Amendment No. 2**

On page 1, line 4, after "land", insert "or of any interests in land granted by the United States including a special use permit, which the commission finds sufficient for the purposes provided herein".

**Amendment No. 3**

On page 1, strike out lines 8 and 9, and insert "Historical Museum."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1579**

Senator Brown moved that Senate Bill No. 1579 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1579**—An act to add Section 215.5 to the Vehicle Code, relating to highway user taxes.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 9, of the printed bill, after the period, insert "This section shall only be applicable to a vehicle the trip of which originates in another state within 50 miles of the border of this State."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1771**

Senator Richards moved that Senate Bill No. 1771 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1771**—An act to add Section 13777.1 to the Government Code, relating to agreements for social security coverage of public employees.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in Senate March 15, 1955, after "system", insert "shall each be deemed to be performing service in a policeman's or fireman's position as the case may be, within the meaning of Section 218(d) of the Social Security Act as amended, and".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 296**

Senator J. Howard Williams moved that Senate Bill No. 296 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 296**—An act to add Section 1256 to the Water Code, relating to the reservation of water for fish and wildlife.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 5 to 11, inclusive, and insert "rived from all uses of the water concerned."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1609**

Senator Berry moved that Senate Bill No. 1609 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1609**—An act to add Section 1171.5 to the Fish and Game Code, relating to hunting of birds.

Bill read second time.

**Motion to Amend**

Senator Berry moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Senate March 24, 1955, after "blind", insert "; except, that a double blind, one with two tanks, platforms, or boxes which are not more than seven feet apart, may be used if located at least 50 yards from any other blind and there are not more than two persons possessing firearms to each tank, platform, or box".

**Amendment No. 2**

On page 1, line 7, after "construction", insert "or excavation".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 443**

Senator Dorsey moved that Senate Bill No. 443 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 443**—An act to repeal Sections 353, 1003, 1004, 1005, 1801, 1802, 1803, 1813, 1830, 1831, 1832, 1833, 1834, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1901, 1943, 1944, 2108, 2154, 2155, 2158, 3122, 3123, 3124, 3125, 3126, 3128, 3130, 3131, 3132, 3133, 3152, 3222, 3637, 4121, 4122, 4123, 4124, 4126, 4127, 4128, 4622, 4623, 4624, and 4625 of, to amend Sections 3121, 3151, 4101, 4102, 4103, 4151, 4621, and 4626 of, to add Sections 1800, 1801, 1804, 1821, 1822, 1823, 1824, 1825, 1826, 1829, 1830, 1832, 1844, 1873, 1874, 1893, 1894, 1895, 1896, 1898, 1899, 1900, 1901, 1903, 1904, 1905, 1911, 1912, 2108, 3122, 3124, 4105, 4107, 4622, 4623, 4624, 4625, and 4948 to, to amend and renumber Sections 1002, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1861, 1902, 1921, 1941, 1942, 2151, 2152, 2153, 2156, 2157, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 3127, 3129, and 4125 of, to repeal Article 4 of Chapter 10 of Division 2 of, to repeal Article 5, Chapter 12, Division 2 of, to repeal the article headings of Articles 2, 3, 4 and 5, Chapter 4, Division 2 of, to repeal the chapter headings of Chapter 5.5, Division 2 of, to repeal the article heading of Article 2, Chapter 12, Division 2 of, to amend the chapter heading of Chapter 4, Division 2 of, to amend the article headings of Article 1, Chapter 4, Division 2, Articles 2 and 3, Chapter 10, Division 2, Article 1, Chapter 12, Division 2, Article 3, Chapter 12, Division 2 of, and to add new article headings to, Articles 2, 3, and 4, to Chapter 4, Division 2 of, the Education Code, relating to the Public School System.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 5, line 16, of the printed bill, as amended in Senate March 21, 1955, strike out "candidates or more", and insert "or more candidates".

**Amendment No. 2**

On page 6, line 31, after the period, insert "The governing board may appoint not more than two additional judges of election for any precinct."

**Amendment No. 3**

On page 6, strike out lines 36 and 37.

**Amendment No. 4**

On page 11, line 38, strike out the first "the", and insert "any".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 502**

Senator Dorsey moved that Senate Bill No. 502 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 502**—An act to amend Sections 8151, 8152, 8153, 8158, 8160, 8286, 8401, 8406, 8406.1, 8826, 9858, 11021, 11151, 11153, 11275, 11291, 11674, 11741, 13861, 18003, 18008, 18022, 18205, 18403, 18404, 19051, 19606.5, 19609, 19613, 19617, 20351, 20356, 20543, 21364, 21647, 22693, 22722, 22723, 22725, 23204, and 23208 of, to amend the headings of Article 1 of Chapter 1 and Article 1 of Chapter 7 of Division 9 of, to add Article 10 to Chapter 1 of Division 5 of, to add Section 11150 to, to repeal Sections 8154, 8154.1, 8253, 8254, 9618, 9646, 11656, 18053.5, 18055, 19620, and 21648 of, and to repeal Article 1.5 of Chapter 2 of Division 10 of, the Education Code, relating to the Public School System.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in Senate March 21, 1955, strike out "20351,".

**Amendment No. 2**

On page 9, strike out lines 33 to 46, inclusive.

**Amendment No. 3**

On page 13, line 5, strike out "8152,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 503**

Senator Dorsey moved that Senate Bill No. 503 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 503**—An act to amend Sections 640, 641, 642, 643, 644, 645, 645.1, 646, and 1200 of the Probate Code, relating to probate proceedings.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in Senate March 21, 1955, after "code", insert a comma.

**Amendment No. 2**

On page 3, line 18, after the period, insert "The title thereto shall vest absolutely in such surviving spouse, or if there be no such surviving spouse, the minor child or children subject to whatever mortgages, liens or encumbrances there may be upon said estate at the time of the death of the decedent, and there must be no further proceedings in the administration, unless further estate be discovered."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**ADJOURNMENT**

At 4.22 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 1.30 p.m., Tuesday, April 5, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FORTY-FIRST LEGISLATIVE DAY

FIFTY-SIXTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, April 5, 1955

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Teale, on motion of Senator Regan, due to legislative business.

Senator Cobey, on motion of Senator Robert I. McCarthy, due to legislative business.

Senator Dale C. Williams, on motion of Senator Short, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John Gustafson of Novato.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gladys, Sandra, Terry and Vard Loomis of Arroyo Grande.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. L. Hanson and Lee Rotto of Eureka.

On request of Senators Robert I. McCarthy and Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following adults and boys from the Atwater Cub Scouts Pack 29C of Atwater: Cubmaster, John Cupples; committee, Charles Parle, Charles Mancebo, Walter Koehn; den mothers, Ella Mae Adams, Jane Wood, Berladine Wright, Frances Cupples, Julia Keithley, Ann Nagai, Mary Miller; Cub Scouts Billy Gosdin, Tim Lenherr, Mike Bartelett, Gregory Machado, Charles Wiley, Richard Rivers, Bill O'Sullivan, Doug Davison, Geary Keithley, Howard B. Wakefield Jr., Dennis Wayne Cost, Gordon Hannford, James Bledsoe, Geary Crews, Gary Erskine, Gene Erskine, Robert Miller, Anthony Lacono, Michael Geballi, David Jo Anson, Steven Adams, Gerald W. McIntyre, Kenneth Reynoldson, Kenneth Carlson, Steven Galerea, Charles Margosian, Robert Sales, Charles Mancebo, Donald Mancebo, Ronald Migliotti, Paul Houston, Gary Frago, Michael Asher, Mike Downie, Eddie Caldwell, Bennye Rogers, Buddy Brillon, Walter Grisby, Ray Miller Jr., Robert Lehherr, Ricky Schmise, Michael Norris, Fred Sanders, John Cupples, Thermon Homes, Michael Holcomb, Ben Nagai, David Nagai, Kenneth Wood, Donald Wood, Kenneth Kolberg, Glenn Arnold, Robert Williams, John Williams, David Yates, Kenneth Hunter, Kenneth Jacobi, Don Magliotti, Jan Shawenski, Barney Wright, Walter Koehn, Douglas Koehn, Jim Weston, Thurman Holmes; others with this tour, Mary Cupples, Lydia Rivers, Marjorie Rivers, Blanch Koehn, Joe Rivers, Gladys Rivers, and Jean Mancebo.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Linda Carter and Jan Shepherd of San Jose.

On request of Senators Donnelly and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arnold J. Meyer of Van Nuys, Irving Tjomsland of Burbank, and James L. Gorin of San Fernando.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ed Harding of Richmond.

On request of Senator Howard T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John L. Larue of Nevada City.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Richard Fuidge and the following Camp Fire Girls from Marysville: Kay Kelly, Lassic Fuidge, Frances Johnson, Evelyn Smith, Nancy Hall, Marcia Jacobs, and Penny Lockridge.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Neil V. Gates of Visalia.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul S. Coram of Riverside.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. S. Musser of Upland and Homer Williams of Highland.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James S. Cantlen of Los Angeles.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cubmaster James Kelly, Den Chief Joel Graham, guest Delbert Ellsworth, and the following scouts from Cub Scout Pack No. 3024: David Graham, Lynn Graham, James Kelly, Douglas Kelly, Spencer Ellsworth, Scott Taylor, Stanley Smith, and Fred Haskins.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sisters M. Claire, M. Rose, M. Benigha and the following students from St. Francis School: Carolyn Baca, Patrick Bennett, Michael Black, Susan Block, Marianne Bush, Vincent Chargin, Jerry Coffey, Theresa Coletti, Margaret Corcoran, Jan Deveny, Kathleen Farley, Paul Ferrarotti, Marcia Galvin, William Golsong, Carol Hardesty, Donald Hinkle, Bill Hughes, Maureen Hughes, Patricia Kahler, Calvin Launius, Victor Lazzari, Robert Martin, Bob McKechnie, Norman Murphy, Barbara Nara, Richard O'Leary, Sara Payne, Donna Petrocchi, Marie Piche, Beth Richard, Grace Jean Risse, Keith Robinson, Patricia Roy, Susan Schwab, Christine Seck, Diane Severin, Patricia Silva, Thomas Spitzer, Kenneth Sturges, Pat Varanini, Betty Vasquez, Mardell Walter, Anthony White, Bonnie Wilcox, Keith Williams, Judy Wood, and Danny Wyant.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. William Sweigert, Mrs. Clare Lagomarsino, Mrs. Louis Desmond, Mrs. Richard Desmond, Mrs. Alfred Franzoia and grandchildren Ann Desmond, Teddy and Lonny Franzoia, Billy, Robert, and Danny Sweigert.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to D. R. Jaqua, Theodore Rupner, and W. M. Redman, Jr., of Lancaster.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Justin Schroeder, Miss Justine Schroeder of Stockton, and Mrs. Murry MacKall of Corte Madera.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Richard Morse, bus driver Vernon Metcalf, Leona Morse and the following students from Browns Elementary School, Rio Oso: Linda Brock, Patti Ilite, Rachel Lopez, Joan Taresh, Sharon Able, Janie Vincent, Jeane Phillips, Diane Trautman, Betty Shackelford, Bonnie Bennett, Brenda Bayne, Della Boren, Paul Baker, Stephen Cox, Doug Everhart, Steve Lynn, Donald White, and Kenneth Keeney.

On request of Senator Richards and Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elizabeth Hillis of Los Angeles.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Travis Hails, Leonard Vakoc, Tom Munro, T. W. Mitchell, and the following Scouts from Troop 28, Burlingame: Thornton Bill, Tom Betts, Glenn Carroll, Leroy Friebe, Wayne Friebe, Gene Garrison, Duncan Hails, Bob



Hopkins, James Kinyon, Mike Kinzie, David Keorner, Jim Kraft, Bob Lundin, Steve Lyon, Gene Mannie, Rick Mannie, Gordon Marr, Claude McRoskey, Jim Murley, John Murley, Bruce Queen, George Sanz, Jared Sines, Richard Todd, Norman van Herick, Paul De John, Doug Jones, Eddy Anderson, Gary Aloise, and Geary Andrews.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to leader Ivan Quincey, Jr., Mrs. Gayaldo and the following members of Rocklin 4-II Club: Sandra Pernu, Nancy Gayaldo, Carolyn Cooper, VeNae Vetterli, Tobie Cecil, Barry Cecil, Harvey Keller, Dennis Atwood, Maureen Atwood, Lucille Henderson, Kathy Tweedy, and George Carreras.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Harold Gantner and Mrs. Alfred Holland of Santa Rosa and Miss Nancy Curtis of Marysville.

On request of Senators Brown and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Gilbert Wentworth Case of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alice L. Lambrecht, Anne Pollander, Philip Brazil, Clarmond Oliviera, Clarence George, Hermen Lambrecht and the following students from Centerville Elementary School, Alameda: Joseph Duncan Allen, Virginia Ann Anino, Joseph V. Arias, Jerry L. August, Elinor Marie Bettencourt, Raymond Lindell Brandt, Rita Louise Brannon, Jean Sharon Brooks, Joan Karen Brooks, Glenn Henry Bryner, Albina Blanca Cerruti, William Munford Clark, Gilbert Paul Cobarruviaz, Donna Mae Cooper, Raymond W. Davenport, Madeline Mary Davilla, Ronald N. Delisle, Gloria Francis Dilke, Clifford Walter Dinsmore, Rosemary Duarte, Joyce Ann DuCoty, Richard J. Dull, Judith Elaine Durand, Priscilla Jean Dutra, Steven W. Ebbage, Charles L. Fierro, Richard M. Foronda, Patricia Ann Fox, Ernest F. Frei, Richard W. Fritch, Richard Hayes Gilmour, Stephen Loren Godwin, Cora Ann Gran, Judy Mae Griffith, Dave M. Hawkins, Nadine Hoem, George C. Horejsi, Clara Jeanette Laubsch, Shirley Jean Laughlin, Lawrence Anthony Lemas, Victor A. Loverro, James Leroy Marin, Absuko Matsumoto, Janette McDonald, Lyle Keith Nevels, Nancy Jo Norris, Manuel P. Nunez, Dennis D. Oliveira, Darlene Marie Ornellas, Kenneth B. Owen, Jr., Georgia Lee Pankey, Diane Parshall, Ronald R. Ramos, Eugene D. Ramsell, Linda L. Real, Daphne Dolores Romero, Kathleen Romero, Darlene Mary Rose, Stanley A. Salzman, Sizumi Joyce Sekigahama, Joan Marie Silva, Henry D. Spence, Edith Lillian Stancell, Sidney Gay Stinhilber, Steven Curtis Sullivan, Beatrice Mary Swass, Nancy Ann Thornburg, Desiderio Valerio, Ricardo Valerio, Douglas Allen Ward, Maxine Joan Williams, John Ralph Willis, Monte R. Wilmoth, Joan Blanche Wolf, Wayne G. Woodward, Judith Carmen Zarrick, Rosemary Norris, and Margaret Holland.

On request of Senators Sutton and Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to D. W. Gamble, Bob Edington, Don Avila, Mike McNiell, and Jim Stainer, all from Vallejo.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jeremiah Scott of Fortuna.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruth Cole and Miss Cecelia Cole of Los Angeles.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, March 28, 1955

*Mr. Joseph A. Beek*  
*Secretary of the Senate*  
*State Capitol, Sacramento, California*

DEAR MR. BEEK: Pursuant to Section 230, Chapter 2, Division 1 of the Water Code there is transmitted herewith a second progress report to the California Legislature and the Regional Water Pollution Control Boards, prepared by the Division of Water Resources, Department of Public Works, entitled, "Reclamation of Water from Sewage or Industrial Waste," dated June, 1954.

This report is a second of a series of reports summarizing progress in the field of water reclamation from sewage and industrial wastes. The purpose of this report is to supply fundamental and prerequisite facts affecting economical reclamation of waste waters in the coastal areas of California between San Francisco and the Mexican border, as well as to report on progress of specific projects and research in waste water reclamation.

Very truly yours,

FRANK B. DURKEE  
Director of Public Works

Report ordered filed with the Secretary of the Senate.

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 4, 1955

*To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

CAPTAIN BEN STEIN, a resident of Los Angeles; was a member of the Los Angeles Police Department for 25 years, of which 18 years were in the juvenile division, of which he was commander; active in Boy Scouts and other youth organizations;

to the Youth Authority Board, vice self, term expired, for the term prescribed by law, ending March 15, 1959.

O. H. CLOSE, a resident of Sacramento; former Superintendent of the Preston School of Industry; a member of the Youth Authority since December 12, 1941;

to the Youth Authority Board, vice self, term expired, for the term prescribed by law, ending March 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 31, 1955

*To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

B. A. COBER, a resident of Ukiah; business executive; publisher; a Member of the Board of Trustees, Mendocino State Hospital, since April 2, 1951;

to the Board of Trustees, Mendocino State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the commission.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 339  
Senate Bill No. 340  
Senate Bill No. 343  
Senate Bill No. 344

Senate Bill No. 345  
Senate Bill No. 413  
Senate Bill No. 722  
Senate Bill No. 1746

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 192  
Senate Bill No. 282  
Senate Bill No. 303

Senate Bill No. 1335  
Senate Bill No. 1355

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1—An act relating to the holding of winter Olympic games in California, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor;

Senate Bill No. 637—An act to amend Section 1542 of the Financial Code, relating to securities eligible for deposit with State Treasurer by trust companies;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of April, 1955, at 2 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 278  
Senate Bill No. 279  
Senate Bill No. 280  
Senate Bill No. 302  
Senate Bill No. 1148  
Senate Bill No. 1195  
Senate Bill No. 1358  
Senate Bill No. 1361  
Senate Bill No. 1364  
Senate Bill No. 1365

Senate Bill No. 1366  
Senate Bill No. 1372  
Senate Bill No. 1373  
Senate Bill No. 1374  
Senate Bill No. 1375  
Senate Bill No. 1376  
Senate Bill No. 1377  
Senate Bill No. 1378  
Senate Bill No. 1379  
Senate Bill No. 1546

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 803

And reports the same correctly re-engrossed.

WARD, Chairman

**Committee on Public Health and Safety**

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 127

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. MCCARTHY, Chairman

Above reported bill re-referred to Committee on Finance.

**Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 1044

Senate Bill No. 1094

Assembly Bill No. 2554

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 4; absent 3.

MURDY, Vice Chairman

Above reported bills ordered to second reading.

**APPOINTMENT OF COMMITTEE ON CONFERENCE**

MR. PRESIDENT: The Committee on Rules announces the appointment of Senators Dilworth, Byrne, and Montgomery as a Senate Committee on Conference concerning Assembly Bill No. 628 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES

WARD, Chairman

**MOTION TO SET SPECIAL ORDER**

Senator Desmond moved that Senate Bill No. 803 be made a special order of business for Wednesday, April 6, 1955, at 2.30 p.m.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1548**

Senator Desmond moved that Senate Bill No. 1548 be withdrawn from Committee on Financial Institutions and re-referred to Committee on Transportation.

Motion carried.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS****Senate Bill No. 927**—An act to amend Section 9206 of the Public Resources Code, relating to soil conservation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 9201, 9204, and".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 9201 of the Public Resources Code is amended to read:

9201. Not less than [30] 60 days prior to the election, and five or more electors in the district may file with the board of supervisors of the county in which is situated all or the greatest portion of the land in the district a petition requesting that the names of certain persons specified in the petition be placed upon the ballot as candidates for the office of director. Each person nominated shall be an owner of land within the district.



SEC. 2. Section 9204 of said code is amended to read:

9204. If on the [twentieth] *fiftieth* day prior to the day fixed for the general soil conservation district election it appears that one person but not more than one, or that no person, has been nominated for each of the positions of director, which are to be filled at that election and that a petition, signed by not less than 5 percent of the registered voters in the district requesting that the general soil conservation district election in the district be held, has not been presented to the board of supervisors of the principal county, an election shall not be held, but the board of supervisors of the principal county at a regular, adjourned, or special meeting held prior to the day fixed for said election shall appoint to each of said positions the person who has been nominated for such position, or if no person has been nominated, any qualified person. The persons so appointed shall qualify, take office and serve exactly as if elected at a general soil conservation district election.

In such instances a notice that no election is to be held but that the board of supervisors will appoint those nominated, or qualified persons if none have been nominated, for said positions of director, shall be published at least five days prior to the date upon which said election would have been held.

SEC. 3. Section 9206 of said code is".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**Senate Bill No. 1640**—An act to add Chapter 4 to Part 1 of Division 2 of the Water Code, relating to use of water and intra-state compacts in connection therewith.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

##### Amendment No. 1

On page 2, lines 4 and 5, of the printed bill as amended in Senate March 28, 1955, strike out "in excess of acre feet of water each year".

##### Amendment No. 2

On page 3, line 3, after "the", insert "counties".

##### Amendment No. 3

On page 3, line 20, strike out "with", and insert "will".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**Senate Bill No. 1362**—An act to amend Sections 4012 and 4010 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 7, of the printed bill, after "pharmacy," insert "except inspectors of pharmacy who are in the employ of the board on July 15, 1955,".

##### Amendment No. 2

On page 1, line 15, after "pharmacy," insert "except inspectors of pharmacy who are in the employ of the board on July 15, 1955,".

##### Amendment No. 3

On page 1, line 20, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

**Amendment No. 4**

On page 1, line 22, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 858**—An act to amend Section 10202.8 of the Insurance Code, relating to group insurance.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1703**—An act to amend Sections 9 and 3166 and to repeal Sections 9.1 and 3166.1 of the Civil Code, relating to the time for payment or presentment of negotiable instruments.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1760**—An act to add Section 5050.6 to the Insurance Code, relating to county mutual fire insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add", and insert "amend".

**Amendment No. 2**

In line 1 of the title, strike out "6 to", and insert "5 of".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 5050.5 of the Insurance Code is amended,".

**Amendment No. 4**

On page 1, strike out lines 3 to 6 inclusive, and insert

"5050.5. Any county mutual fire insurer heretofore or hereafter incorporated and doing business under the provisions of this chapter may, if it has issued an insurance policy against fire, and as long as it maintains an excess of admitted assets over liabilities of at least fifty thousand dollars (\$50,000), indorse such policy to extend the coverage thereof to include insurance of the kinds included in Sections 107, 112 and 120."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2999**—An act to add a title to Article 1 of Chapter 1 of Part 4 of Division 13, immediately preceding Section 35000 of, to add Section 35007 to, to add Article 2 to Chapter 1 of Part 4 of Division 13 of, and to amend Sections 36726 and 36825 of, the Water Code, relating to California water districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2839**—An act to amend Section 1194.5 of the Insurance Code, relating to investments by insurance companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2840**—An act to amend Section 1192.4 of the Insurance Code, relating to investments by insurance companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1180**—An act to amend Sections 2070 and 2093 of the Financial Code, relating to the merger of banks and trust companies.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 1**

On page 1, strike out lines 3 to 14, inclusive, of the printed bill, and insert "2070. Any two or more banks [or] and trust companies organized under the laws of this State may be merged into one of such constituent banks or trust companies or consolidated into a new bank or trust company upon compliance with the provisions of this article and upon compliance with the provisions of Part 8 of Division 1, Title 1 of the Corporations Code [and upon compliance with the provisions of this article] ; provided, that in the case of a merger the provisions of Article 2 of Chapter 3, Part 8, Division 1, Title 1 of the Corporations Code shall apply only to shareholders and shares owned by them in the bank or trust company being merged into a surviving bank or trust company. [The merger or consolidation of such banks shall have the same force and effect as is provided in the Corporations Code for the merger or consolidation of domestic corporations.]".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 109**—An act to amend Sections 9 and 3166 and to repeal Sections 9.1 and 3166.1 of the Civil Code, relating to the time for payment or presentment of negotiable instruments.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 144**—An act to add Section 860 to the Financial Code, relating to statements rendered by banks to depositors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "860", and insert "861".

**Amendment No. 2**

On page 1, line 2, strike out "860", and insert "861".

**Amendment No. 3**

On page 1, line 3, strike out "860", and insert "861".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1179**—An act to amend Section 620 of the Financial Code, relating to par value of stock issued by any bank or trust company.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "hereafter issued", and insert "issued after September 7, 1955,".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 120**—An act to amend Section 25006 of the Corporations Code, relating to the definition of the word "broker" under the Corporate Securities Law.

Bill read second time, and ordered to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1199**—An act to amend Section 20343.1 of the Education Code, relating to student fees at state colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1195**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine in state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Byrne, Collier, Cunningham, Dilworth, Dorsey, Erhart, Grunsky, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1358**—An act to add Sections 4036.5 and 4046 to the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1361**—An act to amend Sections 4009 and 4008 of the Business and Professions Code, relating to pharmacy.

Bill read third time.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1364**—An act to repeal Sections 4033 and 4038 of, and to add Sections 4033 and 4038 to, the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1375**—An act to amend Sections 4096 and 4089 of the Business and Professions Code, relating to pharmacy.

**Motion to Re-refer Senate Bill No. 1375**

Senator Hulse moved that Senate Bill No. 1375 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1377**—An act to add Sections 4237 and 4393 to the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1378**—An act to amend Sections 4251 and 4411 of the Business and Professions Code, relating to pharmacy.

**Motion to Re-refer Senate Bill No. 1378**

Senator Hulse moved that Senate Bill No. 1378 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1379**—An act to amend Sections 4256 and 4416 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1366**—An act to repeal Sections 4033.2, 4033.3, and 4084 of, and to add Sections 4033.2 and 4084 to, the Business and Professions Code, relating to pharmacy.

**Motion to Re-refer Senate Bill No. 1366**

Senator Hulse moved that Senate Bill No. 1366 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1372**—An act to add Sections 4033.5 and 4045 to the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1373**—An act to amend Sections 4048 and 4036 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1374**—An act to add Sections 4052 and 4061 to the Business and Professions Code, relating to pharmacy.

**Motion to Re-refer Senate Bill No. 1374**

Senator Hulse moved that Senate Bill No. 1374 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 279**—An act to add Section 11528.1 to the Business and Professions Code, relating to proposed subdivisions and real estate.

**Motion to Re-refer Senate Bill No. 279**

Senator Hulse moved that Senate Bill No. 279 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 280**—An act to amend Sections 11511, 11526, 11529, 11531, 11537, 11538, 11554, 11555 and 11565, and to repeal Section 11505 and Article 6 of Chapter 2 of Part 2 of Division 4, of the Business and Professions Code, relating to real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 278**—An act to amend Sections 11543 and 11544 of the Business and Professions Code, relating to sewers and other facilities in real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1365**—An act to repeal Sections 4033.1 and 4034 of, and to add Sections 4033.1 and 4034 to, the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1148**—An act to amend Sections 11011.5, 11019 and 11021 of the Business and Professions Code, relating to real estate subdivisions.

Motion to Re-refer Senate Bill No. 1148

Senator Hulse moved that Senate Bill No. 1148 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 192**—An act to amend Section 7208 of, and to add Section 7211.9 to, the Business and Professions Code, relating to guide dogs for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T.

Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1355**—An act to amend Section 380 of the Penal Code, relating to drugs and medicines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Byrne, Collier, Cunningham, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.  
NOES—Dilworth—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1335**—An act to amend Section 5286 of the Business and Professions Code of the State of California, relating to outdoor advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 282**—An act to amend Section 11014 of the Business and Professions Code, relating to the investigation of real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 302**—An act to amend Sections 819, 828.65, 829.2 and 829.45 of the Agricultural Code, relating to agricultural containers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 303**—An act to amend Section 828.53 of the Agricultural Code, relating to grape containers.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1618**—An act to amend Section 25 of the Civil Code, relating to minors.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Collier, Cunningham, Dilworth, Dorsey, Erhart, Grunsky, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

### President pro Tempore of the Senate Presiding

At 2.55 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 1617**—An act to add Section 949a to the Code of Civil Procedure, relating to court jurisdiction over child custody and removal from the State pending appeal.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Dilworth, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 766**—An act to amend Section 5847 of, and to add Sections 5835.3 to, the Streets and Highways Code, relating to county maintenance districts.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Dilworth, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 436**—An act to create a flood control district to be called Del Norte County Flood Control District and dividing said district into zones: to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the retention and reclaiming of drainage, storm, flood, and other waters and to save and conserve such waters

for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read third time, and presented by Senator Collier.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 765**—An act to amend Sections 4870, 4895, 4910, and 4926 of, and to add Section 4906.1 to, the Health and Safety Code, relating to sewer maintenance districts.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Constitutional Amendment No. 3**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1½ of Article XIII thereof, relating to the tax exemption of church property.

Resolution read, and presented by Senator Richards.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Richards moved a call of the Senate.

Motion carried. Time, 3.20 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE

##### CONSIDERATION OF DAILY FILE (RESUMED)

##### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2687**—An act to amend Section 28107 of the Government Code, relating to compensation for public service in a county of the seventh class.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cunningham, Dilworth, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery,

Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1793**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Breed, Brown, Burns, Coombs, Dilworth, Dorsey, Erhart, Ed. C. Johnson, Kraft, Miller, Montgomery, Parkman, Regan, Richards, Short, Thompson, Ward, and J. Howard Williams—18.

NOES—Senators Abshire, Berry, Byrne, Cunningham, Grunsky, McBride, Robert I. McCarthy, Murdy, Sutton, and Way—10.

#### Motion to Reconsider

Senator Richards moved to reconsider the vote whereby Assembly Bill No. 1793 was refused passage.

#### Postponement of Reconsideration

On motion of Senator Richards, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1793 was refused passage, was continued until the next legislative day.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.25 p.m., on motion of Senator Richards, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 3 was adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced, and read:

**Senate Constitutional Amendment No. 29:** By Senator Cunningham—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 31b of Article IV thereof, adopted November 8, 1932, which relates to the acquisition and holding of stock of mutual water companies by the City of Escondido, by repealing Section 31c of Article IV thereof, adopted November 3, 1942, by repealing Section 31d of Article IV thereof, and by amending Section 13 of Article XII thereof, relating to the ownership of capital stock in water companies.

Referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 320  
Assembly Bill No. 521  
Assembly Bill No. 634  
Assembly Bill No. 645  
Assembly Bill No. 755  
Assembly Bill No. 1004  
Assembly Bill No. 1064  
Assembly Bill No. 1386  
Assembly Bill No. 1387  
Assembly Bill No. 1513

Assembly Bill No. 1611  
Assembly Bill No. 1824  
Assembly Bill No. 1837  
Assembly Bill No. 1950  
Assembly Bill No. 1951  
Assembly Bill No. 1952  
Assembly Bill No. 2123  
Assembly Bill No. 2411  
Assembly Bill No. 2728

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 320**—An act to add Section 1017 to, and to repeal Section 13031.2 of, the Education Code, relating to school district employees.

Referred to Committee on Education.

**Assembly Bill No. 521**—An act to amend Sections 5402 and 5422 of the Public Resources Code, relating to recreation, park and parkway districts.

Referred to Committee on Local Government.

**Assembly Bill No. 634**—An act to amend Section 2503 of the Education Code, and to add Sections 2504, 2505 and 2506 thereto, relating to school district changes of boundaries.

Referred to Committee on Education.

**Assembly Bill No. 645**—An act to add Section 14305.5 to, and amend Sections 14077 and 14683 of, the Health and Safety Code relating to fire protection districts.

Referred to Committee on Local Government.

**Assembly Bill No. 755**—An act to amend Section 1805 of the Streets and Highways Code, relating to the width of city streets.

Referred to Committee on Local Government.

**Assembly Bill No. 1004**—An act to add Section 26206 to the Government Code, relating to the powers and duties of boards of supervisors.

Referred to Committee on Local Government.

**Assembly Bill No. 1064**—An act to amend Section 28115 of the Government Code, relating to compensation for public service in a county of the fifteenth class.

Referred to Committee on Local Government.

**Assembly Bill No. 1386**—An act to amend Sections 54955 and 54956 of the Government Code, relating to meetings of legislative bodies of local agencies.

Referred to Committee on Local Government.



**Assembly Bill No. 1387**—An act to amend Section 54957 of the Government Code, relating to meetings of public bodies.

Referred to Committee on Local Government.

**Assembly Bill No. 1513**—An act to amend Section 352 of the Education Code, relating to county superintendents of schools.

Referred to Committee on Education.

**Assembly Bill No. 1611**—An act to amend Sections 6446 and 6448 of the Streets and Highways Code, relating to lien of the assessment represented by bond and the payment and cancellation of bond.

Referred to Committee on Local Government.

**Assembly Bill No. 1824**—An act to amend Sections 2853, 2855, 2857, and 2860, and to repeal Section 2854, of the Water Code, relating to expenses of determination of water rights.

Referred to Committee on Water Resources.

**Assembly Bill No. 1837**—An act to amend Section 8426 of the Water Code, relating to assessments for maintenance and operation of flood control projects.

Referred to Committee on Water Resources.

**Assembly Bill No. 1950**—An act to amend Section 7047 of the Water Code, relating to alteration of the course of any nonnavigable stream.

Referred to Committee on Water Resources.

**Assembly Bill No. 1951**—An act to amend Section 2701 of the Water Code, relating to reopening proceedings for adjudication of water rights.

Referred to Committee on Water Resources.

**Assembly Bill No. 1952**—An act to amend Section 409 of the Water Code, relating to publication of notice of intention to engage in rain-making operations.

Referred to Committee on Water Resources.

**Assembly Bill No. 2123**—An act to amend Section 22 of the Alameda County Flood Control and Water Conservation District Act, relating to contracts for improvements.

Referred to Committee on Local Government.

**Assembly Bill No. 2411**—An act to amend Section 27550 of the Government Code, relating to the qualifications of the county surveyor.

Referred to Committee on Local Government.

**Assembly Bill No. 2728**—An act to amend Section 11616 of the Business and Professions Code, relating to the rescission of rejection of offers of dedication of streets and the termination of dedication offers previously rejected.

Referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 177  
Assembly Bill No. 196  
Assembly Bill No. 392  
Assembly Bill No. 876  
Assembly Bill No. 994  
Assembly Bill No. 1110  
Assembly Bill No. 1111  
Assembly Bill No. 1217  
Assembly Bill No. 1223  
Assembly Bill No. 1544  
Assembly Bill No. 1545

Assembly Bill No. 1646  
Assembly Bill No. 1917  
Assembly Bill No. 2130  
Assembly Bill No. 2287  
Assembly Bill No. 2308  
Assembly Bill No. 2375  
Assembly Bill No. 2409  
Assembly Bill No. 2720  
Assembly Bill No. 2721  
Assembly Bill No. 2962

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 177**—An act to amend Section 416 of the Education Code and Sections 28116, 73562, and 74222 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Referred to Committee on Local Government.

**Assembly Bill No. 196**—An act to amend Section 220 of the Vehicle Code, relating to police reports of stolen vehicles and stolen or lost license plates.

Referred to Committee on Transportation.

**Assembly Bill No. 392**—An act to amend Section 1228.5 of the Government Code, relating to leaves of absence for service to the United States Government in technical cooperation programs.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 876**—An act to amend Section 139.60 of the Vehicle Code, relating to Highway Patrol Officers.

Referred to Committee on Transportation.

**Assembly Bill No. 994**—An act to amend Section 14310 of the Government Code, relating to the procedure of performing state construction work.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1110**—An act to amend Sections 2, 8, 10, and 11 of the Municipal Sewer District Act of 1939 (Chapter 24 of the Statutes of 1939), relating to the creation of sewer districts in municipalities, the calling of an election in said districts, and the issuance and sale of bonds of said districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 1111**—An act to add Section 3921.1 to the Education Code, relating to the change of name of high school districts maintaining junior colleges.

Referred to Committee on Education.

**Assembly Bill No. 1217**—An act to amend Section 9653 of the Revenue and Taxation Code, relating to taxes on motor vehicles.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1223**—An act to amend Section 19 of the Welfare and Institutions Code, relating to the care and protection of children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1544**—An act to amend Sections 5234, 5283, 5284, 5342, 5506 and 5701 of the Streets and Highways Code and to add Sections 5197, 5235, 5702 and 5703 to the Streets and Highways Code, relating to proceedings under the Improvement Act of 1911.

Referred to Committee on Local Government.

**Assembly Bill No. 1545**—An act to repeal Chapter 3, comprising Sections 5200 to 5207, inclusive, of Division 6, Title 1 of the Government Code, relating to payment of taxes and assessments with bonds of public bodies.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1646**—An act to add Section 1414.5 to, and to amend Sections 1415, 1416, and 1417 of, the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1917**—An act to amend Section 448 of the Education Code and Section 28148 of the Government Code, relating to compensation for public service.

Referred to Committee on Local Government.

**Assembly Bill No. 2130**—An act to amend Section 11 of, and to add Section 36 to, the Alameda County Flood Control and Water Conservation District Act, relating to the Alameda County Flood Control and Water Conservation District.

Referred to Committee on Local Government.

**Assembly Bill No. 2287**—An act to add Sections 32004.7, 32004.8, 32004.9, 32004.91, and 32004.92 to the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2308**—An act to add Article 1.5 to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to the prevention of delinquency.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2409**—An act to add Sections 29044.1 and 29044.2 to the Government Code, to provide for the estimation and collection of a percentage on installments of principal and interest of bonds of special districts, other than school districts, collected on the regular county assessment roll as compensation to the county for such collections.

Referred to Committee on Local Government.

**Assembly Bill No. 2375**—An act to amend Sections 10161.7, 10284.7 and 10524.7 of the Business and Professions Code, relating to inactive licenses.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2720**—An act to add Section 27383 to the Government Code, relating to fees charged by county recorders.

Referred to Committee on Local Government.

**Assembly Bill No. 2721**—An act to amend Sections 10221, 10340, and 10600 of the Business and Professions Code, relating to reinstatement fees for real estate, business opportunity, and mineral, oil and gas licenses.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2962**—An act to amend Section 102 of the Agricultural Code, relating to plant quarantine and pest control.

Referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 14

Senator Dorsey moved that Senate Bill No. 14 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 14**—An act to add Article 6, comprising Sections 35350 to 35356, inclusive, to Chapter 1, Part 2, Divisions 2, Title 4 of the Government Code, relating to the consolidation of cities and unincorporated territory.

Bill read second time.

##### Motion to Amend

Senator Dorsey moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "35356", and insert "35402".

##### Amendment No. 2

On page 1, line 1, strike out "35356", and insert "35402".

##### Amendment No. 3

On page 1, strike out lines 5 and 6, and insert

"Article 6. Consolidation of City and Unincorporated Inhabited Territory

35350. This article may be cited as the Consolidation Law of 1955.

35351. Territory contiguous to a city may be consolidated with a city if the number of inhabitants of all of the area proposed to be consolidated with a city equals or exceeds the number of inhabitants of the city, pursuant to this article. Territory consisting of two or more separate areas contiguous to a city but not contiguous to each other, may, for the purpose of consolidation under the provisions of this article, be deemed one territory, and the total number or inhabitants of all of the separate areas shall be counted as a whole.

35352. Petitions for the consolidation of territory with a city, shall show the date each signature was affixed. Such petition for consolidation may contain a request that the question submitted to the electors shall be whether the city and the unincorporated territory shall be consolidated into a single city and the property in the territory subjected to taxation after consolidation for:

(a) All of the indebtedness of the city existing or authorized at the date of filing the petition.



(b) All of the indebtedness, existing or authorized at the date of filing the petition, of any district in the unincorporated territory which will cease to function if the unincorporated territory is consolidated with the city.

(c) The portion of such indebtedness which the territory separated from any district and so consolidated is obligated to pay.

35353. If the petition is not filed with the required officer within six months of the date on which the first signature was affixed, it is void.

35354. Territory shall not be deemed "contiguous" as the word "contiguous" is used in this article if the only contiguity is based on a strip of land over 300 feet long and less than 200 feet wide exclusive of highways.

35355. Contiguous inhabited territory may be consolidated as one parcel although divided by a road, stream, or other natural or artificial barrier or right of way.

35356. In cities having a planning commission, consent to circulate petition for consolidation shall not be given by the legislative body until it has received a report or recommendation from the commission.

35357. Before any petition is circulated the proponents shall first present a general description of the exterior boundary lines of proposed consolidated area to the planning commission in cities having a planning commission.

35358. If, within 40 days from the date the matter is referred to the commission, the report or recommendation is not filed with the legislative body, it may act without such report or recommendations.

35359. The consent of the city legislative body shall be obtained before any proceedings are commenced pursuant to this article.

35360. After approval by the legislative body to circulate the petition, the description shall be referred to the county boundary commission who shall report to the legislative body and the proponents with respect to the definiteness and certainty of the proposed boundaries.

56361. No petition seeking the consolidation of territory with a city shall be circulated or filed, nor shall any public officer accept any such petition for filing, nor shall any legislative body initiate proceedings to consolidate on its own motion, until the proposal for the consolidation of territory with a city has been submitted to and reported upon to the legislative body of the city by the boundary commission of the county with respect to the definiteness and certainty of the proposed boundaries.

If the boundary commission does not report upon the petition description within 20 days after it is submitted to it, or within such additional time, not exceeding 60 days, as may be granted by the legislative body of the city, the description shall be deemed correct.

35362. Whenever any petition for consolidation is being circulated, all plans for new subdivisions within said territory shall first have the approval of the planning commission of the city.

35363. Before circulating a petition relating to consolidation of territory with a city, the proponents shall publish a copy of a notice of intention to do so pursuant to the Elections Code. The notice shall contain the names of the proponents intending to circulate the petition and the specific exterior boundaries of the proposed consolidated area, and may be accompanied by a printed statement not exceeding 500 words in length, containing reasons for the petition. The original notice of intention to circulated petition shall be filed with the city clerk.

35364. Within 10 days after publication, the proponents shall file a copy of the notice and accompanying statement, if any, and an affidavit of the publishing or posting, with the city clerk.

35365. Within 15 days after such filing, the legislative body may adopt a resolution acknowledging receipt of the notice and approving the circulation of the petition. A petition asking for the consolidation of any portion of the territory described in the notice, shall not be filed with any other city for 50 days after the adoption of such resolution.

35366. Twenty one days after the publication or posting of the notice, and statement, if any, the petition may be circulated among the voters within the area proposed to be consolidated with the city, pursuant to the Elections Code.

35367. When a petition for the consolidation of any new territory with a city has been received by its legislative body, unless and until consolidation with such city has been defeated:

(a) No other petition asking for the consolidation of any of the territory described in the filed petition shall be presented to the legislative body or electors of any other city.

(b) No other legislative body shall submit the question of consolidation of any part of the territory described in the petition to its electors.

35368. Territory as used herein may include any or all streets, highways and roads abutting the area to be consolidated with the city; provided, that if any portion of such territory or street, highway or road is situated within three miles of the boundaries of any other city, the consent of the legislative body of such other city shall first be obtained.

35369. No consolidation shall include a portion of the width of a street or public right of way, but shall include the whole width of such street or public right of way.

35370. Upon receiving a petition signed by not less than one-fourth of the qualified electors residing within the territory, as shown by the county registration of voters, containing a description of the exterior boundaries of the proposed consolidated area asking that the area be consolidated, the city legislative body shall without delay pass a resolution of intention to call a special election giving at least 50 days notice thereof and of its intention to submit the question of consolidation to the electors residing in the unincorporated territory proposed to be consolidated with the city and the city. The city clerk and the county officer having charge of the registration of voters shall within two weeks check the petition and certify the sufficiency thereof.

35371. The resolution shall describe specifically the exterior boundaries of the proposed consolidated areas, and shall designate the area by some appropriate name by which it may be referred, upon the ballots used at the election. It shall contain a notice of the day, hour and place any person owning real property within such territory, or within the city, may appear before the legislative body and show cause why it should not be consolidated with the city.

35372. A hearing shall be held not less than 15 nor more than 40 days after the passage of the resolution.

35373. The city clerk shall cause a copy of the resolution to be published at least once a week for the two weeks prior to the hearing in a newspaper of general circulation published in the territory proposed to be consolidated, and in a newspaper of general circulation published in the city. If no such newspapers are published, a copy of the resolution shall be posted not less than 10 days before the hearing, in at least three public places within the territory, and at least three public places within the city.

35374. At any time not later than the hour set for hearing objections to the election, any owner of property within the territory and the city may make a written protest against the election. The protest shall state in general terms the name of the owner of the property affected and the location and area of the property.

35375. At the time set for hearing protests, or any continuance thereof, by the city legislative body, the legislative body shall hear all protests so made. If it finds that protest is made by the owners of a majority of the separate parcels of the territory, or the city, no further proceedings for the consolidation of any of the territory shall be taken for one year after the finding; provided, however, that the provisions of this section shall not prohibit the annexation within such one year period of any lesser area of said territory to the city under several laws providing for annexation of territory to the city.

35376. The election upon the question of consolidation shall be held at the same time in both the city and all the unincorporated territory proposed to be consolidated, but the ballots cast in the city shall be totaled as one unit and ballots cast in all the unincorporated territory proposed to be consolidated, shall be totaled as a second unit. In order for the proposition of consolidation to carry, a majority of the votes in each unit must be in favor of the consolidation.

35377. If it finds that protest is not made by owners of a majority of the separate parcels of property, the city legislative body shall call a special election without delay and submit to the electors residing in the territory and the electors residing in the city, the question whether such territory shall be consolidated with such city.

35378. The city legislative body shall cause notice of the election to be published at least once a week for the four weeks prior to the election, in a newspaper of general circulation, printed and published outside the city, but in the county in which the territory is situated, and also in a newspaper of general circulation, printed and published inside the city, or if there are no such newspapers, by posting it at least four weeks next preceding the election in three public places within the territory and three public places within the city.

35379. The notice shall:

- (a) State the date of the election.
- (b) State distinctly the proposition to be submitted.
- (c) Describe specifically the outer boundaries of the proposed consolidated areas.
- (d) Designate the name by which the territory may be indicated, upon the election ballots, which shall be that given in the resolution of intention to circulate the petition. Such notice shall also contain the additional matters as set forth in Section 35148 of the Government Code.

35380. When the consolidation has been completed, the property of the consolidated city shall be taxed to pay the indebtedness or liability specified in the notice.

35381. The legislative body shall establish and designate in the notice the voting precincts and the places at which polls will be open for the election. The places shall be those commonly used for voting within the territory, if there are any, and those commonly used for voting within the city.

35382. The legislative body shall appoint two judges and one inspector for each voting place in the territory to be consolidated with the city, as officers. For the conduct of such election such legislative body shall appoint the officers of election in the city in the same manner as for regular municipal elections. Each officer shall be a qualified elector of the voting precinct in which he is appointed to act.

35383. Upon the ballots used at the election shall be printed the words: "Shall (insert name given territory in the notice of election) be consolidated with the City of (stating name of city)?" Opposite these words shall be printed the words "yes" and "no," with a voting square to the right of each.

35384. If an elector stamps a cross in the voting square after the word "yes," his vote shall be counted for the consolidation, and if he stamps a cross in the voting square after the word "no," his vote shall be counted against the consolidation.

35385. Except as otherwise provided, the ballots used, the opening and closing of the polls, and the conduct of the election in both the territory and the city shall conform as nearly as possible with the Elections Code provisions concerning general elections.

35386. Immediately on the closing of the polls the election officers for each polling place shall count the ballots, make up, certify, and seal the ballots and tally sheets of the ballots cast, and deliver them with the returns to the clerk of the city legislative body.

35387. At its next regular meeting held at least three days after the election, the city legislative body shall canvass the returns. The canvass shall be completed at the meeting, if practicable, or as soon as possible, avoiding adjournments.

35388. Immediately upon the completion of the canvass, the legislative body shall cause a record to be entered upon its minutes, stating the proposition submitted, the number of votes cast for and against consolidation.

35389. If a majority of the votes cast both in the city and in the territory on the question is for consolidation, the clerk of the legislative body shall make, certify under seal, and transmit to the Secretary of State, a copy of the record of the canvass in the territory and in the city, with a statement showing the dates of the election, the time and the result of the canvasses and a description of the exterior boundary lines of the consolidated area. Immediately upon receipt of the document, the Secretary of State shall file it, and transmit a certificate of the filing to the clerk of the legislative body, and to the board of supervisors of the county in which the city is situated.

35390. If a majority of the votes cast is against consolidation, a new petition embracing any of the same territory shall not be filed with the same city within twelve months after the result of the election has been canvassed and declared.

35391. Immediately upon completion of the canvass of any municipal election on the question of consolidation, the legislative body shall cause a record to be entered upon its minutes, showing the number of votes cast upon the question and the number cast for and against consolidation.

35392. From the date of filing by the Secretary of State, consolidation is complete, and the consolidated territory is a part of the city.

35393. The consolidated territory and city shall be known as the name of the city unless otherwise voted on at the time of election.

35394. In all other particulars, the consolidation shall be conducted as if there were no question of assuming an indebtedness, or tax liability for municipal improvements already paid for by city taxpayers.

35395. When the consolidation of territory voting to assume such city indebtedness or fixed amount, or both, has been completed, the property within the consolidated territory shall be taxed to pay the bonded indebtedness, or fixed amount, or both as specified in the notice.

35396. The property in any such new territory consolidated after 12 o'clock noon of the first Monday in March and before the completion of the city assessment roll shall be subject to taxation for municipal purposes for the fiscal year following the first Monday in March.

35397. Except as provided in this article, property within such consolidated territory shall not be taxed to pay any indebtedness or liability of the city contracted prior to or existing at the time of consolidation.

35398. Where territory is consolidated with a city divided into wards, or with a city which later divides itself into wards, the legislative body, by ordinance, shall alter the boundaries of the city wards to include the consolidated territory in one or more wards adjoining the territory, or make one or more additional wards out of the consolidated territory. The number of wards shall not be increased to exceed the number which the city is allowed by law.

35399. Any proceeding held pursuant to this article does not alter or affect the boundaries of any senatorial or assembly district.

35400. Consolidation of territory with a city pursuant to this article does not affect, terminate, or invalidate any proceeding pending at the time of such consolidation, under the Drainage District Improvement Act of 1919, or any act relating



to proceedings for the acquisition of lands or rights of way for the use of, or for the improvement of roads, highways, streets, parks, drains, sewers, or other public property, or to proceedings for the opening, widening, extending, or change of grade of streets or other public places. Such proceedings shall be continued by the county initiating them as if the territory affected were not consolidated.

35401. All proper expenses of proceedings for consolidation of territory pursuant to this article, whether such proceedings are completed or not, shall be paid by the city consolidating or attempting to consolidate the territory.

35402. Territory shall not be consolidated with a city pursuant to this article if, as a result of such consolidation, unincorporated territory is completely surrounded by such city."

#### **Amendment No. 4**

On page 1, strike out lines 8 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE CONCURRENT RESOLUTION NO. 42**

Senator Byrne moved that Senate Concurrent Resolution No. 42 be withdrawn from Committee on Rules for purpose of amendment, and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Concurrent Resolution No. 42**—Relative to making additional funds available to the Legislative Budget Committee for the purpose of making a review of the proposed Feather River Project.

Resolution read.

#### **Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

#### **Amendment No. 1**

On page 1 of the printed measure, after line 27, insert

"WHEREAS, The extensive period of time which will necessarily be required to complete the Feather River Project emphasizes the desirability of early implementation of the plan; and

WHEREAS, It is possible to secure a preliminary report prior to the adjournment of the 1955 Session of the Legislature containing general conclusions by independent, competent engineers as to the engineering and economic feasibility of the proposed project, to be followed by a full report to be rendered by December 31, 1955, on engineering, economic and financial aspects of the project, including the inherent relationship of the Feather River Project with the studies recently made by the Board of Consulting Engineers and the State Division of Water Resources on the Biemond Plan and the salt water barriers; and"

#### **Amendment No. 2**

On page 2, in line 5, strike out "not later than May 1, 1955,".

#### **Amendment No. 3**

On page 2, in lines 11 and 12, strike out "fifty thousand dollars (\$50,000)", and insert "two hundred fifty thousand dollars (\$250,000)".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Rules.



## REPORTS OF STANDING COMMITTEES

## Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 499

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-refer to Committee on Finance.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 325

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Assembly Bill No. 3515

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; noes 1; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Assembly Bill No. 3514

Has had the same under consideration, and reports the same back with the recommendation: Do pass. Re-refer to Committee on Finance.

Committee membership 13; committee vote: Ayes 11; noes 1; absent 1.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:  
Assembly Bill No. 136  
Assembly Bill No. 388

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Assembly Bill No. 135

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; noes 1; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 1971

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 987

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 12; noes 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 135

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

#### ADJOURNMENT

At 3.30 p.m., on motion of Senator Byrne, the President declared the Senate adjourned until 2 p.m., Wednesday, April 6, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FORTY-SECOND LEGISLATIVE DAY

FIFTY-SEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, April 6, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Regan, due to illness.

Senator Teale, on motion of Senator Regan, due to legislative business.

Senator Dorsey, on motion of Senator Burns, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Charles Petit, George M. Purvis, Lee Bennett, and Roy Pinkerton, all from Ventura.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joe Murphy, T. A. Minardi, Harold J. Flannery, V. W. Helma, and Vern Venable, all of San Jose.



On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Edward P. O'Rear of Los Angeles.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Shirley C. Titus, Executive Director, California State Nurses' Association, San Francisco; Mrs. Myra Faraday, San Francisco, Chairman of the Legislative Committee, California State Nurses' Association; members of Legislative Committee, California State Nurses' Association: Miss Juanita Booth, San Fernando; Mrs. Lois Dietz, Modesto; Miss Mary Lewis, Riverside; Mrs. Alice Ingmire, San Francisco; Mrs. Grace Barbee, Berkeley, and Miss Mary Giles, San Francisco.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to advisor Joe L. Ransom and the following members of the Explorer Post No. 4 of Chico: Kip Dauven, Don Heinze, Don Jarman, Carl Leverenz and Larry LaBreacht.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. M. Roard of Hollywood.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Florence Johnson and son Dennis, of Mill Valley.

On request of Senators Regan and Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Betty McCarthy, wife of Senator McCarthy, and daughters Maureen, Margie, Monica and Colleen, from San Francisco.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hope Cobey of Merced.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lee Gaither of Los Molinos.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to L. L. Baxter and the Misses Leora and Lelah Baxter of Los Angeles.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following adults and students from Clovis Union High School: Naoma Alcorn, Charlie Allen, Wanda Bailes, Ruben Barrios, Judy Beaumont, Judy Beiden, Marvin Bennett, Pete Bergdorf, Irma Bertholf, Max Bishop, Mike Booth, Sally Bouton, Jerry Britten, Dorothy Brooks, Barbara Brosi, Dan Brown, Anita Calderon, Louis Catallo, Roger Conner, Annie Coronado, Chuck Cox, Joyce Cresson, Myrna Daniels, Elvin Dau, Clara DeLuca, Peggy Doolittle, Janet Fairchild, Savina Faore, Barbara Fowler, Wanita Fries, Janice Harbick, Frank Harris, Bob Harrison, It Howard, Val Hunter, Don Jones, Virginia Johnson, John Johnson, Ed Karrer, Lawrence Kelley, Lynne Kiska, Don McElmore, Phillip McMindes, Helen Lopez, Veda Luhn, Pat Milnes, Jim Morris, Harriet Morrison, Ann Mowery, Ellen Niere, Shirley Owens, Ronnie Penner, Dorothy Pinner, Mike Posch, Mary Lou Riley, Don Rohde, Donna Rowland, Liz Scott, Jerome Shain, Janet Shohara, Harold Shrout, Jack

Simpson, Larry Smith, Lois Smith, Carol Snow, Ken Standley, Jerry Stepherson, Carolyn Tarin, Veldonna Tullis, Jean Walker, Janet Wells, Nancy Wheeler, Sandy Baranzelli, Nancy Williams, Neal Williams, Mae Wright, Bob Yegheian, Wayne Zywicki, Betty Lancaster, Mrs. Cecil Wright, Jack Tinkler, Phillip Garver, and Norman Patchin.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Van R. Peirson of Seattle, Wash.; Miss Alma L. Garvin of Los Gatos; Mrs. John McBryan, Jerry Hamilton, and John L. Hamilton of Saratoga; Mrs. P. M. Armitage of Los Gatos; and Mrs. John L. Hamilton of Saratoga.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to leader Mrs. C. McCay, assistant Mrs. A. Elton, and the following members of the Ka-Ta-Kin-Yan Camp Fire Group: Nancy McCay, Janice Elton, Michele Soules, Martha Harris, Eloise Naff, Jeanne McCay, Patti Elton and Micki Elton.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to mothers Mrs. George Rice, Mrs. Garrett Saxton, Mrs. L. A. Patterson, Mrs. I. D. Smith and the following members of the Girl Scout Troop 266 of Oakland: Lois Atkinson, Mary Becker, Judy Best, Beverly Braden, Kathy Brizee, Sharon Dooley, Patsy Durkee, Sally Harris, Diane Hull, Gayleen Knutson, Linda Nelson, Gail Patterson, Martha Rice, Kathy Rogers, Dani Kay Saxton and Diane Smith.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Robert J. Rader, bus driver Charles S. McGaffin, chaperones Max Calvert, Mrs. Marion Calvert, Miss Evelyn Calhoun, and the following students from San Miguel Elementary School, San Miguel, San Luis Obispo County: Norval Awalt, Susan Basquez, Jerry Boyd, Judith Breese, Gilbert Buckman, Bonnie Calhoun, Maxine Calvert, Martin Cisneros, Ann Eyler, Roy Hiner, James Hughes, Lavone Littlefield, Thomas McKnight, Terrie Nordeen, Georgiana Shultz, Laverne Witeosky, and Della Zerkle.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to following members of the Lutheran League from Our Savior Church, Oakland: Julene Davis, Barbara Johnson, Darlene Marsh, Linda Bailey, Kaj Ericksen, Fleming Madsen, Bruce Peterson, Susan Johnston, Judy Bailey, Larry Nielsen, David Paulsen, Ollie Barre, Paul Nielsen, Rosalie Andersen, and Jerry Lincoln.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Logan, O. N. Minniear, Roy E. Needham, Mrs. Dorothy Harrison, John Delphia, all of Patterson; John B. Mehigin of Ceres, Robert W. Adams of Modesto, Milo F. Bradshaw of Wadeford, Marion H. Morrihead of Modesto, C. C. Bessey of Patterson, Vern Venable and Joe Murphy of San Jose, Stanley T. Wilson of Turlock, Gene R. Ley and Dan G. Beeknell of Newman, and Charles A. Filippini, and John H. Evans of Patterson.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ed Levin, Roy Kennedy, and Irving Normandin, all of San Jose.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruth C. Cole of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of Parent-Teachers Association in Oakland: Mesdames William Colwell, Susan Stuart, Robert Combs, Eleanor Poston, Doris Ehrenpfort, J. W. Oseamon, Howard Trippy, W. Shepherd, N. McMillan, Frank Meek, Roselle Cook, Elmer Etter, Maurice Sussman, Lucien Gunn, and Miss Elizabeth McFeely, teacher.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 801

Senate Bill No. 802

Senate Bill No. 1705

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 46

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1109

Assembly Bill No. 1349

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 144

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 284—An act to add Section 13203.5 to the Education Code, relating to automobile allowances to school district employees;

Senate Bill No. 389—An act to amend Section 73 of the Streets and Highways Code, relating to the relinquishment of state highways or portions thereof;

Senate Bill No. 490—An act to amend Section 403 of the Fish and Game Code, relating to licenses;



**Senate Bill No. 491**—An act to amend Section 1047 of the Fish and Game Code, relating to private stocking of domestically reared fish;

**Senate Bill No. 626**—An act to amend Sections 1351 and 1352 of, and to add Article 6.5 to Chapter 3, Part 3 of Division 4 of, the Fish and Game Code, relating to frogs;

**Senate Bill No. 1067**—An act to add Section 376 to the Education Code, relating to employees of county superintendents of schools;

**Senate Bill No. 1068**—An act to amend Section 370 of the Education Code, relating to employees of county superintendents of schools;

**Senate Bill No. 1196**—An act to amend Section 5402 of the Public Resources Code, relating to recreation, park, and parkway districts, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 1275**—An act to amend Sections 19533 and 19539 of, to repeal Section 19539.5 of, and to add Sections 19535 and 19539.5 to, the Business and Professions Code, relating to horse racing;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 858

Senate Bill No. 1703

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1362

Senate Bill No. 1760

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 220

Assembly Bill No. 1577

Assembly Bill No. 1565

Assembly Bill No. 1583

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 2360

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 920

Assembly Bill No. 663

Senate Bill No. 1238

Assembly Bill No. 726

Senate Bill No. 1241

Assembly Bill No. 890

Assembly Bill No. 61

Assembly Bill No. 891

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

THOMPSON, Vice Chairman

Above reported bills ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 191  
Senate Bill No. 1367

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

THOMPSON, Vice Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1272

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

THOMPSON, Vice Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1844  
Assembly Bill No. 2256

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 1; absent 3.

THOMPSON, Vice Chairman

Above reported bills ordered to second reading.

**Committee on Rules**

## SENATE CHAMBER, SACRAMENTO, April 5, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 68    Assembly Concurrent Resolution No. 72  
Assembly Concurrent Resolution No. 71    Assembly Concurrent Resolution No. 74

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.

**Committee on Finance**

## SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 239

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

HULSE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 883  
Senate Bill No. 1187

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 443

Assembly Bill No. 1002

Assembly Bill No. 3775

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 8

Senate Bill No. 780

Senate Bill No. 33

Senate Bill No. 996

Senate Bill No. 79

Senate Bill No. 1123

Senate Bill No. 441

Senate Bill No. 1147

Senate Bill No. 562

Senate Bill No. 1179

Senate Bill No. 620

Senate Bill No. 1206

Senate Bill No. 692

Senate Bill No. 1380

Senate Bill No. 693

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2934

Senator McBride moved that Assembly Bill No. 2934 be withdrawn from Committee on Revenue and Taxation and re-referred to Committee on Local Government.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE  
CONSTITUTIONAL AMENDMENT NO. 6

Senator John F. McCarthy moved that Senate Constitutional Amendment No. 6 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Constitutional Amendment No. 6**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8 to Article XXIV thereof, relating to the employment of private architects, engineers and consultants by the State.

Resolution read.

Motion to Amend

Senator John F. McCarthy moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed measure, in line 11, strike out "which is in excess"; and strike out all of line 12, and insert "when it is determined that the State is employing a staff of architects and engineers sufficient to handle the normal flow of state work in an efficient and economical manner but, because of seasonal work

peaks, pressing time limitations, or emergencies, said staff with the facilities available to it is unable to perform the particular work within the time the public interest requires such work to be done."

Amendment read, and adopted.

Resolution ordered printed, and to third reading. Re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 118

Senator John F. McCarthy moved that Senate Bill No. 118 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 118**—An act to amend Section 14101 of the Government Code, relating to public works.

Bill read second time.

##### Motion to Amend

Senator John F. McCarthy moved the adoption of the following amendment:

##### Amendment No. 1

On page 1 of the printed bill, strike out line 10 and insert "such work when it is determined that, because of seasonal work peaks, pressing time limitations, or emergencies said permanent staff with the facilities available to it is unable to perform the particular work within the time the public interest requires such work to be done."

Amendment read and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

##### Motion to Print With a Rush Order

Senator John F. McCarthy moved that Senate Constitutional Amendment No. 6 and Senate Bill No. 118 be sent to print with a rush order.

Motion carried.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1342

Senator Cunningham moved that Senate Bill No. 1342 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1342**—An act to add Sections 11009 and 11010 to the Penal Code, relating to a survey of law enforcement pursuant to the recommendation of the California Special Crime Study Commission on Organized Crime and of the American Bar Association Commission on Organized Crime, and the establishment of organized crime intelligence files.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, in the title of the printed bill, strike out "Sections 11009 and 11010", and insert "Section 11010".

**Amendment No. 2**

On page 1, in the title, strike out "a survey of law enforcement pursuant to the recommendation of the California Special Crime Study Commission on Organized Crime and of the American Bar Association Commission on Organized Crime, and".

**Amendment No. 3**

On page 1, strike out lines 1 through 16, inclusive.

**Amendment No. 4**

On page 1, line 17, strike out "2", and insert "1".

**Amendment No. 5**

On page 2, line 6, after "the", insert "unlawful".

**Amendment No. 6**

On page 2, after line 8, insert "Intelligence information contained in the files of the Department of Justice pursuant to this section shall be confidential, not open to public inspection and shall not be admissible in evidence in any legal proceedings."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 714**

Senator Burns moved that Assembly Bill No. 714 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 714**—An act to amend Section 1593 of the Education Code, relating to changes in status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "effective", insert "as to any district in any way affected by the action".

**Amendment No. 2**

On page 1, line 18, before the period, insert "and including the calling and conducting of such elections only in that portion of the district remaining after territory has been excluded therefrom in any manner by such action".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1029**

Senator Way moved that Senate Bill No. 1029 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1029**—An act to amend Section 709 of, and to add Section 709.5 to, the Vehicle Code, relating to vehicle and load weight limitations.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendments:

**Amendment No. 1**

In line 1, of the title of the printed bill, strike out "amend Section 709 of, and to add Section 709.5 to," and insert "add Section 709.5 to".

**Amendment No. 2**

On page 1, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 709.5 is added to the Vehicle Code, to read:".

**Amendment No. 3**

On page 2, line 12, strike out "once", and insert "twice".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1244**

Senator Robert I. McCarthy moved that Senate Bill No. 1244 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1244**—An act to amend Sections 4216 and 4272 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

**Motion to Amend**

Senator Robert I. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 1, 2 and 3 of the title and insert "An act to amend Sections 4218, 4352 and 4361 of the Agricultural Code, and to add a new Section 4223, relating to stabilization and marketing of fluid milk and fluid cream."

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 49, inclusive, and insert

"SECTION 1. Section 4218 of the Agricultural Code is amended to read:

4218. "Retail store" means any person or persons owning or operating a retail grocery store, restaurant, confectionery, or other similar business, where fluid milk or fluid cream is sold to the general public for consumption off the premises. *The term "retail store" shall further include persons who purchase or receive fluid milk or fluid cream from distributors for sale to consumers from vending machines or from vehicles where fluid milk or fluid cream is sold to consumers at their place of employment.*

## SEC. 2. Section 4223 is added to the Agricultural Code, to read:

4223. "Wholesale customer" means any person who buys fluid milk or fluid cream from a distributor for resale to consumers. Wholesale customer shall also include schools, hospitals, public agencies, eating establishments and other places where fluid milk or fluid cream is used in the manufacture of food products.

## SEC. 3. Section 4352 of said code is amended to read:

4352. Minimum wholesale prices, as used herein, includes prices at which fluid milk or fluid cream, or both, shall be sold by distributors to other distributors, other than in bulk, which prices may vary from the minimum prices established for sales by distributors to other wholesale customers and which prices shall be known as "subdistributor prices." A subdistributor price shall be established for each marketing area and when fluid milk or fluid cream, or both, is purchased, other than in bulk, by one distributor from another distributor for sale in a marketing area other than the marketing area where purchased the price paid shall not be less than the minimum subdistributor price for the marketing area in which the fluid milk or fluid cream, or both, is ultimately sold. *Minimum wholesale price schedules for fluid milk, fluid cream, or both, established by the director, may provide for quantity discounts, such discounts to be no more than those which give effect to delivery cost differences in the delivery of single orders of varying quantities of fluid milk, fluid cream, or both, to wholesale customers. Minimum retail price schedules for fluid milk, fluid cream, or both, established by the director for home delivery, may provide for either quantity discounts or delivery service charges, such discounts or service charges to be no more than those which give effect to delivery cost differences in the delivery of single orders of varying quantities of fluid milk, fluid cream, or both, to retail consumers. Minimum retail price schedules for fluid milk, fluid cream, or both, established by the director for retail stores may provide for quantity discounts, such discounts to be no more than those which give effect to handling cost differences in the sale of single orders of varying quantities of fluid milk, fluid cream, or both, to retail consumers.*

## SEC. 4. Section 4361 of said Code is amended to read:

4361. No distributor shall sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or to any consumer, and no retail store, restaurant, confectionery or other place for consumption on the premises, shall purchase from any distributor or sell to any consumer, any fluid milk or fluid cream, or either of them, at less than the prices as established by the director under the provisions of this article, and the use or attempted use of any method, device or any transaction whereby any distributor sells or offers or agrees to sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or any consumer or any retail store, restaurant, confectionery or other place for consumption on the premises, buys or offers or agrees to buy from any distributor, or sells or offers or agrees to sell to any consumer fluid milk or fluid cream, or either, at a price less than that established by the director under the provisions of this article, whether by discount, rebate, free service, advertising allowance, lease of [refrigeration] property or [other] equipment, or gift, or otherwise and whether any such [discount,] rebate, free service, advertising allowance, lease of [refrigeration] property or [other] equipment, or gift applies directly to fluid milk or fluid cream, or is allowed upon or in connection with the sale or handling of any other commodity or product, is hereby prohibited. *In addition to the foregoing, any of the following practices by distributors for the purposes of obtaining the fluid milk or fluid cream business are also prohibited and if indulged in by any distributor directly, or through an agent, employee, subsidiary or affiliated company or corporation or any other company or corporation controlled by the distributor directly or indirectly through ownership of issued capital stock or otherwise, or in any other manner, shall be grounds for suspension or revocation of the distributor's license in addition to the other penalties prescribed in this chapter: The granting of money loans, the leasing of any property or equipment except refrigeration facilities as provided in Section 4138 of this code, the rendering of other financial assistance in any form to any wholesale customer, the unwarranted extension of credit, the furnishing or painting of signs, other than signs bearing only the name and description of the distributor's products, the selling of any commodity handled by the distributor in connection with fluid milk or fluid cream at a lesser price to a fluid milk or fluid cream purchaser than the price to other customers who purchase such commodities in like quantities from the distributor, or any method or device which results in distribution of fluid milk or fluid cream, or both, at lower prices for such fluid milk or fluid cream than the minimum wholesale and retail prices for fluid milk or fluid cream, or both, established by the director for the marketing area involved."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1344**

Senator Coombs moved that Senate Bill No. 1344 be withdrawn from Committee on Military and Veterans Affairs for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1344**—An act to amend Section 1012 of the Military and Veterans Code, relating to the veterans' home.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in Senate March 24, 1955, after "tions", insert "from such service".

Amendment read, and adopted.

Bill ordered printed, and to third reading. Re-referred to Committee on Military and Veterans Affairs.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1982**

Senator Desmond moved that Senate Bill No. 1982 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1982**—An act to amend Section 23038 of the Business and Professions Code, relating to alcoholic beverage control.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 23038", and insert "Sections 23038 and 23039".

**Amendment No. 2**

On page 1, line 5, strike out "meals", and insert "food".

**Amendment No. 3**

On page 1, line 8, strike out "six", and insert "four".

**Amendment No. 4**

On page 1, line 10, strike out "meals", and insert "food".

**Amendment No. 5**

On page 1, line 12, strike out "meals", and insert "food".

**Amendment No. 6**

On page 1, line 13, strike out "meals actually are", and insert "food actually is".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 7

On page 1, after line 16, insert

"SEC. 2. Section 23039 of said code is amended to read:

23039. "Public bar," "public saloon," or "public barroom" means premises maintained and operated for the selling or serving of alcoholic beverages, other than beer, to the public for consumption on the premises, and which are not [equipped and] maintained and operated in good faith for the sale and service of [meals] food to the public, [and in which meals are not actually sold and served to the public] as provided in Section 23038."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1708

Senator Desmond moved that Senate Bill No. 1708 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1708**—An act to amend Section 7383 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7383 of" and insert "Sections 10051, 10052, 10053 and 10054 of, and to add Section 10051.5 to,".

#### Amendment No. 2

On page 1, strike out line 2 of the title, and insert "Code, relating to the Real Estate Board."

#### Amendment No. 3

On page 1, line 1, strike out "7383", and insert "10051".

#### Amendment No. 4

On page 1, strike out lines 3 to 11, inclusive, and insert

"10051. There is a Real Estate Board which consists of the Real Estate Commissioner, four home-builder members, and six other members.

All members of the board shall be appointed by the Governor.

SEC. 2. Section 10051.5 is added to said code to read:

10051.5. A person to be eligible for a home-builder member must be a contractor as is described in Section 7057 of the Contractors' License Law and whose principal business is the building and selling of homes.

The terms of the first home-builder members shall expire as follows: One member, January 15, 1956; one member, January 15, 1957; one member, January 15, 1958; and one member, January 15, 1959.

Thereafter the home-builder members shall be appointed for a term of four years and shall hold office until the appointment and qualification of their successor.

Any vacancy in the office of a home builder member of the board from any cause shall be filled by the Governor for the unexpired term.

Home-builder members shall be so appointed that at all times, two members shall be residents of the northern district and two members shall be residents of the southern district, as such districts are defined by Section 10054.

SEC. 3. Section 10052 of said code is amended to read:

10052. Members of the board, other than the home-builder members, shall be appointed for a term of four years and they shall hold office until the appointment and qualification of their successors.



The terms of the members of the board in office when this section takes effect shall expire as follows: One member, January 15, 1944; two members, January 15, 1945; two members, January 15, 1946; and two members, including the Real Estate Commissioner, January 15, 1947.

The terms shall expire in the same relative order as to each member as the term for which he holds office before this section takes effect.

Vacancies from any cause shall be filled by the Governor for the unexpired term.

SEC. 4. Section 10053 of said code is amended to read:

10053. *Except with respect to home-builder members*, no person shall be appointed a member of the board who has not been for five years a real estate broker actively engaged in business as such in California.

SEC. 5. Section 10054 of said code is amended to read:

10054. *Of the members of the board who are not home-builder members*, three members of the board shall be residents of the northern district of California, and three members shall be residents of the southern district of California. The commissioner shall be appointed at large. Not more than two members shall be appointed from any one county.

The northern district shall consist of all that portion of the State north of the northerly lines of the Counties of San Luis Obispo, Kern and San Bernardino, and the southern district shall consist of all that portion of the State south of the northerly lines of these three counties."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 602

Senator Richards moved that Senate Bill No. 602 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 602**—An act to amend Section 72702 of the Government Code, relating to municipal courts in Los Angeles County.

Bill read second time.

#### Motion to Amend

Senator Richards moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "72702", and insert "72706".

#### Amendment No. 2

On page 1, line 1, strike out "72702", and insert "72706".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1, following line 2, insert

"72706. The judges of the municipal court shall appoint as many commissioners, not exceeding [four] *five*, as the business of the court requires. Each commissioner shall possess the same qualifications as the law requires of a judge of the court. Within the jurisdiction of the court and under the direction of the judges, each commissioner shall exercise the powers and perform the duties authorized by law to be performed by commissioners of the superior court and such additional powers and duties as may be prescribed by law. The commissioners shall hold office at the pleasure of the judges and shall receive eleven thousand five hundred dollars (\$11,500) per annum. The commissioners shall be ex officio deputy clerks of the court and shall be members of any retirement system which includes attaches of the court."

**Amendment No. 4**

On page 1, strike out lines 3 to 6, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1774**

Senator Richards moved that Senate Bill No. 1774 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1774**—An act to amend Section 72706 of the Government Code, relating to the salaries of commissioners of the municipal court.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 72706", and insert "Sections 72706 and 72708".

**Amendment No. 2**

In line 2 of the title, strike out "the salaries of".

**Amendment No. 3**

On page 1, strike out line 13; and in line 14 strike out "(\$\_\_\_\_\_) per annum", and insert "an annual salary equal to that specified in Section 70140 for commissioners of the superior court".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 4**

On page 1, after line 16, insert

"SEC. 2. Section 72708 of said code is amended to read:

72708. The judges of the municipal court shall appoint a traffic commissioner who shall hold office at the pleasure of the judges and receive [a salary of eleven thousand five hundred dollars (\$11,500) per annum] *an annual salary equal to that specified in Section 70140 for commissioners of the superior court.*

In addition if he possess the qualifications prescribed by law for such office, he may be appointed and serve as a general commissioner of the court as provided in Section 72706 without extra compensation. He shall be a member of any retirement system which includes attaches of the court."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1775**

Senator Richards moved that Senate Bill No. 1775 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1775**—An act to amend Section 72703 of the Government Code, relating to the appointment of clerks in the municipal court.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 72703 of", and insert "add Section 72702.5 to".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 72702.5 is added to the Government Code, to read:  
72702.5. The clerk may appoint one chief deputy clerk who shall receive a monthly salary at a rate specified in schedule 23 of the salary schedule provided in Section 72705."

**Amendment No. 3**

On page 1, strike out lines 3 to 20, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1776

Senator Richards moved that Senate Bill No. 1776 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1776**—An act to amend Section 72751 of the Government Code, relating to the salary of the clerk of the municipal court.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "72751", and insert "72701".

**Amendment No. 2**

In line 2 of the title, strike out "the salary of the clerk", and insert "referees".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 72701 of the Government Code is amended to read:  
72701. There shall be one referee who shall be appointed by the judges of the court and who shall [receive six hundred seventy-seven dollars (\$677) monthly] have the same qualifications, duties, and salary as those provided for commissioners of the municipal court in Section 72706."

**Amendment No. 4**

On page 1, strike out lines 2 to 27, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1246**

Senator Parkman moved that Senate Bill No. 1246 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1246**—An act to add Chapter 4 to Division 3 of the Health and Safety Code, relating to pet birds and public health, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended on March 22, strike out ".148", and insert "0.148".

**Amendment No. 2**

On page 2, line 16, after the figure "3", strike out "(").

**Amendment No. 3**

On page 2, line 38, after the period, insert "Such fees shall be paid by the department into the General Fund in the State Treasury."

**Amendment No. 4**

On page 3, line 17, strike out "to"; and all of lines 18, 19, and 20, and insert "in the State Treasury in augmentation of Item 194 of the Budget Act of 1955, to be expended by the Department of Public Health in administration and enforcement of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1537**

Senator Hulse moved that Senate Bill No. 1537 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1537**—An act to amend Sections 812.4, 812.7, 814, 828.6, 829.35 and 829.4 and to repeal Sections 812.4a, 812.6, 814.1 and 828.7a of the Agricultural Code, relating to vegetables.

Bill read second time.

**Motion to Amend**

Senator Hulse moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "814," insert "828.55,".



**Amendment No. 1.5**

On page 1, line 6, strike out "45, 45A, 45B, 45C," and insert "45A, 45J,".

**Amendment No. 2**

On page 1, line 7, strike out "45P, or 45Q", and insert "or 45P".

**Amendment No. 3**

On page 1, strike out line 9, and insert " , or which are in sacks or bags."

**Amendment No. 4**

On page 1, line 19, after "In", insert "the".

**Amendment No. 5**

On page 1, line 20, after "removed", insert "and placed in consumer packages".

**Amendment No. 6**

On page 2, strike out lines 33 to 35, inclusive.

**Amendment No. 7**

On page 2, strike out line 50, and insert "45H, or 45I."

**Amendment No. 8**

On page 3, line 1, after "SEC. 6," insert "Section 828.55 of said code is amended to read:

828.55.	39 Standard cantaloupe crate.....	12	12	21 $\frac{7}{8}$	or 22 $\frac{1}{8}$
	40 Pony cantaloupe crate.....	11	11	21 $\frac{7}{8}$	or 22 $\frac{1}{8}$
	41 Jumbo cantaloupe crate.....	13	13	21 $\frac{7}{8}$	or 22 $\frac{1}{8}$
	42 Standard cantaloupe flat.....	4	12	21 $\frac{7}{8}$	or 22 $\frac{1}{8}$
	43 Special cantaloupe flat.....	4 $\frac{1}{2}$	13 $\frac{1}{2}$	21 $\frac{7}{8}$	or 22 $\frac{1}{8}$
	44 Special cantaloupe flat.....	5	14 $\frac{1}{2}$	21 $\frac{7}{8}$	or 22 $\frac{1}{8}$
	44.1 Special cantaloupe crate.....	12 $\frac{1}{2}$	14 $\frac{1}{2}$	21 $\frac{7}{8}$	

SEC. 7".

**Amendment No. 9**

On page 3, line 7, strike out "Standard crate 9 $\frac{1}{2}$ ", and insert "Lettuce crate 9".

**Amendment No. 10**

On page 3, strike out line 9, and insert "45B Lettuce crate 9 $\frac{1}{2}$  13 $\frac{1}{2}$  20 $\frac{1}{2}$ ".

**Amendment No. 11**

On page 3, strike out line 11.

**Amendment No. 12**

On page 3, line 12, strike out "45D", and insert "45C".

**Amendment No. 13**

On page 3, line 15, strike out "45E", and insert "45D".

**Amendment No. 14**

On page 3, line 17, strike out "45F", and insert "45E".

**Amendment No. 15**

On page 3, line 18, strike out "45G", and insert "45F".

**Amendment No. 16**

On page 3, line 19, strike out "45H", and insert "45G".

**Amendment No. 17**

On page 3, line 20, strike out "45I", and insert "45H".

**Amendment No. 18**

On page 3, line 21, strike out "45J", and insert "45I".

**Amendment No. 19**

On page 3, line 22, strike out "45K", and insert "45J".

**Amendment No. 20**

On page 3, line 23, strike out "45L", and insert "45K".

**Amendment No. 21**

On page 3, line 24, strike out "45M", and insert "45L".

**Amendment No. 22**

On page 3, line 25, strike out "45N", and insert "45M".

**Amendment No. 23**

On page 3, line 26, strike out "45O" and insert "45N".

**Amendment No. 24**

On page 3, line 27, strike out "45P", and insert "45O".

**Amendment No. 25**

On page 3, line 28, strike out "45Q", and insert "45P".

**Amendment No. 26**

On page 3, line 30, strike out "7.", and insert "8."

**Amendment No. 27**

On page 3, line 31, strike out "8.", and insert "9."

**Amendment No. 28**

On page 3, line 32, strike out "45, 45A, 45B, 45C," and insert "45A, 45J,".

**Amendment No. 29**

On page 3, line 33, strike out "45P and 45Q", and insert "and 45P".

**Amendment No. 30**

On page 3, line 35, strike out "9.", and insert "10."

**Amendment No. 31**

On page 3, line 37, strike out "45I and 45J", and insert "and 45I".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**CONSIDERATION OF DAILY FILE**

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 1044**—An act to amend Section 3125 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 12, of the printed bill, after "equipment.", insert "Such parking area shall be amortized through rental payments as fixed by the Department of Finance. Such rental payments shall approximate prevailing rates for parking in the immediate area."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1094**—An act to add Section 203.6 to the Welfare and Institutions Code, relating to county hospitals.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 15, of the printed amended bill, strike out "general", and insert "hospital".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 325**—An act to amend Sections 465 and 525 and repeal Section 525.1 of the Vehicle Code, relating to driving upon highways in the extreme right lane.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 465 and 525 and repeal".

##### Amendment No. 2

In line 3 of the title, strike out "extreme right", and insert "right hand".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 3

On page 1, strike out lines 1 to 24, inclusive; and strike out page 2, and insert "SECTION 1. Section 525.1 of the Vehicle Code is amended to read:  
525.1. Driving in Right Hand Lane. Notwithstanding the prima facie speed limits, upon all highways any vehicle proceeding in a direction at less than the normal speed of traffic [thereon] in such direction at such time shall be driven in the right hand lane for traffic or as close as practicable to the right hand edge or curb, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. The Department of Public Works may post signs at appropriate places to indicate that such vehicles shall be driven in the right hand lane."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**Senate Bill No. 1971**—An act to add Sections 197.5 and 2107.5 to, and to amend Section 2108 of, the Streets and Highways Code, relating to the allocation and expenditure of funds for city street purposes.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert "197.5. Any city may have any or all of its engineering and administrative work with respect to city streets done by contract. If authorized by their legislative bodies, two or more cities, by agreement, may jointly exercise the power granted by this section pursuant to the provisions of Sections 6500-6513, inclusive, of the Government Code."

##### Amendment No. 2

On page 1, strike out lines 13 to 22, inclusive, and insert

"(a) For each city with a population of over 500,000 inhabitants	....	\$20,000
(b) For each city with a population of 100,000 to 500,000 inhabitants	....	10,000
(c) For each city with a population of 50,000 to 99,999 inhabitants	....	7,500
(d) For each city with a population of 25,000 to 49,999 inhabitants	....	6,000
(e) For each city with a population of 20,000 to 24,999 inhabitants	....	5,000
(f) For each city with a population of 15,000 to 19,999 inhabitants	....	4,000
(g) For each city with a population of 10,000 to 14,999 inhabitants	....	3,000
(h) For each city with a population of 5,000 to 9,999 inhabitants	....	2,000
(i) For each city with a population of less than 5,000 inhabitants	....	1,000".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**Senate Bill No. 987**—An act to repeal Division 10 of, and to add Division 10, comprising Sections 24501 to 27509, inclusive, to, the Public Utilities Code, to amend Section 1241 of the Code of Civil Procedure, and to amend Section 1355.1 of the Financial Code, relating to transit districts.

Bill read second time.

**Motion to Re-refer Senate Bill No. 987**

Senator Hulse moved that Senate Bill No. 987 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 135**—An act to add Sections 62.2, 217, 218, 219, and Division 2B to, and to amend Sections 215 and 216 of, the Vehicle Code, relating to highway user taxes and fees, creating the Reciprocity Commission, and defining the powers thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 3 of the printed bill, as amended in Senate March 31, 1955, strike out lines 23 to 34, inclusive, and insert "such jurisdictions in this State. It shall be incumbent upon the commission, wherever practicable, to enter into agreements or arrangements for the proportionate registration and licensing of vehicles under the provisions of Section 219."

**Amendment No. 2**

On page 4, line 18, of the printed bill, as amended in Senate March 31, 1955, after "effective", insert "and shall remain in effect until revoked by act of the Commission".

**Amendment No. 3**

On page 4, between lines 22 and 23, insert:

"(f) The commission shall report all of its transactions under this section annually to the Legislature."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2554**—An act to add Section 2007.1 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly March 10, 1955, strike out lines 11 to 14, inclusive, and insert "recipient is notified in writing that he may have a representative of his own selection present at the time the demand for reimbursement is discussed with him."

Amendment read, and adopted.

Bill ordered printed, and to third reading.



**Assembly Bill No. 3515**—An act to amend Section 1732 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 136**—An act to amend Section 591 of the Vehicle Code, relating to illegal parking.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 388**—An act to add Section 702 to the Vehicle Code, relating to the loading of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 135**—An act to amend Section 583 of the Vehicle Code, relating to moving vehicles stopped, parked, or left standing on a highway.

Bill read second time, and ordered to third reading.

#### CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bill No. 803 was taken up.

**Senate Bill No. 803**—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3924, 3925, 3926, 3946, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Bill read third time.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Burns moved a call of the Senate.

Motion carried. Time, 3.30 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 6, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: As I pointed out to you in my message of January 3, 1955, the "conservation and development of our water resources is of paramount importance to the people of our State." The problem is also one which calls for action. Such action, in my judgment, should be initiated at the present session of the Legislature. Considering our rapidly increasing population, and looking at the State as a whole, we well may be facing a very serious situation in the not too distant future.

We are all in agreement, I am sure, that there must be a sound and basic plan for the full conservation, control, and utilization of all of the water resources in California, both underground and surface, to meet present and future needs for all beneficial purposes and uses in all areas of the State. I realize, however, that the full implementation of the California Water Plan is a long-range program to which the Legislature will wish to give careful consideration. It will involve, among its many aspects, the determination of an equitable and just solution of the problem involved in the diversion and distribution of surplus waters from areas where they may not be needed to areas of deficiency.

Pending the formulation of such a program, I wish to make the following specific recommendations for action at this session of the Legislature:

1. *Trinity River Project.* The plan of the Department of the Interior for the development of the Trinity project has heretofore been submitted to, and favorably recommended by, the executive branch of the State Government on April 15, 1953.

There is now pending in the Congress legislation to provide for federal construction of this project as a unit of the Central Valley Project. I reiterate my recommendation of last January that the Legislature adopt a joint resolution urging the Congress to take favorable action on appropriate legislation to authorize construction of the project.

2. *San Luis Project.* The confusion that has arisen with respect to the Trinity River Project apparently stems from the fact that the legislation in Congress to authorize the "Trinity River Division" also includes authorization of the so-called San Luis Project, which is also proposed to be made a part of the Central Valley Project, as now operated by the Federal Government. The dam and reservoir on San Luis Creek in western Merced County, which presumably would be main features of the project, have also been studied and included by the Division of Water Resources as a part of the State's Feather River Project.

I am advised that the existing Tracy pumping plant, and portions of the Delta-Mendota Canal, have excess capacity at the present time which could be used to supply water from the Sacramento-San Joaquin Delta for a reservoir on San Luis Creek, at least for an initial development as contemplated by pending congressional legislation. In view of the urgent need for a supplemental supply of water for lands in the San Joaquin Valley which could be served by such a San Luis development, the plan to use this excess capacity of existing facilities of the Central Valley Project appears to me to be logical. On the other hand, any federal development of the project should not prevent the use of the San Luis reservoir site and appurtenant works which will be required for development of the Feather River Project as now planned.

What we need is a cooperative arrangement with the Federal Government whereby immediate construction of the San Luis Project may proceed as a joint federal-state undertaking. Both federal and state legislation, in all probability, would be required to provide for any such cooperative arrangement. I urge that the Legislature memorialize the Congress to authorize such a program, and that any necessary state legislation also be enacted. Such federal and state legislation should provide for implementation of the program by a contract between the State and the Federal Government.

3. *Feather River Project.* The Feather River Project has been authorized by the Legislature for construction by the State as a major unit of our long-range water plan. The plans that have been made for it are state plans, while the plans for the Trinity River Project are federal plans. The flood waters of the Feather River constitute, I am advised, the largest single remaining source of high quality, unconserved water in the Central Valley. This great project is vitally needed, not only for a firm supply of irrigation water, and for flood control on the reaches of the Feather River itself, but also to firm up a supply of water in the delta for transportation and use in the San Joaquin Valley, for a supply to the Santa Clara Valley, and other coastal areas, as well as Southern California.

I repeat the urgent recommendation of my message of last January—that the Legislature take "immediate steps to determine the proper and most effective means of raising the funds necessary for its construction" to the end that initial phases of the project can be gotten under way without delay, to the greatest extent that the Legislature finds it possible to finance at this session.

While such initial work is being undertaken, the Legislature will, I am sure, be conscious of the need for protecting the reasonable water requirements of the counties of origin.

In order that the government of the State may be in a position to act, and to act effectively, on all fronts at all times with respect to water matters, I urge again the creation of a workable State Water Resources Department to be headed by a director, and with clear lines of authority. While it is recognized that this may be a complicated problem, it is my judgment that action should be taken at this session of the Legislature.

The above-mentioned recommendations cover problems relating to water, and its conservation and distribution, which appear to me to be the most pressing at the present time. They are not intended to cover all of the many important related problems and, for that reason, I may transmit further recommendations prior to the adjournment of the present session.

The fact that the Legislature may not find it possible to act on all phases of the water problem in the immediate future, should not deter it from giving prompt attention to those matters on which, I think, we can all agree there should be no further delay.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

Message read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE, SACRAMENTO, April 5, 1955  
*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

LARS E. CARLSON, a resident of La Jolla; retired realtor; Member of the San Diego Mental Hygiene Association; Member of the Board of Trustees, Metropolitan State Hospital since June 5, 1944;

to the Board of Trustees, Metropolitan State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the commission.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 797

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Constitutional Amendment No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported resolution re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 169

Senate Bill No. 1031

Senate Bill No. 224

Senate Bill No. 1037

Senate Bill No. 372

Senate Bill No. 1484

Senate Bill No. 405

Assembly Bill No. 850

Senate Bill No. 504

Assembly Bill No. 851

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 454

Senate Bill No. 1288

Senate Bill No. 1116

Assembly Bill No. 1008

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 639

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 168

Senate Bill No. 368

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 77

Assembly Concurrent Resolution No. 78

Assembly Concurrent Resolution No. 81

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

**Assembly Concurrent Resolution No. 77**—Relative to commending Mrs. Hazel Miller, President of the Woman's Auxiliary to the California Medical Association.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 78**—Relative to the California Teamsters.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 81**—Relative to the construction and dedication of the National Broadcasting Company's Color City.

Referred to Committee on Rules.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 124

Assembly Bill No. 198

Assembly Bill No. 768

Assembly Bill No. 965

Assembly Bill No. 966

Assembly Bill No. 1444

Assembly Bill No. 1923

Assembly Bill No. 2010

Assembly Bill No. 2011

Assembly Bill No. 2820

Assembly Bill No. 3772

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk



## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 124**—An act to amend Section 178 of the Vehicle Code, relating to registration of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 198**—An act to amend Sections 511.1, 511.3, 511.4 and 740, and to repeal Sections 511.5 and 511.9 of the Vehicle Code, relating to speed of vehicles on highways.

Referred to Committee on Transportation.

**Assembly Bill No. 768**—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to the use of additional funds.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 965**—An act to amend Section 28118 of the Government Code, relating to compensation for public service in a county of the eighteenth class.

Referred to Committee on Local Government.

**Assembly Bill No. 966**—An act to amend Section 418 of the Education Code, relating to the superintendent of schools in a county of the eighteenth class.

Referred to Committee on Local Government.

**Assembly Bill No. 1444**—An act to amend Sections 19360 and 19365 of the Government Code, relating to transfer in the state civil service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1923**—An act to amend Section 454 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 2010**—An act to amend Section 6358 of the Education Code, relating to school district taxes.

Referred to Committee on Education.

**Assembly Bill No. 2011**—An act to amend Sections 1803 and 1805 of the Education Code, relating to elections of trustees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2820**—An act to amend Section 1598 of the Education Code, relating to liability for existing bonded indebtedness of a school district by territory annexed thereto without affirmative action by the residents of such territory, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 3772**—An act to validate the acts and proceedings of governing boards of school districts in calling, holding and conducting elections within school districts to authorize the governing

boards thereof to borrow and expend apportionments from the State of California under and subject to the provisions of Chapter 19 of Division 3 of the Education Code, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SACRAMENTO, CALIFORNIA, April 5, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 16, 1955, appointing

JAMES D. TANTE, to the Adult Authority

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Burns moved that the Senate confirm and consent to the appointment of James D. Tante as a member of the Adult Authority.

The President put the question, "Will the Senate confirm and consent to the appointment of James D. Tante as a member of the Adult Authority?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—30.

NOES—None.

### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of James D. Tante as a member of the Adult Authority.

## CONSIDERATION OF DAILY FILE (RESUMED)

### MOTIONS TO RECONSIDER

**Assembly Bill No. 1793**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

### Motion to Postpone Consideration

Senator Richards moved that his motion to reconsider the vote whereby Assembly Bill No. 1793 was refused passage be continued to the next legislative day.

The roll was called, and the motion carried by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, and Way—29.

NOES—None.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 146**—An act to amend Section 430 of the Education Code, relating to the compensation of public officers.

## Motion to Refer Bill to Inactive File

Senator Coombs moved that Senate Bill No. 146 be placed on the inactive file.

Motion carried.

**Senate Bill No. 492**—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read third time.

## Motion to Amend

Senator Coombs moved the adoption of the following amendment:

## Amendment No. 1

On page 1 of the printed bill, as amended in Senate March 28, 1955, strike out lines 11 to 17, inclusive, and insert "a year. He shall devote his entire time to the work of the county and State and is prohibited from engaging in private work or practice.

(c) Each supervisor, four thousand two hundred dollars (\$4,200) a year which shall be".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1546**—An act to amend Section 2665 of the Business and Professions Code, relating to the practice of physical therapy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1376**—An act to amend Sections 4196 and 4094 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1362**—An act to amend Sections 4012 and 4010 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 858**—An act to amend Section 10202.8 of the Insurance Code, relating to group insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Thompson, Way, and J. Howard Williams—29.

NOES—Senator Richards—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1703**—An act to amend Sections 9 and 3166 and to repeal Sections 9.1 and 3166.1 of the Civil Code, relating to the time for payment or presentment of negotiable instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1760**—An act to amend Section 5050.5 of the Insurance Code, relating to county mutual fire insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 113**—An act to amend Section 7 of the Civil Code, relating to holidays.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 1797**—An act to add Sections 1192.1 and 1192.2 to the Penal Code, relating to pleas of guilty.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1804**—An act to amend Section 987a of the Penal Code, relating to compensation of counsel appointed by a court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1970**—An act to amend Sections 803, 803.5, 806, 828.15, 828.25, 828.4, and 829.2 of the Agricultural Code, relating to standard containers for fruit, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator J. Howard Williams.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, and J. Howard Williams—31.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2999**—An act to add a title to Article 1 of Chapter 1 of Part 4 of Division 13, immediately preceding Section 35000 of, to add Section 35007 to, to add Article 2 to Chapter 1 of Part 4 of Division 13 of, and to amend Sections 36726 and 36825 of, the Water Code, relating to California water districts.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2839**—An act to amend Section 1194.5 of the Insurance Code, relating to investments by insurance companies.

Bill read third time, and presented by Senator Miller.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2840**—An act to amend Section 1192.4 of the Insurance Code, relating to investments by insurance companies.

Bill read third time, and presented by Senator Miller.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Short, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 109**—An act to amend Sections 9 and 3166 and to repeal Sections 9.1 and 3166.1 of the Civil Code, relating to the time for payment or presentment of negotiable instruments.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1179**—An act to amend Section 620 of the Financial Code, relating to par value of stock issued by any bank or trust company.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy,

Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 120**—An act to amend Section 25006 of the Corporations Code, relating to the definition of the word "broker" under the Corporate Securities Law.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Short, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.38 p.m., on motion of Senator Burns, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 803 passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Murdy, Parkman, Sutton, Thompson, Way, and J. Howard Williams—25.

NOES—Senators Cobey, Gibson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, and Short—9.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 793

Senator Gibson moved that Senate Bill No. 793 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 793**—An act to amend Section 1600 of the Business and Professions Code, relating to dentistry.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1600 of", and insert "add Section 1671 to".

#### Amendment No. 2

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 1671 is added to the Business and Professions Code, to read:

1671. The adjudication of insanity or mental illness, or the voluntary commitment or admission to a state hospital of any licensee for a mental illness shall operate as a suspension of the right to practice of any licensee under this chapter, such suspension to continue until restoration to or declaration of sanity or mental competence. The record of adjudication, judgment or order of voluntary commitment

is conclusive evidence of such insanity or mental illness, and upon receipt of a certified copy of any such adjudication, judgment, voluntary commitment or order by the board it shall immediately suspend the license of the person adjudicated or committed. The board shall not restore such license to good standing until it shall receive competent evidence of restoration to or declaration of sanity and until it is satisfied that, with due regard for the public interest, said person's right to practice may be safely reinstated. Before reinstating such person, the board may require the person to pass an oral examination to determine his present fitness to resume his practice."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1441

Senator Kraft moved that Senate Bill No. 1441 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1441**—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Bill read second time.

##### Motion to Amend

Senator Kraft moved the adoption of the following amendments:

##### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "providing for surveys, plans, estimates of costs, and preliminary engineering, for", and insert "relating to".

##### Amendment No. 2

In line 3 of the title, after "crossing", insert "or ferry".

##### Amendment No. 3

On page 1, lines 1 and 2, strike out "two hundred thousand dollars (\$200,000)", and insert "fifty thousand dollars (\$50,000)".

##### Amendment No. 4

On page 2, line 17, strike out "95", and insert "50".

##### Amendment No. 5

On page 2, line 19, strike out "the remainder", and insert "50 percent".

##### Amendment No. 6

On page 2, after line 20, insert  
"SEC. 2. If a toll tube or other toll highway crossing described in Section 1 of this act is constructed, and will accommodate a substantial part of the traffic served by a privately owned toll bridge, ferry, tube, or other toll highway crossing, the authority shall authorize and direct the department to acquire such ferry either through mutual agreement with the ferry owners or by the exercise of eminent domain. The authority shall provide in the mutual agreement or in the exercise of eminent domain that the owners of the ferry shall through a process of collective bargaining pay personnel severance pay and the actuarial value of accrued pension rights, and if a ferry so acquired is operated by the authority, the authority shall pay the personnel thereof one month's severance pay for each year of service with the ferry up to 15 years, when the ferry service is discontinued.

The authority may authorize the department to operate a toll bridge, ferry, tube, or other toll highway which has been acquired, with the personnel theretofore employed thereon, until such time as the authority and the department in their discretion deems it necessary or desirable to discontinue operations, in which event



the authority shall authorize and direct the department to discontinue the toll bridge, ferry, tube, or other toll highway and pay the personnel thereof one month's severance pay for each year of service with the ferry up to 15 years.

In the employment of personnel the department shall, insofar as possible, employ persons displaced from their usual positions with a privately owned toll bridge, ferry, tube, or other highway crossing, because of the operations of the authority and department, and pay said personnel at least the rates of pay which such persons received in private employment."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### ADJOURNMENT

At 3.45 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 2 p.m., Thursday, April 7, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

FIFTY-EIGHTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, April 7, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Gibson, on motion of Senator Sutton, due to legislative business.

Senator Dale C. Williams, on motion of Senator John F. McCarthy, due to illness.

Senator Dorsey, on motion of Senator John F. McCarthy, due to legislative business.

## RECESS

At 2.12 p.m., on motion of Senator John F. McCarthy, the Senate recessed to permit Lieutenant Governor Harold J. Powers to introduce to the Senate Lieutenant Governor Rex Bell of the State of Nevada.

Lieutenant Governor Bell addressed the Senate briefly, extending greetings from the State of Nevada.

## REASSEMBLED

At 2.16 p.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John Cotton, Mr. and Mrs. Lawrence Cotton, and Miss Joan Cotton, all of San Diego; Mrs. Kirby Blodgett of Bakersfield, and Mrs. Glenn Noyes of Berkeley.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Edwin J. Regan with her children, Michael, Kathleen, Craig, and her niece, Kathleen Much.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Phil Berry of Placerville.

On request of Senators Burns and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal O. M. Custer, Jack Huber, teacher, and the following students from the Sierra-Enterprise School District, Sacramento County: Timothy Allen, Marcilla Batarra, Tommy Bauder, Billy Cowan, Beverly Crabtree, Bill Franklin, Russell Haught, Lee Heany, Sally Herzog, Myrna Humpherys, Jackson Ito, Henry Kunitake, Jack Liddie, Leroy Luckart, Carol Maxwell, Ruby Oshiro, Joe Pinola, Rebecca Provencio, Rusby Takehara, Shirley Takehara, Harold Turner, Amy Umeda, Harry Yamamura, Louise Dixon, and Patsy Cunningham.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph Maddux, district attorney, Santa Rosa.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. P. Bodmer, teacher, Mr. and Mrs. Strother Futrell, and the following students from Miramonte Elementary School, Miramonte: Linda Rowe, Bernie Shipman, Patsy Lambeth, Janet Futrell, Jane Futrell, Rodney Bodmer and Larry Bodmer.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Wheeler of Los Angeles; Mr. Martin of Los Angeles; and Linda and Mary Ann Dold of El Centro.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following foreign students from Stanford University: Hans Herbig, Kenji Kudeken, Bruce MacNaughton, Tula Ram Pareek, Francois Perrin-Palletier, Nico Scholtens, Herbert Schon, Chrissy Stevens, Toshio Takenouchi, Clifford Kimber, Yvonne Averitt, and Dorothy Adams.

On request of Senators Kraft and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Joe Hollibough of Los Angeles.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert Johnson of Nipomo, and Thomas Farney and Michael Farney of Oceano.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Doran Tregarthen and children Janet and Timothy of San Bernardino.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Roger Berthuli and the following students from the Scandinavian Elementary School District, Fresno: Sharron Andrist, Carl Bocchini, Patricia Cahill, Gary Caskey, Brenda Coffey, Pamela Cryder, Willis Dent, Connie Drysdale, Joyce Erickson, Alice Glim, Alan Hanley, Bobby Harding, Bill Hedrick, Jackie Heliniski, Ellen Hopkins, Judith Inselman, Alice Johnson, Judy Kroeker, Janice McLaren, Edward Nigg, Dennis Nixon, George Perry, Mary Stumpf, Lloyd Wiens, Larry Wilkenson, John Andrews, Hazel Argentino, Terry Fleisher, Patti Lewis, Billy Matheson, Judy McNatt, Gloria McLaughton, Bonez Reed, Connie Tompkins, Virginia Troth, Kay Viau, Dorothy Wimer, Florence Wimer, Steve Woodell, Gary Cordero, Joan Ridgway; Dale Addington, teacher, Eddie Ballew, Bill Berg, Bill Boatman, Charles Bolding, Clarence Bramlett, Kenny Brumbaugh, Charles Cawvey, John Cser, Norman Deal, Pete Espinoza, LeRoy Facciani, Lynwood Langer, Walter Leach, Donald Linton, Richard Petrille, Larry Pipkin, Danny Snowden, Harry Stonebreaker, John Williams, Bill Yrulegui, Judy Albert, Carol Arney, Bobbie Jean Brown, Barbara Costello, Sue Cockrum, Lavon Crain, Thelma Dean, Sharon DeLee, Vera Dotson, Catherine Eastham, JoAnn Fry, Judy Geisler, Anita Leal, Loretta Manion, Carol Jean Minor, Pauline Patterson, Antonina Schafer, Linda Stamps, Beverly Takahashi, Deanna Tullis, Richard Bettencourt, Alex Frank, Ed Green, David Kirkman, Harold Moon, Terry Ulsh, Jerry Harris, Kalle Maidre, Ryamond Newman, Margaret Arellano, Sandra Canfield, Grace Cardoza, Christine Huggins, Loa Sparhawk, Susan Wagoner, Donna Fry, and Earline Stonebreaker.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following Coro Foundation Interns in Public Affairs: Dianne Catlin, Robert M. Christofferson, Arthur Hoff, Garth Lipsky, Cassa J. Mercer, Jr., Martin M. Ostrow, Albert Nieto, Benjamin Neufeld, Oliver B. Peter, Cecil S. Riley, Barbara Tuerk, Mary Ellen Utshig; Coro Foundation staff members Samuel S. Sewall (Assistant Director), and Mary E. Farrell.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Professor and Mrs. Robert E. G. Harris, Mr. and Mrs. Robert Rutland and Betsy Rutland, and the following students from the graduate department of Journalism, University of California at Los Angeles: Mary Anderson, Morland Baker, Lou Ann Black, Paul Brown, Larry Carmel, Lynn Carpenter, Stuart Case, Patricia Cox, Forrest Cress, William Durkee, Fernand Lekime, Charles Pharaoh, Robert Ramsey, John Rengstorff, and Hal Watkins.



## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

CONSULATE GENERAL OF INDIA  
April 5, 1955

*Lieutenant Governor Harold J. Powers*  
*State Capitol*  
*Sacramento, Calif.*

DEAR LIEUTENANT GOVERNOR POWERS: I write to thank you for the great courtesy with which you received me when I was invited to address the Senate of the State of California on Friday, April 1, 1955. As I said in my address, I considered it a great honor done to the country which I represent in San Francisco, besides being a great personal privilege, to have been invited to address the Senate. Fundamentally, there is a very great deal in common between the ideals of the Republics of the United States of America and of India and the more contact there is, the greater will this awareness grow. May I convey to you and to the Senate my grateful appreciation once again for the great honor done to my country and to me by this thoughtful gesture?

With kind regards,  
Yours sincerely,

S. K. BANERJI, Consul General

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 732  
Assembly Bill No. 734  
Assembly Bill No. 1053  
Assembly Bill No. 1536

Assembly Bill No. 2689  
Assembly Bill No. 3080  
Assembly Bill No. 3437

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 732**—An act to amend Section 31590 of the Government Code, relating to warrants drawn on retirement funds.

Referred to Committee on Judiciary.

**Assembly Bill No. 734**—An act to add Sections 25303.1, 25303.2, 25303.3, 25303.4, 25303.5 and 25303.6 to the Government Code, relating to the acceptance of negotiable paper.

Referred to Committee on Judiciary.

**Assembly Bill No. 1053**—An act to amend Sections 682, 688, 690.11 and 690.26 of the Code of Civil Procedure, relating to exemptions from attachment or execution proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 1536**—An act to add Sections 74351, 74352, 74353, and 74354 to the Government Code, relating to municipal courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 2689**—An act to add Sections 73648, 73958 and 74748 to the Government Code, relating to the payment of official reporters in the municipal courts in San Diego County.

Referred to Committee on Judiciary.

**Assembly Bill No. 3080**—An act to add Section 6067 to the Government Code, relating to publication.

Referred to Committee on Judiciary.

**Assembly Bill No. 3437**—An act to amend Sections 587 and 1515 of the Probate Code, relating to guardians, executors and administrators.  
Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 84

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 84**—Relating to extending good wishes to Dr. Harry M. Howell in his illness.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 87

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 87**—Relative to congratulating the United Bay Area Crusade.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 489

Senate Bill No. 1135

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 92

Senate Bill No. 97

Senate Bill No. 98

Senate Bill No. 100

Senate Bill No. 102

Senate Bill No. 320

Senate Bill No. 342

Senate Bill No. 524

Senate Bill No. 558

Senate Bill No. 648

Senate Bill No. 860

Senate Bill No. 1334

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Constitutional Amendment No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 766

Assembly Bill No. 1618

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 220**—An act to amend Sections 470, 471, and 472 of the Fish and Game Code, relating to the licensing of guides.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 920**—An act to amend Section 12024.5 of the Business and Professions Code, relating to sale of certain foods by weight.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1238**—An act to amend Section 19209 of, and to add Article 9.5, comprising Sections 19215 to 19215.8, inclusive, to Chapter 3 of Division 8 of the Business and Professions Code, relating to furniture and bedding.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1241**—An act to add Sections 19063, 19064, 19211, and 19212 to the Business and Professions Code, relating to furniture and bedding.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 191**—An act to amend Sections 7310, 7311, 7372 and 7394.1 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1, line 18, of the printed bill, after "infectious", insert "or contagious".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1367**—An act to repeal Section 4035 of the Business and Professions Code, and to add Section 4035 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 2, line 5, of the printed bill, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

**Amendment No. 2**

On page 2, line 7, strike out "----- Bill No. ----", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1272**—An act to amend Section 9531 of the Business and Professions Code, relating to cleaning, dyeing and pressing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "years", insert ", and they shall serve until the appointment and qualification of their successor, but in such case no member whose term of office has expired shall serve for a period longer than six months, unless reappointed to the board".

**Amendment No. 2**

On page 1, lines 5 and 6, strike out "two successive terms", and insert "more than two successive regular four year terms".

**Amendment No. 3**

On page 1, lines 8 and 9, strike out "in office when this section takes effect", and insert "first appointed".

**Amendment No. 4**

On page 1, strike out lines 13 to 16, inclusive, and insert

"Three on January 15, 1946.

Three on January 15, 1947.

One on January 15, 1949."

**Amendment No. 5**

On page 1, strike out lines 18 and 19, and insert "the members first appointed. Vacancies occurring shall".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1844**—An act to add Section 7360.1 to the Business and Professions Code, relating to authorizing permanent waver licensees to perform certain cosmetological practices.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 239**—An act to amend Sections 14276, 15751, 15752, 15770, 15771, 15772, 15790, 15791, 15792, 15794, 15795, 15796, 15797, 15798, 15851, 15852, 15853, 15854, 15855, 15857, 15858, 15859, 15861, 15864, 15865, and 15866 of, to amend the title of Chapter 2 of Part 10, Division 3, Title 2 of, to amend and renumber Section 13115, as added by Chapter 16 of the Statutes of 1951, to be Section 13114.5 of, and to add Sections 14105, 15770.1, 15770.3, 15770.4, 15790.5, 15791.5, and 15796.5 to, the Government Code, and to amend Section 1468 of the Fish and Game Code, relating to public works.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Senate March 31, 1955, strike out lines 8 and 9, and insert

"1410.5. As directed by the Public Works Commission the Director of Public Works shall require the Division of Architecture".

**Amendment No. 2**

On page 4, strike out lines 44 and 45, and insert

"15790.5. As directed by the Public Works Commission the Director of Public Works shall require the Division of Architecture to".

**Amendment No. 3**

On page 5, strike out lines 4 and 5, and insert

"15791.5. As directed by the Public Works Commission the Director of Public Works shall require the Division of Architecture to".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 883**—An act to amend Sections 340, 416, and 562 of, and to add Section 342 to, the Military and Veterans Code and to repeal Section 561 of said code, relating to the State Militia, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 342 to,".

**Amendment No. 2**

On page 3, line 13, strike out "Section 342 is added to said code, to read:"; strike out lines 14 to 26, inclusive; and in line 27, strike out "SEC. 5,".

**Amendment No. 3**

On page 3, line 28, strike out "6", and insert "5".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1187**—An act to add Section 35.12 to the Agricultural Code, relating to the Department of Agriculture Building Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 20 of the printed bill, as amended in Senate March 21, 1955, strike out ", but not limited to,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 8**—An act to add Section 69590.5 to, and amend Section 69668 of the Government Code, relating to the Superior Court of the County of Napa.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 33**—An act to add Section 69609 to the Government Code, relating to the number of judges of the Superior Court of Placer County.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 79**—An act to amend Section 69588 of the Government Code, relating to the Superior Court of the County of Marin.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 441**—An act to repeal Section 9123 of, and to add Article 10, comprising Sections 9141 to 9143, inclusive, to Chapter 7 of Division 4 of, the Education Code, relating to teaching service and opportunity centers for the blind.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 562**—An act to add Section 4455.5 to the Public Resources Code, relating to forest insect infestations, and disease infections.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 620**—An act to amend Section 10270 of, and to add Section 10270.1 to, the Insurance Code, relating to tuition refund insurance.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 692**—An act to amend Sections 5053, 5510, 6002, 6004, 6561, 6907, 7152, 7155, 7156, 7172, and 8403 of, and to add Sections 5613 and 6705.5 to the Financial Code, relating to savings and loan associations and the administration of the law with respect thereto.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 693**—An act to add Article 4 to Chapter 17 of Part 1 of Division 2 of the Financial Code, relating to conservatorships of savings and loan associations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 780**—An act to amend Section 18404 of the Education Code, relating to school sites.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 996**—An act to repeal Sections 701, 702, and 705 of the Insurance Code and to add Sections 701 and 705 to said code, relating to the duration of certificates of authority issued to insurance carriers and the annual fees therefor.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1123**—An act to add Section 12701, 12702, and 12703 to the Water Code, relating to the project on San Lorenzo Creek in Alameda County for flood control and allied purposes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1147**—An act to amend Section 11013 of, and to add Sections 11013.1, 11013.2, 11013.3, 11013.4, and 11013.5 to, the Business and Professions Code, relating to real estate subdivisions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1179**—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1206**—An act to add Section 8753, and to amend Section 8805 of the Business and Professions Code, relating to land surveyors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1380**—An act to amend Section 6535 of, and to add Section 6535.1 to, the Business and Professions Code, relating to barbers and barber colleges.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 169**—An act to amend Section 7800 of the Education Code, relating to school district public works.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 224**—An act to amend Section 407 of the Education Code, relating to the salary of the superintendent of schools of a county of the seventh class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 372**—An act to add Chapter 24 to Division 3 of the Education Code, to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 405**—An act to add Section 20360 to the Education Code, relating to commencement exercises and other public ceremonies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 504**—An act to amend Sections 21362, 21364, 21367, 21368, 21371, 21381, 21382, 21383, 21384, 21391, 21392, 21393, 21395, and 21396 of, to add Sections 21364.1 and 21385 to, and to add Article 5 to Chapter 8 of Division 10 to, and to repeal Section 21372 of, the Education Code, relating to the residential schools known as the California Academies for dependent, neglected and homeless children.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1031**—An act to provide for a study of the problems in the education of emotionally disturbed children in the public schools of California and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1037**—An act to amend Section 12139 of the Education Code, relating to the standards for the issuance of teaching credentials.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1484**—An act to amend Section 410 of the Education Code, relating to the superintendent of schools of a county of the tenth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 454**—An act to add Section 6109.1 to the Education Code, relating to the Public School System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

On page 1, line 7, of the printed bill, following the word "show", insert "that it had been drawn on the order of a school district naming the school district and shall show,".

##### Amendment No. 2

On page 1, line 12, strike out "return the order, requisition, and", and insert "transmit the".

##### Amendment No. 3

On page 1, line 13, following the word "schools", insert "who shall transmit it to the governing board of the school district".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1116**—An act to amend Sections 5085 and 7778 of the Education Code, relating to the public school system declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

On page 2 of the printed bill, as amended in Senate April 1, 1955, strike out lines 31 to 51, inclusive, and insert "quiring district, or, in the event such portion of such apportionment is a lower percentage of such apportionment than the percentage that the assessed valuation in the territory of the state-aided district which was transferred to the acquiring district is of the total assessed valuation of the state-aided district immediately preceding the effective date of the transfer, the acquiring district shall become liable for the payment to the State of that percentage of the annual repayment and all other repayments due the State under Section 5057 and other provisions of this chapter with respect to such apportionment which is equal to such percentage of assessed valuation in the territory transferred to the acquiring district."

##### Amendment No. 2

On page 3, strike out lines 40 to 52, inclusive, and on page 4, strike out lines 1 to 8, inclusive, and insert "property acquired, or to be acquired by the acquiring district, or, in the event such portion of such apportionment is a lower percentage



of such apportionment than the percentage that the assessed valuation in the territory of the state-aided district which was transferred to the acquiring district is of the total assessed valuation of the state-aided district immediately preceding the effective date of the transfer, the acquiring district shall become liable for the payment to the State of that portion of the annual repayment and all other repayments due the State under Section 7729 and other provisions of this chapter with respect to such apportionment which is equal to such percentage of assessed valuation in the territory transferred to the acquiring district. "Annual repayment," as".

#### Amendment No. 3

On page 4, strike out lines 10 to 12, inclusive, and insert "tions 7726 to 7729, inclusive, and excludes amounts for which".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1288**—An act to amend Sections 21601, 21602, 21604, 21612, and 21613 of, and to add 21605 to, the Education Code, relating to the schooling and care of cerebral palsied and other similarly handicapped children.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 2 of the title of the printed bill, strike out ", and to add 21605 to,".

##### Amendment No. 2

On page 1, after line 27, insert

"(f) Contract with the University of California or with other public or private hospitals or schools of medicine for the establishment and maintenance of two or more diagnostic and treatment centers for cerebral palsied and other similarly handicapped children."

##### Amendment No. 3

On page 2, strike out lines 5 to 9, inclusive.

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### Amendment No. 4

On page 2, strike out lines 20 to 35, inclusive, and insert

"21613. Every resident minor of California, of suitable age and capacity, as determined by means of diagnosis at the [cerebral palsy] diagnostic and treatment centers for cerebral palsied and other similarly handicapped children, is entitled to enrollment in a school for cerebral palsied children, free of charge.

Children crippled by cerebral palsy, not resident of California, may be admitted to the benefits of the schools upon paying to the State Department of Education, quarterly in advance, the actual support cost at the average cost of maintaining pupils in the school for the period in question. This cost shall be determined by the Department of Education with the approval of the Department of Finance."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 168**—An act to amend Sections 7103.1 and 7103.2 of the Education Code, relating to the excess cost of educating severely mentally retarded minors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "four hundred fifty dollars (\$450)", and insert "four hundred dollars (\$400)".

**Amendment No. 2**

On page 1, lines 18 and 19, strike out "four hundred fifty dollars (\$450)", and insert "four hundred dollars (\$400)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 368**—An act to repeal Sections 1047, 5010 (as added by Chapter 533, Statutes 1953), 9196, 19310, and 19627 of, and to amend Sections 5010 (as added by Chapter 1028, Statutes 1953), 5902, and 16143 of the Education Code, relating to audits and the public school system.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "At the end", and insert "Not later than the first day of June".

**Amendment No. 2**

On page 1, line 19, strike out "August 31" and insert "May 1".

**Amendment No. 3**

On page 2, line 22, after "make", insert "satisfactory".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 639**—An act to amend Sections 19601, 19601.5, 19601.6, 19601.7, 19604, 19607.1, 19607.2, 19607.4, 19607.6, 19608, 19610, 19611, and 19613 of, to add Sections 19608.1, 19611.3, and 19614.1 to, and to repeal Section 19620 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 3, line 12, of the printed bill, as amended in Senate March 29, 1955, following the period, insert "In computing the maximum 'total monthly income' of self-employed persons the gross income of such persons may be reduced by the legitimate business expenses incident to the self-employment."

**Amendment No. 2**

On page 3, line 23, following "Section 19601.6," insert "but is not greater than three times the amount fixed by Section 19601.6,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1565**—An act to add Section 610.5 to the Fish and Game Code, relating to possession of fish.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1577**—An act to amend Section 976 of the Fish and Game Code, relating to the taking of fish.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1583**—An act to amend Section 1260 of the Fish and Game Code, relating to taking of deer with bow and arrow, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2360**—An act to add Section 813.5 to the Fish and Game Code, relating to the sale of scallops.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 61**—An act to amend Section 6528 of the Business and Professions Code, relating to barber college instructors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 663**—An act to amend Section 2733.5 of the Business and Professions Code, relating to professional nurses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 726**—An act to amend Section 11501 of the Government Code, relating to administrative hearings.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 890**—An act to amend Section 6534.6 of the Business and Professions Code, relating to barbers and barber colleges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 891**—An act to amend Section 6536 of the Business and Professions Code, relating to barbers and barber colleges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2256**—An act to add Section 23428.2 to the Business and Professions Code, relating to club licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 443**—An act to amend Sections 28, 46.5, 291, 330.5, 373.5, 571.5, 668, 1402, 1404, 2605, 3709, 3822, 3922, 3935, 3944, 5563, 5717, 5726, 5805, 5931.5, 9002, 9801, and 11053 of, and to add Sections 370.1, 658.6 and 5755 to, and to repeal Sections 669, 670, 671, 672, 672.5, and 673 of, the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1002**—An act to add Articles 3 and 4 to Chapter 7 of Division 5 of the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3775**—An act making an appropriation to the Attorney General for investigative purposes, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 850**—An act to amend Section 19611 of the Education Code, relating to retirement status of child care center employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 851**—An act to amend Section 14725 of the Education Code, relating to taxes levied for membership in a local retirement system.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1008**—An act to add Sections 3401.1 and 3401.2 to, to repeal Articles 2, 3, and 4, comprising Sections 3431 through 3494, of Chapter 11 of Division 2 of, to add Article 2, comprising Sections 3410 through 3421, to Chapter 11 of Division 2 of, to repeal Articles 13, 13.5, 14, 15, 16, and 17, comprising Sections 3741 through 3841, of Chapter 11 of Division 2 of, to amend Sections 3896, 3897, and 3942 of, to repeal Section 3943 of, and to repeal Article 22, comprising Sections 3961 through 3973, of Chapter 11 of Division 2 of the Education Code, relating to high school district organization.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 18, 1955, strike out "and 3401.2", and insert ", 3401.2, and 8733".

##### Amendment No. 2

On page 5, between lines 20 and 21, insert

"SEC. 11. Section 8733 is added to said code, to read:

8733. This section applies to any elementary school district wholly included in a unified school district or a high school district, including a union high school district, joint union high school district, or county high school district, and which inclusion is effective for all purposes on or after July 1, 1956, and which elementary school district is required, pursuant to this article, to pay, during the first fiscal year commencing on the date inclusion is effective for all purposes, to the unified district or high school district in which it is included two hundred dollars (\$200) for each unit of average daily attendance for use of buildings and equipment as part of the tuition charge on account of persons residing in the elementary district who, during the preceding fiscal year, attended high school in the high school district or unified district in which such elementary district is included.

Notwithstanding other provisions of law, such elementary district shall not be liable for the payment of such two hundred dollars (\$200) a unit of average daily attendance if, prior to the date the inclusion is effective for all purposes, the elementary district assumes liability for the outstanding bonded indebtedness of the high school district, if it is included in a high school district, or for the outstanding bonded indebtedness of the unified district for high school and junior college purposes, if the elementary district is included in a unified district.

For the purposes of this section, the county superintendent of schools shall determine, pursuant to Section 4714, the amount of outstanding indebtedness of a unified school district issued for high school and junior college purposes.

Liability for such outstanding bonded indebtedness may be assumed at any election held for such purpose in accordance with law except that, if the elementary district is included in a unified school district, at the request of the governing board of such elementary district, the ballot shall contain, in addition to other required



provisions, the words "for assumption of liability of outstanding bonded indebtedness of . . . District issued for high school purposes and junior college purposes (if there is no such indebtedness for junior college purposes the reference to junior college purposes shall be deleted)—Yes" and "For assumption of liability for outstanding bonded indebtedness of . . . District, issued for high school purposes and junior college purposes (if there is no such indebtedness for junior college purposes, the reference to junior college purposes shall be deleted)—No."

#### Amendment No. 3

On page 5, line 21, strike out "11", and insert "12".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### MOTION TO RE-REFER TO THE COMMITTEE ON FINANCE

Senator Hulse moved that Senate Bills Nos. 220, 1238, 1241, 372, 405, 504, 1031, and Assembly Bills Nos. 663 and 890 be re-referred to the Committee on Finance.

Motion carried.

#### MOTION TO RE-REFER ASSEMBLY BILL NO. 2256

Senator Burns moved that Assembly Bill No. 2256 be re-referred to Committee on Governmental Efficiency.

Motion carried.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 492**—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Combs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1044**—An act to amend Section 3125 of the Unemployment Insurance Code, relating to unemployment insurance.

#### Motion to Re-refer Senate Bill No. 1044

Senator Hulse moved that Senate Bill No. 1044 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1094**—An act to add Section 203.6 to the Welfare and Institutions Code, relating to county hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Combs, Cunningham, Desmond, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 135**—An act to add Sections 62.2, 217, 218, 219, and Division 2B to, and to amend Sections 215 and 216 of, the Vehicle Code, relating to highway user taxes and fees, creating the Reciprocity Commission, and defining the powers thereof.

**Motion to Re-refer Senate Bill No. 135**

Senator Hulse moved that Senate Bill No. 135 be re-referred to Committee on Finance.

Motion carried.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1180**—An act to amend Sections 2070 and 2093 of the Financial Code, relating to the merger of banks and trust companies.

Bill read third time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 1, of the printed bill, as amended in Senate April 5, 1955, after "company.", insert "The merger or consolidation of such banks shall have the same force and effect as is provided in the Corporations Code for the merger or consolidation of domestic corporations."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 144**—An act to add Section 861 to the Financial Code, relating to statements rendered by banks to depositors.

Bill read third time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 15 and 16, strike out "reasonable manner, indicates to the depositor", and insert "manner reasonably calculated to give notice thereof to the depositor indicates".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2554**—An act to add Section 2007.1 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time, and presented by Senator Way.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobe, Collier, Coombs, Cunningham, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

**NOES**—None.

**Motion to Reconsider**

Senator Desmond moved to reconsider the vote whereby Assembly Bill No. 2554 was passed.

The roll was called and Assembly Bill No. 2554 was reconsidered by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—Senator Donnelly—1.

Assembly Bill No. 2554 ordered to third reading file.

**Assembly Bill No. 136**—An act to amend Section 591 of the Vehicle Code, relating to illegal parking.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 388**—An act to add Section 702 to the Vehicle Code, relating to the loading of vehicles.

Bill read third time, and presented by Senator Way.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 135**—An act to amend Section 583 of the Vehicle Code, relating to moving vehicles stopped, parked, or left standing on a highway.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 68**—Relative to welcoming members of the Committee on the Armed Forces Education Program to California.

Resolution read, and presented by Senator Robert I. McCarthy.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 71**—Relative to congratulating the Honorable Gilbert H. Jertberg.

Resolution read, and presented by Senator Burns.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Burns moved a call of the Senate.

Motion carried. Time, 3.12 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Concurrent Resolution No. 72**—Relative to the Pacific Coast Intercollegiate Boxing Tournament.

Resolution read, and presented by Senator Coombs.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 74**—Relative to the observance of Public Schools Week.

Resolution read, and presented by Senator Dilworth.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MOTIONS TO RECONSIDER**

**Assembly Bill No. 1793**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

**Motion to Reconsider Waived**

Senator Richards waived his motion to reconsider the vote whereby Assembly Bill No. 1793 was refused passage.

**UNFINISHED BUSINESS**

**Consideration of Assembly Amendments**

**Senate Bill No. 144**—An act to add Section 217 to the Vehicle Code, relating to reciprocity with respect to the privileges of persons owning vehicles registered elsewhere than in this State, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 144?



**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended March 16, 1955, strike out "until", and insert ", except as the reciprocal privileges herein continued may hereafter be affected by revision of the laws of this State or any other state, District of Columbia, territory, province or country".

**Amendment No. 2**

On page 1, line 8, strike out "January 1, 1956".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 144 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Above bill ordered enrolled.

**RESOLUTIONS**

The following resolution was offered:

By Senator Way:

**Senate Resolution No. 89**

Relating to reconnaissance surveys, State Highway Route 56, in Mendocino and Humboldt Counties

**WHEREAS**, Heavy stands of timber and other natural resources in the westerly sections of Mendocino and Humboldt Counties could be tapped for the general economic benefit of California, if adequate highways served these areas; and

**WHEREAS**, Sections of road between Westport and Leggett Valley (in Mendocino County) and Ferndale (in Humboldt County) were added to State Highway Route 56, by act of the California Legislature in 1951; and

**WHEREAS**, It is important to the economy of California that the most feasible and practical permanent routing be selected for aforementioned highway sections, also taking into consideration the scenic and recreational factors and their benefits to the health of the people and the economic well-being of the State; and

**WHEREAS**, The population in the northwest counties of California, also traffic volume on existing highways therein, continue to increase, which means that eventually State Highway Route 56 must be laid out and constructed to modern standard; now, therefore, be it

*Resolved*, That the Director of Public Works be requested to conduct reconnaissance surveys of possible routings between Westport in Mendocino County and Ferndale in Humboldt County, and submit report thereof, together with estimates of engineering, rights of way and construction costs on respective routings thus surveyed, to the California Senate not later than February 28, 1956.

Resolution read, and referred to Committee on Rules.

**LETTER OF TRANSMITTAL**

SENATE SPECIAL COMMITTEE ON GOVERNMENTAL ADMINISTRATION

SACRAMENTO 14, CALIFORNIA, April 7, 1955

*Hon. Harold J. Powers, President, and  
Members of the Senate*

**GENTLEMEN**: Your Senate Special Committee on Governmental Administration created by Senate Resolution 157 (Senate Journal 1953, page 4145) presents herewith a partial report of its activities and the results of its review of civil defense and its study of radiological services together with its recommendations.

Respectfully submitted by,

GEORGE MILLER, Chairman  
JOHN F. MCCARTHY, Vice Chairman  
HAROLD T. JOHNSON  
RANDOLPH COLLIER  
HUGH M. BURNS

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

**MOTION TO PRINT REPORT**

Senator Miller moved that 500 additional copies of the report submitted by the Senate Special Committee on Governmental Administration be printed for distribution.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Joint Resolution No. 22:** By Senator Byrne—Relative to the storage of surplus wheat in California.

**Request for Unanimous Consent**

Senator Byrne asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 22, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 22**

**Senate Joint Resolution No. 22**—Relative to the storage of surplus wheat in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolutions were introduced, and read.

**Senate Joint Resolution No. 23:** By Senators Miller, Harold T. Johnson, Burns, Collier, and John F. McCarthy—Relative to the protection of the public health and safety from the hazards of peacetime ionized radiation use.

Referred to Committee on Rules.

**Senate Joint Resolution No. 24:** By Senators Miller, Harold T. Johnson, Burns, Collier, and John F. McCarthy—Relative to memorializing Congress to study the problems involved in civil defense.

Referred to Committee on Rules.

**WITHDRAWAL AND RE-REFERENCE OF SENATE  
BILLS NOS. 1834, 1835, AND 1836**

Senator Burns moved that Senate Bills Nos. 1834, 1835 and 1836 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Judiciary.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 859**

Senator Miller moved that Senate Bill No. 859 be withdrawn from Committee on Judiciary and re-referred to Committee on Governmental Efficiency.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 9**

Senator Thompson moved that Senate Bill No. 9 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 9**—An act to authorize the Department of Public Works to grant certain excess lands in Santa Clara County to the Santa Clara Valley Water Conservation District.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in Senate March 15, 1955, after "convey", insert "without cost".

**Amendment No. 2**

On page 1, line 11, after "District", insert "subject to such reservation of access to the freeway as the department may deem proper".

**Amendment No. 3**

On page 1, line 14, strike out "consisting", and insert "to be used by the district for the public purpose of water conservation, and to consist".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 140**

Senator Sutton moved that Senate Bill No. 140 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 140**—An act to amend Section 25632 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "25632", and insert "23426".

**Amendment No. 2**

On page 1, line 1, strike out "25632", and insert "23426".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, strike out lines 3 to 8, inclusive, and insert "23426. For the purposes of this article "club" also means any golf club which has more than 100 bona fide members, which owns, maintains, or operates a regular golf links together with a clubhouse thereon, and which has operated the establishment for not less than one year; or any swimming and tennis club which maintains a standard AAU swimming pool and not less than [five] two regulation tennis courts, together with the necessary facilities and clubhouse, which has 200 members or more paying regular monthly dues, and which has been in existence for not less than two years."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1773**

Senator Richards moved that Senate Bill No. 1773 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1773**—An act to add Division 16 to the Elections Code, creating a Fair Elections Practices Study Commission, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 20, of the printed bill, strike out "eight", and insert "ten".

**Amendment No. 2**

On page 1, line 22, after "business", insert "; two representatives of agriculture".

**Amendment No. 3**

On page 3, line 43, after the period, insert "A majority recommendation by the commission shall require an affirmative vote of 75 percent of the members of the commission."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
CONCURRENT RESOLUTION NO. 42**

Senator Byrne moved that Senate Concurrent Resolution No. 42 be withdrawn from Committee on Rules for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Concurrent Resolution No. 42**—Relative to making additional funds available to the Legislative Budget Committee for the purpose of making a review of the proposed Feather River Project.

Resolution read.



**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed measure, as amended in Senate April 5, 1955, strike out "Legislative Budget Committee", and insert "Joint Committee on Water Problems".

**Amendment No. 2**

On page 2, line 10, strike out "impossible", and insert "possible".

**Amendment No. 3**

On page 2, line 21, strike out "Legislative Budget Committee", and insert "Committee on Water Problems".

**Amendment No. 4**

On page 2, lines 35 and 36, strike out "Legislative Budget Committee", and insert "Joint Committee on Water Problems".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Rules.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1265**

Senator Robert I. McCarthy moved that Senate Bill No. 1265 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1265**—An act to amend Section 1272 of the Penal Code, relating to admission to bail upon appeal from conviction.

Bill read second time.

**Motion to Amend**

Senator Robert I. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out "Any".

**Amendment No. 2**

On page 1 strike out lines 12 to 16 inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
CONSTITUTIONAL AMENDMENT NO. 2**

Senator Desmond moved that Senate Constitutional Amendment No. 2 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Constitutional Amendment No. 2**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Resolution read.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 7 of the printed measure, as amended in Senate March 23, 1955, strike out "two".

**Amendment No. 2**

On page 2, line 7, after "where", insert "all".

**Amendment No. 3**

On page 2, line 8, after "liquors", insert " , except as otherwise provided herein,".

**Amendment No. 4**

On page 2, strike out lines 9 to 20, inclusive, and insert "ises :

(a) For bona fide eating places, as defined by the Legislature.

(b) For public premises in which no food shall be sold for consumption upon the premises, and no person under the age of 21 years shall be permitted to enter and remain in any such premises without lawful business therein.

(c) For public premises for the sale and service of beers alone.

(d) Under such conditions as the Legislature may impose, for railroad dining or club cars, passenger ships, common carriers by air, and bona fide clubs after such clubs have been lawfully operated for not less than one year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Government Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1720**

Senator Desmond moved that Senate Bill No. 1720 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1720**—An act to amend Section 23 of the Insurance Code, and to add Section 23 (a) to the Insurance Code, relating to the definition of insurer.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "23 of the Insurance Code, and to add Section 23(a) to", and insert "108 of".

**Amendment No. 2**

In line 3 of the title, strike out "insurer", and insert "liability insurance".

**Amendment No. 3**

On page 1, line 1, strike out "23", and insert "108".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 4**

On page 1 between lines 2 and 3, insert

"108. Liability insurance includes:

(a) Insurance against loss resulting from liability for injury, fatal or nonfatal, suffered by any natural person, or resulting from liability for damage to property, or property interests of others but does not include workmen's compensation, common carrier liability, boiler and machinery, or team and vehicle insurance;

(b) With respect to operations or property covered by a policy of liability insurance as defined in subdivision (a), insurance of medical, hospital, surgical and funeral loss or expense of the insured or other persons injured, and in the case of an automobile liability policy disability benefits to the insured or other persons injured and in the event of their death funeral and accidental death benefits to their dependents, beneficiaries or personal representatives irrespective of legal liability of the

insured, and when issued with or supplemental to the insurance defined in subdivision (a);

(c) Insurance against loss to an insured of the whole or any part of any uncollected and unsatisfied judgment, or any sums in lieu thereof, for damages resulting from bodily injury to or death of an insured caused by accident and arising out of the ownership, maintenance or use of any self-propelled motor vehicle which is used primarily for transporting person or property on a street or highway, except a vehicle operated upon stationary rails or tracks;

[(c)] (d) The provisions of this code relating to disability insurance do not apply to the insurance defined in [subdivision (b)] *this section.*"

#### Amendment No. 5

On page 1, strike out lines 3 to 23, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.38 p.m., on motion of Senator Burns, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Concurrent Resolution No. 71 was adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Combs, Cunningham, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Miller, Montgomery, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—Senators Desmond, Dilworth, Donnelly, Kraft, and McBride—5.

Resolution ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 339**—An act to amend Section 29747 of the Government Code, relating to claims allowed by county auditor;

**Senate Bill No. 340**—An act to amend Section 29746 of the Government Code, relating to the transmittal of claims rejected by the auditor;

**Senate Bill No. 343**—An act to amend Section 29712 of the Government Code, relating to submission and payment of claims;

**Senate Bill No. 344**—An act to amend Section 25350 of the Government Code, relating to the purchase of real property requiring the publication of a notice of intention;

**Senate Bill No. 345**—An act to amend Section 29323 of the Government Code, relating to revolving fund bonds;

**Senate Bill No. 413**—An act to repeal Section 351 of the Education Code, relating to school superintendents;

**Senate Bill No. 722**—An act providing funds for the completion of the lower level of the Richmond-San Rafael Bridge, and approaches to said bridge;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of April, 1955, at 4.50 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 492**

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 135

Senate Bill No. 1044

Senate Bill No. 1094

And reports the same correctly engrossed.

WARD, Chairman

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 1490

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 483

Senate Bill No. 741

Senate Bill No. 778

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

Committee on Elections

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Assembly Bill No. 538

Assembly Bill No. 222

Assembly Bill No. 227

Assembly Bill No. 289

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency to which were referred:

Senate Bill No. 130

Senate Bill No. 131

Senate Bill No. 351

Senate Bill No. 445

Senate Bill No. 696

Senate Bill No. 711

Assembly Bill No. 326

Assembly Bill No. 516

Assembly Bill No. 727

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1518

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; noes 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency to which were referred:

Senate Bill No. 1613

Assembly Bill No. 761

Assembly Bill No. 2015

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 76

Senate Bill No. 487

Senate Bill No. 436

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

**Committee on Judiciary**

## SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 51

Senate Bill No. 1000

Senate Bill No. 62

Senate Bill No. 1585

Senate Bill No. 190

Assembly Bill No. 665

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

REGAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 660

Assembly Bill No. 740

Senate Bill No. 1088

Assembly Bill No. 86

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 1307

Senate Bill No. 1473

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 998

Assembly Bill No. 2285

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 748

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

REGAN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 733

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; noes 3; absent 2.

REGAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1474

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

REGAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1251

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; noes 1; absent 4.

REGAN, Chairman

Above reported bill ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1724

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, April 4, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Assembly Bill No. 224

Assembly Bill No. 229

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

**ADJOURNMENT**

At 3.40 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 9 a.m., Friday, April 8, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY

FIFTY-NINTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 8, 1955

The Senate met at 9 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Teale, on motion of Senator Robert I. McCarthy, due to legislative business.

Senator Dale C. Williams, on motion of Senator Robert I. McCarthy, due to illness.

Senator Dorsey, on motion of Senator Way, due to legislative business.

Senator Desmond, on motion of Senator Busch, due to illness.

Senator Kraft, on motion of Senator Ward, due to legislative business.

Senator Cobey, on motion of Senator Robert I. McCarthy, due to legislative business.

Senator John F. McCarthy, on motion of Senator Robert I. McCarthy, due to legislative business.

Senator Cunningham, on motion of Senator Harold T. Johnson, due to legislative business.



Senator McBride, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Collier, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Parkman, on motion of Senator Harold T. Johnson, due to legislative business.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Ward asked for, and was granted, unanimous consent to have the following letter by Senator Kraft explaining his absence from the Senate on this legislative day, printed in the Journal.

SENATE, CALIFORNIA LEGISLATURE  
April 7, 1955

#### *To the President of the Senate*

MR. PRESIDENT: I respectfully request that I be excused from the session on Friday, April 8th, because of legislative duties.

I have been requested to attend the meeting of the State Board of Pharmacy in Southern California in order to confer with them on pending legislation.

SENATOR FRED H. KRAFT

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mary Anderson of Beverly Hills, Mrs. Grace Hood Rollins of Alhambra, and Mrs. R. H. Rollins of Arcadia.

On request of Senator Short and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Virginia Lee Mathews of Los Angeles.

On request of Senators Montgomery and Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Jerald Mackey and children William, Barbara, Elizabeth and Robert, of Stockton.

On request of Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. R. C. Jensen and Janice and David Jensen of San Dimas; and Nancy, Gay and Ray Arbithnot of La Verne.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mary Templeton and Eileen Kelleher of Oakland.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 7, 1955

#### *To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

CLARENCE W. PETERSON, a resident of Tracy; business executive; Past Governor of Rotary Club; member of the Board of Trustees, Stockton State Hospital since October 23, 1950;

to the Board of Trustees, Stockton State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the commission.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 801**—An act to add Chapter 7 to Title 6 of the Government Code, relating to districts:

**Senate Bill No. 802**—An act to add Section 60230 to the Government Code, relating to community services districts:

**Senate Bill No. 1705**—An act to amend Section 60240 of the Government Code, relating to community services districts:

**Senate Bill No. 1746**—An act to amend Section 5658 of the Public Resources Code, relating to park, recreation and parkway districts, declaring the urgency thereof to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of April, 1955, at 4.30 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 46**—Relative to the restoration of the Old Columbia Grammar School.

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of April, 1955, at 5 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 8                      Senate Bill No. 693

Senate Bill No. 33	Senate Bill No. 920
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Senate Bill No. 79	Senate Bill No. 1037
House Bill No. 100	House Bill No. 1100

Senate Bill No. 169	Senate Bill No. 1123
Senate Bill No. 984	Senate Bill No. 1147

Senate Bill No. 224	Senate Bill No. 1147
Senate Bill No. 441	Senate Bill No. 1179

Senate Bill No. 41	Senate Bill No. 1119
Senate Bill No. 562	Senate Bill No. 1206

Senate Bill No. 620 Senate Bill No. 1484

Senate Bill No. 692 Senate Bill No. 1844

And reports the same correctly engrossed.

WARD, Chairman

### CONSIDERATION OF DAILY FILE

## SECOND READING OF SENATE BILLS

**Senate Bill No. 1490**—An act to amend Section 1194.8 of the Insurance Code, relating to insurance.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 483**—An act to add Section 15833 to the Government Code, authorizing the State Building Board to construct state office buildings, and making an appropriation.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

### Amendment No. 1

On page 1, line 8, of the printed bill, strike out "ten million six hundred thousand dollars (\$10,600,000)", and insert "nine million eighty-four thousand five hundred dollars (\$9,084,500)".

### Amendment No. 2

On page 1, lines 9 and 10, strike out "six million six hundred thousand dollars (\$6,600,000)", and insert "six million six hundred seventeen thousand three hundred dollars (\$6,617,300)".

**Amendment No. 3**

On page 1, lines 11 and 12, strike out "two million six hundred fifty thousand dollars (\$2,650,000)", and insert "three million twenty-five thousand three hundred dollars (\$3,025,300)".

**Amendment No. 4**

On page 1, lines 13 and 14, strike out "three million three hundred fifty thousand dollars (\$3,350,000)", and insert "three million two hundred seventy-eight thousand eight hundred dollars (\$3,278,800)"; and in the City of San Jose a state office building one million three hundred sixty-nine thousand one hundred dollars (\$1,369,100)".

**Amendment No. 5**

On page 1, line 15, strike out "two million dollars (\$2,000,000)", and insert "two million three hundred forty-five thousand nine hundred dollars (\$2,345,900)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 741**—An act to add Section 13114 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 4, after "Finance", insert "upon prior approval of the Legislature as to each such letting and".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 778**—An act to amend Section 18006 of the Government Code, relating to moving expenses of state officers and employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "employees", insert ", declaring the urgency thereof to take effect immediately".

**Amendment No. 2**

On page 1, line 3, strike out "Whenever a particular", and insert "Notwithstanding the provisions of Section 11030, whenever".

**Amendment No. 3**

On page 1, lines 6 and 7, strike out "necessitating the moving of his household effects".

**Amendment No. 4**

On page 1, line 7, after "officer," insert "agent".

**Amendment No. 5**

On page 1, line 8, after "actual", insert "and".

**Amendment No. 6**

On page 1, line 8, strike out "expenses", and insert ", traveling, lodging and meal expense, incurred by him both before and after and by reason of such change of residence. The maximum allowances for such expenses shall be as follows: The costs of packing, transporting and unpacking 8,000 pounds of household effects, traveling,

lodging and meal expenses for 30 days while locating a permanent residence, storage of household effects for 30 days, and such additional miscellaneous allowances, not in excess of one hundred dollars (\$100). The maximum allowances may be exceeded in those particular instances where the Director of Finance determines in advance that the change of residence will result in unusual and unavoidable hardship for the officer or employee, and in such cases the Director of Finance shall determine the maximum allowances to be received by said officer or employee."

#### **Amendment No. 7**

On page 1, line 13, strike out " , limitations of weight, costs, or of".

#### **Amendment No. 8**

On page 1, strike out lines 14 and 15, and insert "The provisions of this section shall not apply to those changes of residence which are made at the request of the officer or employee and primarily for his convenience.

Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting the urgency is as follows:

There is an ambiguity in the existing law as to the authority to pay state officers and employees traveling, lodging and meal expenses when they are required to change their place of residence because of a change in assignment, promotion or other reason, and such authority has been questioned. Failure to continue to pay such traveling, lodging and meal expenses could result in serious hardship on employees assigned to duties involving such a change of residence for the benefit of the State. As a result thereof, the availability of personnel for transfer will be greatly curtailed and the morale of state employees and recruitment of new state employees will be affected. The orderly process of state business would be interrupted. It is, therefore, necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 130**—An act to amend Section 28154 of the Government Code, relating to compensation for public service in counties of the fifty-fourth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 131**—An act to amend Section 28150 of the Government Code, relating to compensation for public service in counties of the fiftieth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 351**—An act to amend Section 126 of the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 445**—An act to add Section 111 to the Government Code, relating to sovereignty and jurisdiction.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 696**—An act to add Section 13109.1 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 711**—An act to amend Section 21364 of the Government Code, relating to the special death benefit under the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1518**—An act to amend Sections 11554 and 15623 of, and to add Section 11560.1 to, the Government Code, relating to the State Board of Equalization.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1613**—An act to authorize the conveyance of certain property, belonging to the State of California and situated in the County of Mendocino, to the River Union Elementary School District of Mendocino County, State of California.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1 of the printed bill, in line 8, strike out "two", and insert "three".

##### Amendment No. 2

On page 1, following line 11, insert "A copy of each deed of conveyance executed and delivered by the Director of Finance shall be delivered to the State Lands Commission."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 51**—An act to repeal Section 821 and to amend Section 822 of the Penal Code, relating to arrest and bail.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "Any provision of this code to the contrary notwithstanding", and insert "Notwithstanding the provisions of Section 848 or 859 of this code".

##### Amendment No. 2

On page 1, line 8, after "trate", insert "or other officer authorized by law to fix and accept bail".

##### Amendment No. 3

On page 1, line 15, after "trate", insert "or other officer authorized by law to fix and accept bail".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 62**—An act to repeal Sections 241 and 242 of, and to add Sections 241, 242, and 242a to, the Code of Civil Procedure, relating to grand jurors.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 16, 1955, after "act to", insert "amend Section 199 of, to".

**Amendment No. 2**

On page 1, line 10, strike out "seven", and insert "three".

**Amendment No. 3**

On page 1, line 11, strike out "12", and insert "16".

**Amendment No. 3.5**

On page 1, line 19, strike out "seven", and insert "three".

**Amendment No. 4**

On page 1, line 20, strike out "12", and insert "16".

**Amendment No. 5**

On page 1, line 25, strike out "15", and insert "19".

**Amendment No. 6**

On page 2, line 12, strike out "seven", and insert "three".

**Amendment No. 7**

On page 2, line 13, strike out "12", and insert "16".

**Amendment No. 8**

On page 2, line 16, strike out "seven", and insert "three".

**Amendment No. 9**

On page 2, line 18, strike out "seven", and insert "three".

**Amendment No. 10**

On page 2, line 20, strike out "seven", and insert "three".

**Amendment No. 11**

On page 2, line 24, strike out "12", and insert "16".

**Amendment No. 12**

On page 2, strike out line 25, and insert "jury. If more than 16 are present and not excused, 16 shall".

**Amendment No. 13**

On page 2, line 28, strike out "seven", and insert "three".

**Amendment No. 14**

On page 2, line 29, strike out "12", and insert "16".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 15**

On page 2, after line 49, insert

"SEC. 4. Section 199 of said code is amended to read:

199. (a) A person is not competent to act as a trial juror:

1. Who does not possess the qualifications prescribed by the preceding section;

2. Who has been convicted of malfeasance in office or any felony or other high crime; or

3. Who has been discharged as a trial juror by any court of record in this State within a year, as provided in Section 200 of this code, or who has been drawn as a grand juror in any such court and served as such within a year and been discharged; or who, in a county or city and county containing a population of not less than three hundred thousand as ascertained by the last preceding census taken under the authority of the Congress of the United States, or the Legislature of the State of California, during the preceding two years shall have actually served on 20 days as a trial juror in the trial of cases in a court of record in this State; but a juror must in any event complete his service as such juror in the trial of a case in which he may be actually engaged. The clerk shall immediately remove from the jury list the name of any juror who becomes disqualified under this section.

(b) A person who is serving as a grand juror in any court of record in this State is not competent to act as a trial juror in any such court. Any person who is serving as a trial juror in any court of this State is not competent to act as a grand juror in any such court. [A person is not competent to act as a grand juror in any court of this State who has been discharged as a grand juror in any such court within a year.]

(c) A person is not competent to act as a grand juror:

1. Who does not possess the qualifications prescribed by the preceding section;
2. Who has been convicted of malfeasance in office or any felony or other high crime."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 190**—An act to amend Section 3046 of the Penal Code, relating to parole of prisoners.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "The board shall, prior to granting a parole to such prisoner, consider all statements and recommendations which may have been submitted by the judge, district attorney, and sheriff, pursuant to Section 1203.01, or in response to notices given under Sections 3022 and 3042, and recommendations of other persons interested in the granting or denying of such parole. The board shall enter on its order granting or denying parole to such prisoners, the fact that such statements and recommendations have been considered by the board."

##### Amendment No. 2

On page 1, strike out lines 6 to 10, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 1000**—An act to add Article 6 to Chapter 5 of Title 1 of Part 3 of the Penal Code, relating to the employment of prisoners in farm work.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 10, inclusive, and insert "as he shall prescribe, may authorize prisoners to contract for the".

##### Amendment No. 2

On page 2, line 1, strike out "may be either written or oral and".

##### Amendment No. 3

On page 2, line 37, strike out "the camp or".

##### Amendment No. 4

On page 2, strike out lines 43 to 52, inclusive; and strike out all of page 3.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 1585**—An act to add Section 1219 to the Civil Code, relating to acknowledgment and proof of execution, certification and recording of oil and gas leases.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 24, 1955, after "Code", insert "and to amend Section 27287 of the Government Code,".

**Amendment No. 2**

In line 3 of the title before "oil", insert "fictitious mortgages or deeds of trust and".

**Amendment No. 3**

On page 2 after line 39, insert

"Sec. 2. Section 27287 of the Government Code is amended to read:

27287. Unless it belongs to the class provided for in either Sections 27282 to 27286, inclusive, or Sections 1202 or 1203, of the Civil Code, or is a fictitious mortgage or deed of trust as provided in Sections 2952, or 2963, of the Civil Code, or is a fictitious oil and gas lease as provided in Section 1219 of the Civil Code, before an instrument can be recorded its execution shall be acknowledged by the person executing it, or if executed by a corporation, by its president or secretary or other person executing it on behalf of the corporation, or proved by subscribing witness or as provided in Sections 1198 and 1199 of the Civil Code, and the acknowledgment of proof certified as prescribed by law."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 1307**—An act to amend Section 834 of the Corporations Code, relating to actions in the right of corporations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1473**—An act to amend Section 602 of the Code of Civil Procedure, relating to the qualifications of jurors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 660**—An act to amend Section 404 of the Vehicle Code, relating to service of process on nonresident.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1088**—An act to amend Section 1463 of the Penal Code, relating to disposition of fines and forfeitures.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1501**—An act to add Section 219.2 to the Penal Code, relating to throwing or shooting at trains, streetcars, or vessels.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 998**—An act to amend Section 473 of the Code of Civil Procedure, relating to the giving of notice of default judgment.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 28, of the printed bill, strike out "after notice has been", and insert "after such judgment, order or proceeding was taken; except that in cases involving a money judgment in excess of one thousand dollars (\$1,000), said application must be made within a reasonable time, in no case exceeding six months after notice of the entry of such judgment, order or proceeding has been served upon such party or his attorney in a manner prescribed by this code."



**Amendment No. 2**

On page 2, strike out lines 1 and 2.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 733**—An act to amend Section 10253.5 of the Health and Safety Code, relating to birth certificates of adopted children.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1474**—An act to amend Sections 2051 and 2065 of the Code of Civil Procedure relating to witnesses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1251**—An act to amend Section 1254 of the Code of Civil Procedure, relating to condemnation of property for the use of school districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1724**—An act to amend Section 3352 of the Labor Code, relating to persons excluded from workmen's compensation.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 538**—An act to add Section 10054.5 to the Elections Code, relating to the consolidation of elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 222**—An act to amend Section 1515 of the Elections Code, relating to the mailing of ballot pamphlets.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 227**—An act to amend Section 2670.1 of the Elections Code, relating to candidates' filing forms.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 289**—An act to amend Sections 1001 and 1003 of the Elections Code, relating to election proclamations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 326**—An act to amend Section 1157.1 of the Government Code, relating to public agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 516**—An act to amend Section 8 of Chapter 29 of the Statutes of 1946 (First Extraordinary Session), relating to the availability of moneys appropriated for the acquisition of housing facilities for veterans and families of servicemen.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 727**—An act to amend Section 11523 of the Government Code, relating to administrative hearings.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 761**—An act to amend Section 24431 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, after the word "beverages", insert ", to take effect immediately".

**Amendment No. 2**

On page 1, line 3, strike out "Excise Tax on Beer and Wine."

**Amendment No. 3**

On page 1, after line 26, insert

"SEC. 2. The provisions of this act effecting changes in the computation of taxes, shall be applied only in the computation of taxes for taxable years beginning July 1, 1955.

SEC. 3. This act inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2015**—An act to amend Section 5252 of the Welfare and Institutions Code, relating to feeble-minded persons and other incompetents not insane.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections"; and after "5252", insert "and 5254".

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PRINTER'S NOTE—There being no 7-point knockout type available, the material which should appear in knockout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, after line 17, insert

"SEC. 2. Section 5254 of the Welfare and Institutions Code is amended to read: 5254. In all cases the court shall require due notice of the hearing of the petition to be given to the alleged incompetent. Whenever a petition is filed by a probation officer, [or] district attorney, *The Youth Authority or the Director of Corrections*, the court shall require such notice of the hearing of the petition as it deems proper to be given to any parent, guardian, or other person charged with the support of the person mentioned in the petition."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 665**—An act to add Section 206.5 to the Civil Code, and to amend Section 270e of the Penal Code, relating to the duty of a child to support its parents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly March 16, 1955, strike out "Section 206.5", and insert "Sections 206.5 and 206.7".

**Amendment No. 2**

On page 1, strike out lines 3 to 8, inclusive, and insert "206.5. Any person may file in the superior court a verified petition alleging that, while he was a minor under 18 years of age, he was abandoned by a parent for a period of two or more years and such parent during such period was physically and mentally able to support such person and praying the court to free such person from the obligation otherwise imposed by law to support such parent. The clerk shall thereupon set the same for hearing by the court and issue a citation directed to said parent setting forth the time and place of hearing so fixed by him. The citation and a copy of the petition shall be personally served on the parent in the same manner as provided by law for the service of summons at least five days before the time of hearing. If, upon hearing, the court determines that the allegations in the petition are true it shall issue a decree granting the relief prayed for.

SEC. 2. Section 206.7 is added to said code, to read:

206.7. In the event that the parent of a person seeking to maintain an action pursuant to Section 206.5 is an applicant for or recipient of aid under Chapter 1 of Division 3, Chapter 2 of Division 4, Chapter 1 of Part 1 of Division 5, or Chapter 3 of Part 1 of Division 5 of the Welfare and Institutions Code, the person seeking to maintain the action shall first make application to the board of supervisors of the county responsible for granting such aid for an order freeing him from responsibility for the support of his parent. If the board denies his request or fails to act upon such request within 30 days, such person shall be entitled to file an action pursuant to Section 206.5.

SEC. 3. Section 270c of the Penal Code is amended to read:"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Assembly Bill No. 740**—An act to amend Sections 560 and 675 of, and to repeal Section 675a of, the Code of Civil Procedure, and to repeal Section 2938 of the Civil Code, relating to the recordation of legal transactions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 86**—An act to amend Sections 8201, 8203.1, 8203.3, 8209, and 8211 of, and to add Section 8205.1 to, the Government Code, relating to notaries public.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2285**—An act to amend Section 4532 of the Penal Code, relating to escapes by persons convicted of misdemeanors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in Assembly March 9, 1955, after "prisoner", insert "formally".

**Amendment No. 2**

On page 1, line 7, strike out "who", and insert "and who thereafter".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 224**—An act to amend Sections 2351, 2353, 2703, and 2705 of the Elections Code, relating to publications.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 229**—An act to add Section 2743.5 to, and to amend Section 3000 of, the Elections Code, relating to the direct primary.

Bill read second time, and ordered to third reading.

#### MOTION TO RE-REFER TO COMMITTEE ON FINANCE

Senator Hulse moved that Senate Bills Nos. 696, 711, 733, and Assembly Bill No. 516 be re-referred to Committee on Finance.

Motion carried.

#### UNFINISHED BUSINESS

##### Consideration of Assembly Amendments

**Senate Bill No. 489**—An act to amend Sections 166, 166.1, 166.2, 166.3, 1015, 1016, 1017, and 1018 of the Welfare and Institutions Code, and Sections 5061, 5062, 5063, and 5064 of the Penal Code, relating to the property of deceased, escaped, discharged, or paroled inmates of state institutions.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 489?

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "166.1, 166.2", and insert "166, 166.1, 166.2, 1015".

##### Amendment No. 2

In line 2 of the title, after "Sections", insert "5061".

##### Amendment No. 3

In line 3 of the title, after the second "of", insert "deceased".

##### Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 166 of the Welfare and Institutions Code is amended to read:  
166. Whenever any person confined in any state institution subject to the jurisdiction of the Department of Mental Hygiene dies, and any personal funds or property of such person remains in the hands of the superintendent thereof, and no demand is made upon said superintendent by the owner of the funds or property or his legally appointed representative, all money or other personal property of such decedent remaining in the custody or possession of the superintendent thereof shall be held by him for a period of three years from the date of death of the decedent, for the benefit of the heirs, legatees, or successors in interest of such decedent.

Upon the expiration of said three-year period, any money remaining unclaimed in the custody or possession of the superintendent shall be delivered by him to the State Treasurer for deposit in the Unclaimed Property Fund under the provisions of Article 1 of Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure.

Upon the expiration of said three-year period, all personal property and documents of the decedent, other than cash, remaining unclaimed in the custody or possession of the superintendent, shall be disposed of as follows:

(a) All deeds, contracts or assignments shall be filed by the superintendent with the public administrator of the county of commitment of the decedent;

(b) All other personal property shall be sold by the superintendent at public auction, or upon a sealed bid basis, and the proceeds of the sale delivered by him to the State Treasurer in the same manner as is herein provided with respect to other unclaimed money of the decedent. If he deems it expedient to do so, the superintendent may accumulate the property of several decedents and sell the property in such lots as he may determine, provided that he makes a determination as to each decedent's share of the proceeds;

(c) If any personal property of the decedent is not salable at public auction, or upon a sealed bid basis, or if it has no intrinsic value, or if its value is not sufficient to justify the deposit of such property in the State Treasury, the superintendent may order it destroyed;



(d) All other unclaimed personal property of the decedent not disposed of as provided in paragraphs (a), (b), or (c) hereof, shall be delivered by the superintendent to the State Controller for deposit in the State Treasury under the provisions of Article 1 of Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure. SEC. 2. Section 166.1 of said".

#### Amendment No. 5

On page 2, line 48, after "determine", insert ", provided that he makes a determination as to each inmate's share of the proceeds".

#### Amendment No. 6

On page 3, line 3, strike out "SEC. 2", and insert "SEC. 3".

#### Amendment No. 7

On page 3, line 14, strike out "sold", and insert "disposed of".

#### Amendment No. 8

On page 3, strike out line 15, and insert

"SEC. 4. Section 1015 of said code is amended to read:

1015. Whenever any person confined in any state institution subject to the jurisdiction of the Youth Authority dies, and any personal funds or property of such person remains in the hands of the Director of the Youth Authority, and no demand is made upon said director by the owner of the funds or property or his legally appointed representative, all money or other personal property of such decedent remaining in the custody or possession of the Director of the Youth Authority shall be held by him for a period of three years from the date of death of the decedent, for the benefit of the heirs, legatees, or successors in interest of such decedent.

Upon the expiration of said three-year period, any money remaining unclaimed in the custody or possession of the director shall be delivered by him to the State Treasurer for deposit in the Unclaimed Property Fund under the provisions of Article 1 of Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure.

Upon the expiration of said three-year period, all personal property and documents of the decedent, other than cash, remaining unclaimed in the custody or possession of the director shall be disposed of as follows:

(a) All deeds, contracts or assignments shall be filed by the director with the public administrator of the county of commitment of the decedent;

(b) All other personal property shall be sold by the director at public auction, or upon a sealed bid basis, and the proceeds of the sale delivered by him to the State Treasurer in the same manner as is herein provided with respect to other unclaimed money of the decedent. *If he deems it expedient to do so, the director may accumulate the property of several decedents and sell the property in such lots as he may determine, provided that he makes a determination as to each decedent's share of the proceeds;*

(c) If any personal property of the decedent is not salable at public auction, or upon a sealed bid basis, or if it has no intrinsic value, or if its value is not sufficient to justify the deposit of such property in the State Treasury, the director may order it destroyed;

(d) All other unclaimed personal property of the decedent not disposed of as provided in paragraphs (a), (b), or (c) hereof, shall be delivered by the director to the State Controller for deposit in the State Treasury under the provisions of Article 1 of Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure.

SEC. 5. Section 1016 of said code is amended to read:".

#### Amendment No. 9

On page 4, line 36, after "determine", insert ", provided that he makes a determination as to each inmate's share of the proceeds".

#### Amendment No. 10

On page 4, line 43, strike out "4", and insert "6".

#### Amendment No. 11

On page 5, line 2, strike out "sold", and insert "disposed of".

#### Amendment No. 12

On page 5, strike out line 3, and insert

"SEC. 7. Section 5061 of the Penal Code is amended to read:

5061. Whenever any person confined in any state institution subject to the jurisdiction of the Director of Corrections dies, and any personal funds or property of such person remains in the hands of the Director of Corrections, such funds may be applied in an amount not exceeding three hundred dollars (\$300) to the payment of his burial expenses and charges related thereto. If no demand is made upon said

director by the owner of the funds or property or his legally appointed representative, the director shall hold and dispose of such funds or property as follows:

If such decedent leaves a will, the director shall, within 30 days after the date of death of the decedent, deliver such will to the clerk of the superior court having jurisdiction of the estate; and if an executor is named in the will, the director shall furnish him written notice of the delivery of the will as herein provided.

All money or other personal property of the decedent remaining in the custody or possession of the director shall be held by him for a period of three years from the date of death of the decedent, for the benefit of the heirs, legatees or successors in interest of such decedent.

Upon the expiration of said three-year period, any money remaining unclaimed in the custody or possession of the director shall be delivered by him to the State Treasurer for deposit in the Unclaimed Property Fund under the provisions of Article 1 of Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure.

Upon the expiration of said three-year period, all personal property and documents of the decedent, other than cash, remaining unclaimed in the custody or possession of the director, shall be disposed of as follows:

(a) All deeds, contracts or assignments shall be filed by the director with the public administrator of the county of commitment of the decedent;

(b) All other personal property shall be sold by the director at public auction, or upon a sealed bid basis, and the proceeds of the sale delivered by him to the State Treasurer in the same manner as is herein provided with respect to other unclaimed money of the decedent. *If he deems it expedient to do so, the director may accumulate the property of several decedents and sell the property in such lots as he may determine, provided that he makes a determination as to each decedent's share of the proceeds;*

(c) If any personal property of the decedent is not salable at public auction, or upon a sealed bid basis, or if it has no intrinsic value, or if its value is not sufficient to justify the deposit of such property in the State Treasury, the director may order it destroyed.

(d) All other unclaimed personal property of the decedent not disposed of as provided in paragraphs (a), (b), or (c) hereof, shall be delivered by the director to the State Controller for deposit in the State Treasury under the provisions of Article 1 of Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure.

SEC. 8. Section 5062 of the Penal Code is amended to read:".

#### Amendment No. 13

On page 6, line 17, after "determine", insert ", provided that he makes a determination as to each inmate's share of the proceeds".

#### Amendment No. 14

On page 6, line 24, strike out "6", and insert "9".

#### Amendment No. 15

On page 6, line 35, strike out "sold", and insert "disposed of".

As Amended in Assembly March 23, 1955

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 23, 1955, after "166.2," insert "166.3,".

#### Amendment No. 2

In line 2 of the title, strike out "and 1017", and insert "1017, and 1018".

#### Amendment No. 3

In line 3 of the title, strike out "and 5063", and insert ", 5063, and 5064".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 4

On page 4, between lines 17 and 18, insert

"SEC. 3.5. Section 166.3 of said code is amended to read:

166.3. At the time of delivering any money or other personal property to the State Treasurer or State Controller under the provisions of Sections 166 or 166.1, the superintendent shall deliver to the State Controller a schedule setting forth a statement and description of all money and other personal property delivered, and the name and case number of the owner or deceased owner[, his last known address, the date of his death, escape, discharge, or parole, and the name of the county from which he was committed].

**Amendment No. 5**

On page 6, after line 52, insert

"SEC. 6.5. Section 1018 of said code is amended to read:

1018. At the time of delivering any money or other personal property to the State Treasurer or State Controller under the provisions of Section 1015 or 1016, the director shall deliver to the State Controller a schedule setting forth a statement and description of all money and other personal property delivered, *and* the name *and case number* of the owner or deceased owner[, his last known address, the date of his death, escape, discharge, or parole, and the name of the county from which he was committed].

**Amendment No. 6**

On page 9, after line 42, insert

"SEC. 10. Section 5064 of said code is amended to read:

5064. At the time of delivering any money or other personal property to the State Treasurer or State Controller under the provisions of Section 5061 or 5062, the director shall deliver to the State Controller a schedule setting forth a statement and description of all money and other personal property delivered, *and* the name *and case number* of the owner or deceased owner[, his last known address, the date of his death, escape, discharge, or parole, and the name of the county from which he was committed].

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 489 by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Regan, Short, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 920**—An act to amend Section 12024.5 of the Business and Professions Code, relating to sale of certain foods by weight.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 191**—An act to amend Sections 7310, 7311, 7372 and 7394.1 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1187**—An act to add Section 35.12 to the Agricultural Code, relating to the Department of Agriculture Building Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 8**—An act to add Section 69590.5 to, and amend Section 69668 of, the Government Code, relating to the Superior Court of the County of Napa.

Bill read third time.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Coombs moved a call of the Senate.

Motion carried. Time, 9.24 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE

##### CONSIDERATION OF DAILY FILE (RESUMED)

##### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 441**—An act to repeal Section 9123 of, and to add Article 10, comprising Sections 9141 to 9143, inclusive, to Chapter 7 of Division 4 of, the Education Code, relating to teaching service and opportunity centers for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Short, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 562**—An act to add Section 4455.5 to the Public Resources Code, relating to forest insect infestations, and disease infestations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 620**—An act to amend Section 10270 of, and to add Section 10270.1 to, the Insurance Code, relating to tuition refund insurance.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 692**—An act to amend Sections 5053, 5510, 6002, 6004, 6561, 6907, 7152, 7155, 7156, 7172, and 8403 of, and to add Sections 5613 and 6705.5 to, the Financial Code, relating to savings and loan associations and the administration of the law with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 693**—An act to add Article 4 to Chapter 17 of Part 1 of Division 2 of the Financial Code, relating to conservatorships of savings and loan associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Regan, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 780**—An act to amend Section 18404 of the Education Code, relating to school sites.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Regan, Short, Sutton, Ward, Way, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 996**—An act to repeal Sections 701, 702, and 705 of the Insurance Code and to add Sections 701 and 705 to said code, relating to the duration of certificates of authority issued to insurance carriers and the annual fees therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy,

Montgomery, Murdy, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1123**—An act to add Section 12701, 12702, and 12703 to the Water Code, relating to the project on San Lorenzo Creek in Alameda County for flood control and allied purposes.

**Motion to Refer Bill to Inactive File**

Senator Breed moved that Senate Bill No. 1123 be placed on the inactive file.

Motion carried.

**Senate Bill No. 1147**—An act to amend Section 11013 of, and to add Sections 11013.1, 11013.2, 11013.3, 11013.4, and 11013.5 to, the Business and Professions Code, relating to real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Regan, Richards, Short, Ward, Way, and J. Howard Williams—22.

NOES—None.

**Motion to Reconsider**

Senator Ward moved to reconsider the vote whereby Senate Bill No. 1147 was passed.

**Postponement of Reconsideration**

On motion of Senator Ward, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1147 was passed, was continued until the next legislative day.

**Senate Bill No. 1179**—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1206**—An act to add Section 8753, and to amend Section 8805 of the Business and Professions Code, relating to land surveyors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1037**—An act to amend Section 12139 of the Education Code, relating to the standards for the issuance of teaching credentials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 168**—An act to amend Sections 7103.1 and 7103.2 of the Education Code, relating to the excess cost of educating severely mentally retarded minors.

**Motion to Re-refer Senate Bill No. 168**

Senator Hulse moved that Senate Bill No. 168 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 368**—An act to repeal Sections 1047, 5010 (as added by Chapter 533, Statutes 1953), 9196, 19310, and 19627 of, and to amend Sections 5010 (as added by Chapter 1028, Statutes 1953), 5902, and 16143 of the Education Code, relating to audits and the public school system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Ward, and Way—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 3515**—An act to amend Section 1732 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read third time.

**Motion to Amend**

Senator Robert I. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in Assembly March 14, 1955, strike out "only".

**Amendment No. 2**

On page 1, line 14, after "insubordination", insert "or for any other cause provided by law".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1577**—An act to amend Section 976 of the Fish and Game Code, relating to the taking of fish.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2360**—An act to add Section 813.5 to the Fish and Game Code, relating to the sale of scallops.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 850**—An act to amend Section 19611 of the Education Code, relating to retirement status of child care center employees.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 851**—An act to amend Section 14725 of the Education Code, relating to taxes levied for membership in a local retirement system.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 439

Senator Gibson moved that Senate Bill No. 439 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 439**—An act to amend Sections 3011, 3013, 3016, 3054, 3055, 3070, and 3152 of, and to add Section 3107 to, the Business and Professions Code, relating to optometry.

Bill read second time.



**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "Section", and insert "Sections 3077 and".

**Amendment No. 2**

On page 2, line 22, after "may", insert "by regulation".

**Amendment No. 3**

On page 2, line 41, after "in the", insert "address of his".

**Amendment No. 4**

On page 2, line 44, after the period, insert "An applicant for the annual renewal of a certificate of registration shall specify in his application whether he has changed the address of his place of practice during the previous year, and the board may accept such statement as evidence of such fact."

**Amendment No. 5**

On page 2, between lines 44 and 45, insert

"SEC. 7. Section 3077 is added to said code, to read:

3077. As used in this section "office" means any office or other place for the practice of optometry.

(a) No person, singly or in combination with others, may have an office unless he is registered to practice optometry under this chapter.

(b) An optometrist, or two or more optometrists jointly, may have one office without obtaining a further license from the board.

(c) On and after January 1, 1957, no optometrist, and no two or more optometrists jointly, may have more than one office unless he or they comply with the provisions of this chapter as to each such additional office. Each such additional office, for the purposes of this chapter, constitutes a branch office.

(d) Any optometrist who has, or any two or more optometrists, jointly, who have, a branch office prior to January 1, 1957, and who desire to continue such branch office on or after that date shall notify the board in writing of such desire in a manner prescribed by the board.

(e) On and after January 1, 1957, any optometrist, or any two or more optometrists, jointly, who desire to open a branch office shall notify the board in writing in a manner prescribed by the board.

(f) On and after January 1, 1957, no branch office may be opened or operated without a branch office license. Branch office licenses shall be valid for the calendar year in or for which they are issued and shall be renewable on January 1st of each year thereafter. Branch office licenses shall be issued or renewed only upon the payment of the fee therefor prescribed by this chapter.

(g) Any failure to comply with the provisions of this chapter relating to branch offices or branch office licenses as to any branch office shall work the forfeiture of the certificate of registration of each optometrist who, individually or with others, has such branch office. A certificate of registration so forfeited shall not be restored except upon compliance with such provisions and the payment of the fee prescribed by this chapter for restoration of a certificate of registration after forfeiture for failure to comply with the provisions of this chapter relating to branch offices.

(h) The holder or holders of a branch office license shall pay the annual renewal fee therefor in the amount required by this chapter between the first day of January and the first day of February of each year. The failure to pay such fee in advance on or before February 1st of each year during the time it is in force shall ipso facto work the forfeiture of such branch office license. Such license shall not be restored except upon written application and the payment of the penalty prescribed by this chapter, and, in addition, all delinquent branch office fees."

**Amendment No. 6**

On page 2, line 45, strike out "7", and insert "8".

**Amendment No. 7**

On page 3, line 7, strike out "8", and insert "9".

**Amendment No. 8**

On page 3, strike out lines 10 to 23, inclusive, and insert

"(a) The fee for applicants applying for the first time for a certificate of registration is twenty-five dollars (\$25) which shall not be refunded except that applicants who are found ineligible to take an examination for a certificate of registration are entitled to a refund of fifteen dollars (\$15).

(b) The fee for applicants for a certificate of registration who have previously taken the examination for such a certificate is twenty dollars (\$20).

(c) The fee for the restoration of a certificate of registration after forfeiture for nonregistration is twenty-five dollars (\$25).

(d) The annual fee for renewal of a certificate of registration shall be fixed by the board at not more than twenty-five dollars (\$25) nor less than sixteen dollars (\$16).

(e) The penalty for failure to pay the annual fee is twenty-five dollars (\$25).

(f) The fee for a branch office license is ten dollars (\$10).

(g) The annual fee for the renewal of a branch office license is ten dollars (\$10).

(h) The penalty for failure to pay the annual fee for renewal of a branch office license is fifteen dollars (\$15).

(i) The fee for restoration of a certificate of registration after forfeiture for failure to comply with the provisions of this chapter relating to branch offices is twenty-five dollars (\$25).

(j) The fee for issuance of a duplicate certificate of registration upon loss of an original certificate of registration or upon change of name authorized by law of a person holding a certificate of registration under this chapter is five dollars (\$5)."

#### Amendment No. 9

On page 3, line 24, strike out "(f)", and insert "(k)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1936

Senator Thompson moved that Senate Bill No. 1936 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1936**—An act to add Section 23428.8 to the Business and Professions Code, relating to club licenses.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

#### Amendment No. 1

On line 1 of the title of the printed bill, strike out "add Section 23428.8 to", and insert "amend Section 23428.5 of, and to add Section 23428.8 to".

---

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 23428.5 of the Business and Professions Code is amended to read:

23428.5. For the purposes of this article "club" also means any press club which is a nonprofit organization and whose members are entitled to exchange privileges with similar organizations in at least 12 other states, and which has a bona fide membership of more than [500] 100 members, and which owns, leases, and operates or maintains a clubhouse or clubroom and which has operated such clubhouse or clubroom for not less than [six and a half (6½) years] one year.

SEC. 2. Section 23428.8 is added to said code, to read:".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 330**

Senator Donnelly moved that Senate Bill No. 330 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 330**—An act to add Chapter 3 to Part 3, Division 7 of the Business and Professions Code, relating to the photographic industry.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Chapter 3 to Part 3, Division 7 of", and insert "Section 14326, 14406, 17052, and 17503 to".

**Amendment No. 2**

On page 1, strike out lines 1 to 27, inclusive, and strike out pages 2 to 7, inclusive, and insert

"SECTION 1. Section 14326 is added to the Business and Professions Code, to read:

14326. Conduct or activity in intrastate commerce with respect to the photographic industry or photographic industry products relating to trade marks which would be a violation of the rules and regulations of the Federal Trade Commission with respect to the portrait photographic industry, if such conduct or activity were in interstate commerce, shall be deemed to be a prima facie violation of this article.

"Photographic industry" includes any person, firm, corporation, association, or organization engaged in the business of taking and selling photographs of human beings.

"Photographic industry products" includes photographs, whether in black and white or in color, duplicates, enlargements, and reductions of such photographs, and also frames and accessories for such photographs when sold in combination therewith; except that motion pictures or photographs which are to be used primarily or exclusively in theater exhibition or television broadcasting, or for appearance in newspapers, magazines, books, or some form of commercial advertisement, are not to be considered as industry products, and persons, firms, corporations, and organizations engaged exclusively in taking or selling such photographs or pictures are not to be considered as industry members.

SEC. 2. Section 14406 is added to said code, to read:

14406. Conduct or activity in intrastate commerce with respect to the photographic industry or photographic industry products relating to trade names which would be a violation of the rules and regulations of the Federal Trade Commission with respect to the portrait photographic industry, if such conduct or activity were in interstate commerce, shall be deemed to be prima facie a violation of this article.

"Photographic industry" includes any person, firm, corporation, association, or organization engaged in the business of taking and selling photographs of human beings.

"Photographic industry products" includes photographs, whether in black and white or in color, duplicates, enlargements, and reductions of such photographs, and also frames and accessories for such photographs when sold in combination therewith; except that motion pictures or photographs which are to be used primarily or exclusively in theater exhibition or television broadcasting, or for appearance in newspapers, magazines, books, or some form of commercial advertisement, are not to be considered as industry products, and persons, firms, corporations, and organizations engaged exclusively in taking or selling such photographs or pictures are not to be considered as industry members.

SEC. 3. Section 17052 is added to said code, to read:

17052. Conduct or activity in intrastate commerce with respect to the photographic industry or photographic industry products relating to unfair trade practices which would be a violation of the rules and regulations of the Federal Trade Commission with respect to the portrait photographic industry, if such conduct or activity were in interstate commerce, shall be deemed to be a prima facie violation of this chapter.



"Photographic industry" includes any person, firm, corporation, association, or organization engaged in the business of taking and selling photographs of human beings.

"Photographic industry products" includes photographs, whether in black and white or in color, duplicates, enlargements, and reductions of such photographs, and also frames and accessories for such photographs when sold in combination therewith; except that motion pictures or photographs which are to be used primarily or exclusively in theater exhibition or television broadcasting, or for appearance in newspapers, magazines, books, or some form of commercial advertisement, are not to be considered as industry products, and persons, firms, corporations, and organizations engaged exclusively in taking or selling such photographs or pictures are not to be considered as industry members.

SEC. 4. Section 17503 is added to said code, to read:

17503. Conduct or activity in intrastate commerce with respect to the photographic industry or photographic industry products relating to false or misleading statements or advertising which would be a violation of the rules and regulations of the Federal Trade Commission with respect to the portrait photographic industry, if such conduct or activity were in interstate commerce, shall be deemed to be a prima facie violation of this chapter.

"Photographic Industry" includes any person, firm, corporation, association, or organization engaged in the business of taking and selling photographs of human beings.

"Photographic industry products" includes photographs, whether in black and white or in color, duplicates, enlargements, and reductions of such photographs, and also frames and accessories for such photographs when sold in combination therewith; except that motion pictures or photographs which are to be used primarily or exclusively in theater exhibition or television broadcasting, or for appearance in newspapers, magazines, books, or some form of commercial advertisement, are not to be considered as industry products, and persons, firms, corporations, and organizations engaged exclusively in taking or selling such photographs or pictures are not to be considered as industry members."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 59

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Constitutional Amendment No. 59**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

#### LETTER OF TRANSMITTAL

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
SAN FRANCISCO, March 29, 1955

*Hon. Clarence C. Ward, Chairman  
Senate Rules Committee  
California Legislature  
Sacramento, California*

DEAR SIR: Senate Constitutional Amendment No. 26, introduced at the 1953 Regular Session of the Legislature, was referred by the Senate Rules Committee to the Senate Interim Committee on State and Local Taxation for analysis and study.



The report of the Senate Interim Committee on State and Local Taxation on this constitutional amendment is herewith submitted.

Very truly yours,

BEN HULSE, Chairman  
Senate Interim Committee on State and Local Taxation

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### Motion to Print Report

Senator Ward moved that 500 additional copies of the report on Senate Constitutional Amendment No. 26 submitted by the Senate Interim Committee on State and Local Taxation be printed for distribution.

Motion carried.

#### LETTER OF TRANSMITTAL

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
SAN FRANCISCO, March 29, 1955

Hon. Clarence C. Ward, Chairman  
Senate Rules Committee  
California Legislature  
Sacramento, California

DEAR SIR: Senate Bill No. 1306, introduced at the 1953 Regular Session of the Legislature, was referred by the Senate Rules Committee to the Senate Interim Committee on State and Local Taxation for analysis and study.

The report of the Senate Interim Committee on State and Local Taxation on this bill is herewith submitted.

Very truly yours,

BEN HULSE, Chairman  
Senate Interim Committee on State and Local Taxation

Letter of Transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.

#### Motion to Print Report

Senator Ward moved that 500 additional copies of the report on Senate Bill No. 1306 submitted by the Senate Interim Committee on State and Local Taxation be printed for distribution.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 97**—An act to add Sections 22204.1 and 22204.2 to, and to amend Section 22208 of, the Financial Code, relating to bonds of personal property brokers;

**Senate Bill No. 100**—An act to add Sections 24204.1 and 24204.2 to, and to amend Section 24208 of, the Financial Code, relating to bonds of licensees under the California Small Loan Law;

**Senate Bill No. 102**—An act to add Section 15102.1 to the Financial Code, relating to credit unions;

**Senate Bill No. 648**—An act to add Section 960.5 to the Military and Veterans Code, relating to veterans graves;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1955, at 10.30 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 168

Senate Bill No. 1367

Senate Joint Resolution No. 22

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 883

Senate Bill No. 1187

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 191

Senate Bill No. 368

And reports the same correctly engrossed.

WARD, Chairman

# Committee on Elections

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Assembly Bill No. 261

Assembly Bill No. 284

Assembly Bill No. 265

Assembly Bill No. 287

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

# Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 184

Senate Bill No. 830

Senate Bill No. 831

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Assembly Bill No. 712

Assembly Bill No. 1020

Assembly Bill No. 713

Assembly Bill No. 1021

Assembly Bill No. 1019

Assembly Bill No. 1911

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 12; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 193	Senate Bill No. 1163
Senate Bill No. 849	Senate Bill No. 1164
Senate Bill No. 1158	Senate Bill No. 1515
Senate Bill No. 1159	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills ordered to second reading.

## Committee on Local Government

## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 3261

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1841	Senate Bill No. 1028
Senate Bill No. 212	Assembly Bill No. 3319
Senate Bill No. 213	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 839

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

GIBSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1121	Senate Bill No. 655
Senate Bill No. 1478	Assembly Bill No. 872
Senate Bill No. 355	Assembly Bill No. 1517
Senate Bill No. 616	Assembly Bill No. 309

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 1745

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SACRAMENTO, CALIFORNIA, April 8, 1955

MR. PRESIDENT: The Committee on Rules made the following change in committee time:

*Thursday*

Local Government from 10 a.m. to 9 a.m.—Room 4040

WARD, Chairman

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 10.45 a.m., on motion of Senator Coombs, further proceedings under the call of the Senate were dispensed with.

The names of absentees were called, and Senate Bill No. 8 passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**ADJOURNMENT**

At 10.50 a.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Monday, April 11, 1955.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

SIXTY-SECOND CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 11, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### PLEDGE OF ALLEGIANCE

Senator Teale led the Senate in pledging allegiance to the Flag.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator McBride, on motion of Senator Collier, due to legislative business.

Senator Burns, on motion of Senator Teale, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Walter Vestal, and Robin Goodenough of Coronado.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Abraham Held of Los Angeles, W. J. McLean, and R. R. Hansen of Burbank.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gertrude Morrison of San Luis Obispo.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Orilla Halley, Mrs. Margie How and the following eighth grade students from Wolfskill Elementary School, Winters: Connie Carpenter, Walter Draper, Richard Crites, Walter Halley, Hazle How, Loretta Harris and Valery Morse.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frederick George Collett, executive representative, Indians of California, Inc., and the following delegates: Linwood Ward, Katherine Ward, Mrs. Julia Jones, Sam Jones, Alex Bateman, Mrs. Virginia Timmons, Mrs. Mary Clark, Mrs. Neta Bussell, Miss Patricia Bussell, Mrs. Gladys L. Collett, Ellen L. Norris, Talbert Wilson, Mrs. Frankie Morehead, Charles Morehead, Mrs. M. E. McCain, Luther Faught, William Freeman, and W. B. Hutton.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Geraldine Reager and the following students from Biggs Union High School. Mary Boldue, Jim Estel, Dick Farnworth, Janice Frost, Billy Green, Jeanette Gustafson, Richard Jones, Carol Lindsey, Dale Louton, Carolyn Murry, Denise Paulk, Arlene Perry, Don Pryde, Kathy Rowell, Alfred Vieira, Le Roy Vierra, Jimmy Warren, Imogene Wilks, Marionna Willson, and Billy Woods.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Therese Mosere of Bridgeport.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ruth Ryder, leader, and the following students from the Department of Adult Education, San Jose: Anita English, Robert English, Florence Behan, Aurora Cardenas, Josephine Cardenas, Alphonse De Rose, Eugene De Rose, Donna Dias, Mario Dias, Mary Ennes, Lucy Esquivel, Henny Fearon, Helen Garcia, Gisela Guen, Henry Guen, Lena Hamilton, Anna Hansen, Edna Hinch, August Lopes, Rosalina Lopes, Sylvia Magana, Rose Montanez, Eleanor Nelson, Alice Nissen, Rosalie Nissen, Madeline Parry, Rita Parry, Ellen Pelletaire, Esther Perez, Erlinda Quezada, Mercedes Reza, Elsie Rose, Agnes Stockwell, Josephine Sunseri, Lydia Terres, Estefana Villicana, and Luella Williams.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sisters Ethel Mary, Mary Faith, and Mrs. Henry B. Fisher, and the following senior students from Holy Names High School, Oakland: Claire Beckley, Marilee Costa, Lynne Dewar, Margaret Donohue, Dawnita Duck, Emmy Lou Fisher, Bonnie Jean Flick, Margaret Gericke, Louise Guettinger, Joanne Irwin, Sheila McNally, Mary Mehan, Nancy Monahan, Sheila Moran, Mary Elizabeth Nunez, Cynthia Nourse, Loretta Peterson,

Darcy Reynolds, Linda Riley, Rebecca Robinson, Joanne Vaughan, and Jean Wright.

On request of Senators Gunsky and Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Harold Wold of Capitola.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
April 11, 1955

#### *Secretary's Report on Condition of File*

*Hon. Harold J. Powers*  
*President of the Senate*

DEAR MR. PRESIDENT: This is the sixty-second calendar day. We have 59 days left, but if we do not meet on Saturdays or Sundays, we have only 43 days in which to legislate.

We assume that we are going to pass as many bills as we did two years ago. On the corresponding legislative day of last session, we had sent to enrollment 429 bills. This session we have sent to enrollment only 315 bills, so in that regard we are 114 measures behind our position of two years ago. It is apparent that we will have to dispose of an average of 47 measures per day from now on in order to complete the business of the session by June 8th, the 120th calendar day of the session.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 22

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 223  
Senate Bill No. 346  
Senate Bill No. 347

Senate Bill No. 350  
Senate Bill No. 401  
Senate Bill No. 686

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 104  
Senate Bill No. 1200  
Senate Bill No. 1598

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.



## ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 104  
Assembly Bill No. 216  
Assembly Bill No. 241  
Assembly Bill No. 252  
Assembly Bill No. 754  
Assembly Bill No. 1502  
Assembly Bill No. 1826

Assembly Bill No. 1948  
Assembly Bill No. 2155  
Assembly Bill No. 2545  
Assembly Bill No. 3356  
Assembly Bill No. 3094  
Assembly Bill No. 3185  
Assembly Bill No. 3436

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 104**—An act to amend Section 9702 of the Government Code, relating to the printing of bills.

Referred to Committee on Rules.

**Assembly Bill No. 216**—An act to add Section 571.7 to the Elections Code, relating to counting boards.

Referred to Committee on Elections.

**Assembly Bill No. 241**—An act to amend Section 5736 of the Elections Code, relating to spoiled and unused ballots.

Referred to Committee on Elections.

**Assembly Bill No. 252**—An act to amend Section 30296 of the Water Code, relating to canvass of vote.

Referred to Committee on Elections.

**Assembly Bill No. 754**—An act to amend Sections 4281 and 4291 of the Agricultural Code, relating to minimum prices for milk and cream.

Referred to Committee on Agriculture.

**Assembly Bill No. 1502**—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 1826**—An act to add Section 1393 to the Water Code, relating to issuance of permits to appropriate water.

Referred to Committee on Water Resources.

**Assembly Bill No. 1948**—An act to amend Sections 2043, 2045, 2047, and 2049 of the Water Code, relating to expenses of references by the court of actions to determine water rights.

Referred to Committee on Water Resources.

**Assembly Bill No. 2155**—An act to amend Section 2500 of the Elections Code, relating to primary elections, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections.

**Assembly Bill No. 2545**—An act to amend Section 72604 of the Government Code, relating to court reporters in municipal courts in counties having a population of 2,000,000 or over.

Referred to Committee on Judiciary.

**Assembly Bill No. 3356**—An act to add Section 614.3 to the Agricultural Code, relating to partially creamed cottage cheese.

Referred to Committee on Agriculture.

**Assembly Bill No. 3094**—An act to amend Section 875.5 of the Fish and Game Code, relating to fish nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 3185**—An act to amend Section 2246 of the Business and Professions Code, relating to chiroprody.

Referred to Committee on Business and Professions.

**Assembly Bill No. 3436**—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2870

ARTHUR A. O'HINIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 2870**—An act to amend Section 980 of the Military and Veterans Code, relating to veterans.

Referred to Committee on Military and Veterans Affairs.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 130

Senate Bill No. 660

Senate Bill No. 131

Senate Bill No. 1088

Senate Bill No. 351

Senate Bill No. 1251

Senate Bill No. 445

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1307

Senate Bill No. 1501

Senate Bill No. 1473

Senate Bill No. 1518

Senate Bill No. 1474

Senate Bill No. 1724

Senate Bill No. 1490

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 998

Senate Bill No. 1613

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 1324

Senate Bill No. 10

Senate Bill No. 296

Senate Bill No. 11

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

J. HOWARD WILLIAMS, Chairman

Above reported bills ordered to third reading.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Breed moved that Senate Bill No. 1123 be taken from the inactive file and placed on the second reading file.

Motion carried.

**MOTION TO APPROVE JOURNALS**

Senator Ward moved that the Journals for Monday, April 4, 1955; Tuesday, April 5, 1955; Wednesday, April 6, 1955; Thursday, April 7, 1955; Friday, April 8, 1955, be approved as corrected by the Minute Clerk and Journal Clerk.

Motion carried.

**RESOLUTIONS**

The following resolution was offered:

By Senator Way:

**Senate Resolution No. 90**

Relative to the amendment of Rule 16 of the Standing Rules of the Senate

*Resolved by the Senate of the State of California*, That Rule 16 of the Standing Rules of the Senate for the 1955 Regular Session be amended to read:

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly enact thereon.

In the exercise of the power granted by this Rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon the subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Chapter 4 of Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at Arms of the Senate, or other person designated by the Sergeant-at-Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this State, including the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, the Legislative Counsel, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request

such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

*However, no such committee or any member thereof shall permit any officer or employee in the executive branch of the State Government, at any hearing of such committee, to support or oppose, directly or indirectly, any bill or measure, unless such officer or employee first presents written permission to do so from the first named author of such bill or measure.*

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have [been] first made available therefor.

Resolution read and referred to Committee on Rules.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 184**—An act to amend Section 359.6, Article 13, of the Agricultural Code, relating to licensed slaughterers.

##### Motion to Amend

Senator Ed. C. Johnson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out “, Article 13,”.

##### Amendment No. 2

On page 1, line 1, strike out “, Article 13,” and insert “of the Agricultural Code”.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 830**—An act to amend Section 4311 of the Agricultural Code, relating to petitions for sales stimulation and consumer educational programs.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 831**—An act to add Section 4319.5 to the Agricultural Code, relating to appointment of persons to administer sales stimulation and consumer educational programs on fluid milk and fluid cream.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 193**—An act to amend Section 160.5 of the Agricultural Code, relating to the adoption of regulations governing the conduct of the business of pest control.

Bill read second time.

##### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

On page 1, line 10, of the printed bill, as amended in Senate, March 16, 1955, strike out the comma, and insert “. Prior to the adoption, amendment, or repeal of such rules or regulations, the commissioner shall publish a notice of intention to adopt regulations at least 10 days in advance of the time the regulations are to be adopted, amended, or repealed. The notice shall be published in a newspaper of general circulation in the county and shall contain a statement of the time, place,



and nature of proceedings for the adoption, amendment, or repeal of such regulations, and either the express terms or an informative summary of the proposed regulations. At least 10 days prior to the date set for the adoption, amendment, or repeal, the commissioner shall mail a copy of the".

#### **Amendment No. 2**

On page 1, strike out lines 11 to 15, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 849**—An act to amend Sections 1300.12, 1300.15, 1300.16, 1300.18, 1300.19, 1300.20 and 1300.28 of the Agriculture Code, relating to the administration and enforcement of the California Marketing Act of 1937, as amended, and marketing orders and marketing agreements issued and made effective thereunder.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

##### **Amendment No. 1**

On page 10, line 16, of the printed bill as amended in Senate April 4, 1955, strike out "not be appli-"; and strike out all of lines 17 to 19, inclusive, and insert "be applicable only with respect to marketing orders for honey and bedding plants."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1158**—An act to add Section 1158 to the Agricultural Code, relating to marketing of olives.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

##### **Amendment No. 1**

In line 2 of the title of the printed bill, after "olives", insert ", apricots, or clingstone peaches".

##### **Amendment No. 2**

On page 1, line 2, strike out "productiveness per acre", and insert "(1) productiveness per acre and cost of production per ton".

##### **Amendment No. 3**

On page 1, line 3, after "olives", insert "and clingstone peaches and (2) size of apricots,".

##### **Amendment No. 4**

On page 1, line 9, after "production", insert ", cost or size,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1159**—An act to add Section 1159 to the Agricultural Code, relating to the production and marketing of olives.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

##### **Amendment No. 1**

In line 2 of the title of the printed bill, after "olives", insert ", apricots, or clingstone peaches".

**Amendment No. 2**

On page 1, line 4, strike out "lower production of olives therein", and insert "(1) lower production per acre and higher cost per ton of olives and clingstone peaches and (2) smaller size of apricots".

**Amendment No. 3**

On page 1, line 5, after "program", insert "or order".

**Amendment No. 4**

On page 1, line 7, strike out "that count 140 or more per pound,".

**Amendment No. 5**

On page 1, line 8, after "olives", insert ", apricots, or clingstone peaches grown".

**Amendment No. 6**

On page 1, line 11, after "that", insert "(1)".

**Amendment No. 7**

On page 1, line 12, after "olive", insert "or clingstone peach".

**Amendment No. 8**

On page 1, line 14, after "State", insert ", or (2) the average count of apricots per pound grown in such counties for the preceding five years is comparable to the average count per pound in the remaining area of the State".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1163**—An act to add Section 1157 to the Agricultural Code, relating to production of olives.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "olives", insert ", apricots, and clingstone peaches".

**Amendment No. 2**

On page 1, line 4, strike out "the production of olives therein", and insert "production".

**Amendment No. 3**

On page 1, line 5, strike out "regarding olives shall be applicable", and insert "shall be applicable to olives, apricots, or clingstone peaches grown".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1164**—An act to amend Section 872 of the Agricultural Code, relating to olives.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "872", and insert "1160".

**Amendment No. 2**

In line 2 of the title after "olives", insert "and clingstone peaches".

**Amendment No. 3**

On page 1, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 1160 is added to the Agricultural Code, to read:

1160. Producers or packers of olives and clingstone peaches may, after written demand made upon the director, be exempted from any agricultural marketing program or order affecting same by showing that:

(a) As to olives:

(1) In the case of producers, the average rate of acreage production of olives of such producers for the preceding five years has been 70 percent or less of the state-wide average, and

(2) In the case of packers, they may be so exempted as to the portion of their pack which comes from such low-production olive acreages.

(b) As to clingstone peaches:

(1) In the case of producers, the average rate of acreage production of clingstone peaches of such producers for the preceding five years has been 70 percent or less of the state-wide average.

(2) In the case of packers, they may be so exempted as to the portion of their pack which comes from such low-production clingstone peach acreages."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1515**—An act to amend Section 677 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 2, line 1, of the printed bill, as amended in Senate March 25, 1955, strike out "be applicable"; and strike out lines 2 to 5, inclusive, and insert "apply to United States Government-owned butter cut and wrapped in this State nor to butter cut and wrapped in this State for export to points outside the continental United States."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture

**Senate Bill No. 1841**—An act to amend Section 5439 of the Public Resources Code, relating to county recreation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1 of the printed bill, between lines 22 and 23, insert

"The trustees may expend funds of the district for advertising in connection with the recreation and amusement facilities of the district in such amounts as they deem necessary to carry out the purposes of the district."

**Amendment No. 2**

On page 2, line 4, after "district", insert ", but not without the boundaries of the county in which the district was formed nor within the boundaries of any other district formed or operating pursuant to this article".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 212**—An act to amend Sections 35119, 35121, and 35122 of the Government Code, relating to cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 13, of the printed bill as amended, after "land", insert "other than an easement or right of way".

**Amendment No. 2**

On page 1, line 24, strike out "real property", and insert "land".

**Amendment No. 3**

On page 1, line 27, strike out "real property", and insert "land".

**Amendment No. 4**

On page 2, line 1, after "annexed," insert "or that protest is made by public and private owners of more than one-half of the value of the territory proposed to be annexed, as determined by the legislative body".

**Amendment No. 5**

On page 2, line 6, strike out "by owners of"; and strike out all of lines 7 to 10, inclusive, and insert "as specified by Section 35121, the city legislative body".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 213**—An act to repeal Section 35006 of the Government Code.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert  
"SECTION 1. Section 35006 of the Government Code is amended to read:  
35006. When uninhabited territory *owned by a city* is annexed, proceedings may be had under Article 3 or Article 5 of this chapter."

Amendments read, and adopted.

**Motion to Further Amend**

Senator Brown moved the adoption of the following amendment:

**Amendment No. 1**

In the title of the printed bill, after the word "Code", strike out the period, and insert "relating to cities."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1028**—An act to amend Sections 18850 and 18853 of the Government Code, relating to salaries of state employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert "and to add Section 18853.5 to,".



**Amendment No. 2**

On page 1, line 4, strike out "that"; and strike out lines 5 to 9, inclusive, and insert "those classes provided for in Section 18853.5. The salary range shall be based on".

**Amendment No. 3**

On page 2, following line 7, insert

"Sec. 3. Section 18853.5 is added to said code, to read:

18853.5. After the effective date of this section salary ranges shall not be established for, and the provisions of this chapter pertaining to salary adjustments within the range and the matters relating thereto shall not apply to, classes compensated on an hourly or per diem basis in accordance with Section 18853. This section shall not operate, however, to deprive any person actually employed in such a class on the effective date of this section of any salary adjustment to which he would be legally entitled but for the enactment of this section."

**Amendments read, and adopted.**

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 839**—An act to be known as Fresno Metropolitan Flood Control Act creating a district subject to the approval of the voters within the district, to be known as Fresno Metropolitan Flood Control District, for the purpose of acquiring and constructing facilities for flood control and the drainage of flood, storm and waste waters and the conservation of any thereof, and providing for the government and powers of said district.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 7 of the printed bill, as amended in the Senate March 22, 1955, line 6, strike out the words "or utility".

**Amendment No. 2**

On page 12, line 36, following "places", insert "(including state highways, after obtaining a permit therefor pursuant to Article 2, Chapter 3, Division 1 of the Streets and Highways Code)".

**Amendment No. 3**

On page 12, line 43, following "places", insert "(including state highways, after obtaining a permit therefor pursuant to Article 2, Chapter 3, Division 1 of the Streets and Highways Code)".

**Amendment No. 4**

On page 13, line 42, after "act," insert "provided the district, in exercising such power, shall in addition to the damage for the taking, injury, or destruction of property, also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables or poles of any public utility which is required to be moved to a new location."

**Amendment No. 5**

On page 13, line 43, strike out the sentence that begins in line 43 and ends in line 46 and insert: "There is hereby granted to the district the right of way for the location, construction and maintenance of flood control channels, ditches, waterways, conduits, canals, storm dikes, embankments, and protective works in, over and across public lands of the State of California, not otherwise disposed of or in use, not in any case exceeding in length or width that which is necessary for the construction of such works and adjuncts or for the protection thereof. Whenever any selection of a right of way for such works or adjuncts thereto is made by the district the board thereof must transmit to the State Lands Commission, the Controller of the State and the recorder of the county in which the selected lands are situated, a plat of the lands so selected, giving the extent thereof and the uses for which the same is claimed or desired, duly verified to be correct. If the State Lands Commission shall approve the selections so made it shall endorse its approval upon the plat and issue to the district a permit to use such right of way and lands. Wherever any of the proposed improvements are to be located in state highways a

permit shall be obtained therefor pursuant to Article 2, Chapter 3, Division 1 of the Streets and Highways Code."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1121**—An act to add Sections 35408 and 35409 to the Water Code, relating to the powers of California water districts.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "and", and insert "or".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1478**—An act to amend Section 55104 of the Water Code, relating to county water works districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 355**—An act to amend Sections 73872, 73873, and 73874 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of North Sacramento.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 616**—An act to amend Sections 74182, 74183, 74184, and 74185 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 655**—An act to amend Sections 14, 16, 19 and 22 of the Sonoma County Flood Control and Water Conservation District Act, relating to the Sonoma County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 261**—An act to add Section 682.1 to the Elections Code, relating to changing polling places.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 265**—An act to amend Section 5501 of the Elections Code, relating to digests of election laws.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 284**—An act to amend Section 9756 of the Elections Code, relating to nomination of candidates for elective offices.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 287**—An act to amend Section 11120 of the Elections Code, relating to filling vacancy when recall prevails.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 712**—An act to add Article 16 to Chapter 17 of Division 6 of the Agricultural Code, relating to the construction and interpretation of Chapter 17 of Division 6 of the Agricultural Code with respect to stabilization and marketing of fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 713**—An act to add Section 19 to the Agricultural Code, relating to the severability of provisions of the Agricultural Code.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1019**—An act to amend Section 963.5 of the Agricultural Code, relating to seed potato certification funds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1020**—An act to amend Section 785 of the Agricultural Code, relating to fruits, nuts and vegetables not in compliance with law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1021**—An act to amend Sections 911.22 and 911.23 of the Agricultural Code, relating to noxious weed seeds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1911**—An act to add Section 30.1 to the Agricultural Code, relating to production of trees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3261**—An act to amend Sections 6440, 6441, 6442, 6443, 6460, 6461, 6462, 6463, 6504 and 6508 of the Streets and Highways Code (Improvement Act of 1911), relating to the time of payment by the property owner and payment to the bondholder.

#### Motion to Retain Place on File

Senator Gibson moved that Assembly Bill No. 3261 be passed on file and retain its place on second reading file pending preparation of committee amendments.

Motion carried.

**Assembly Bill No. 3319**—An act to amend Sections 24001 and 27491 of the Government Code, relating to county officers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1, line 1, of the title, after "an act to amend", strike out "Sections 24001 and 27491", and insert "Section 24001".

##### Amendment No. 2

On page 1 strike out lines 12 to 25, inclusive.

**Amendment No. 3**

On page 2, strike out lines 1 to 18, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 872**—An act to add Section 5102 to the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1517**—An act to add Sections 14159.5 and 14710 to the Health and Safety Code, relating to warrants of fire protection districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 309**—An act to amend Section 427 of the Education Code, relating to the government of counties.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1745**—An act to amend Sections 31645, 31724, and 31765.1 of, and to add Section 31627.2 to, the Government Code, relating to the retirement of county employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in Assembly March 11, 1955, after "employees", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2, after line 37, insert

"Sec. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Upon the death in service of a member who was eligible to retire, his surviving spouse would not be entitled to the accumulated additional contributions which the member had paid in, under the existing law. While this bill would permit a member to withdraw such additional contributions many members may die before recovering such funds on deposit with the system unless the bill is given immediate effect."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 831 and Assembly Bills Nos. 1019, 1020, and 1911 carry an appropriation or an implied appropriation.

The President ordered Senate Bill No. 831 and Assembly Bills Nos. 1019, 1020, and 1911 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1367**—An act to repeal Section 4035 of the Business and Professions Code, and to add Section 4035 to the Business and Professions Code, relating to pharmacy.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1844**—An act to add Section 7360.1 to the Business and Professions Code, relating to authorizing permanent waiver licensees to perform certain cosmetological practices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 883**—An act to amend Sections 340, 416, and 562 of the Military and Veterans Code and to repeal Section 561 of said code, relating to the State Militia, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, and Ward—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, and Ward—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 33**—An act to add Section 69609 to the Government Code, relating to the number of judges of the Superior Court of Placer County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 79**—An act to amend Section 69588 of the Government Code, relating to the Superior Court of the County of Marin.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1380**—An act to amend Section 6535 of, and to add Section 6535.1 to, the Business and Professions Code, relating to barbers and barber colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Parkman, Richards, Sutton, Teale, Thompson, Ward, and J. Howard Williams—27.

NOES—Senator Short—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 224**—An act to amend Section 407 of the Education Code, relating to the salary of the superintendent of schools of a county of the seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1484**—An act to amend Section 410 of the Education Code, relating to the superintendent of schools of a county of the tenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1490**—An act to amend Section 1194.8 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, and J. Howard Williams—30.

**NOES**—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 130**—An act to amend Section 28154 of the Government Code, relating to compensation for public service in counties of the fifty-fourth class.

Bill read third time.

**Motion to Amend**

Senator Teale moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out "three thousand six hundred dollars (\$3,600)", and insert "three thousand dollars (\$3,000)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 131**—An act to amend Section 28150 of the Government Code, relating to compensation for public service in counties of the fiftieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 351**—An act to amend Section 126 of the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 445**—An act to add Section 111 to the Government Code, relating to sovereignty and jurisdiction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1613**—An act to authorize the conveyance of certain property, belonging to the State of California and situated in the County of Mendocino, to the River Union Elementary School District of Mendocino County, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1307**—An act to amend Section 834 of the Corporations Code, relating to actions in the right of corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 660**—An act to amend Section 404 of the Vehicle Code, relating to service of process on nonresident.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1088**—An act to amend Section 1463 of the Penal Code, relating to disposition of fines and forfeitures.

#### Motion to Refer Bill to Inactive File

Senator Ed. C. Johnson moved that Senate Bill No. 1088 be placed on the inactive file.

Motion carried.

**Senate Bill No. 1501**—An act to add Section 219.2 to the Penal Code, relating to throwing or shooting at trains, streetcars, or vessels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 998**—An act to amend Section 473 of the Code of Civil Procedure, relating to the giving of notice of default judgment.

Bill read third time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate April 8, 1955, strike out "Section 473", and insert "Sections 473 and 1010".

**Amendment No. 2**

On page 2, after line 14, insert

"SEC. 2. Section 1010 of said code is amended to read:

1010. Notices must be in writing, and the notice of a motion, other than for a new trial, must state when, and the grounds upon which it will be made, and the papers, if any, upon which it is to be based. If any such paper has not previously been served upon the party to be notified and was not filed by him, a copy of such paper must accompany the notice. Notices and other papers may be served upon the party or attorney in the manner prescribed in this chapter, when not otherwise provided by this code. No bill of exceptions, notice of appeal, or other notice or paper, other than amendments to the pleadings, or an amended pleading, need be served upon any party whose default has been duly entered or who has not appeared in the action or proceeding *except that in a case involving a money judgment in excess of one thousand dollars (\$1,000), notice of entry of the judgment or of an order or proceeding shall be served on such party or his attorney, in the manner prescribed by this chapter, within five days after such entry.*"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1251**—An act to amend Section 1254 of the Code of Civil Procedure, relating to condemnation of property for the use of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—Senators Dilworth and Sutton—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1724**—An act to amend Section 3352 of the Labor Code, relating to persons excluded from workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1180**—An act to amend Sections 2070 and 2093 of the Financial Code, relating to the merger of banks and trust companies.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Way, and J. Howard Williams—26.

NOES—Senator Miller—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2554**—An act to add Section 2007.1 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

**Motion to Amend**

Senator Way moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Senate April 6, 1955, strike out lines 7 to 12, inclusive, and insert "recipient is accompanied by a relative or representative of his own choosing, or by the public administrator if the recipient desires the assistance of that official, at all times the demand for reimbursement is discussed with him, and at the time he signs or delivers any instrument or paper by way of reimbursement."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3515**—An act to amend Section 1732 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1565**—An act to add Section 610.5 to the Fish and Game Code, relating to possession of fish.

**Motion to Refer Bill to Inactive File**

Senator Brown moved that Assembly Bill No. 1565 be placed on the inactive file.

Motion carried.

**Assembly Bill No. 1583**—An act to amend Section 1260 of the Fish and Game Code, relating to taking of deer with bow and arrow, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Harold T. Johnson.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, and Thompson—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Ward, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 61**—An act to amend Section 6528 of the Business and Professions Code, relating to barber college instructors.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Parkman, Regan, Sutton, Teale, Thompson, Ward, and J. Howard Williams—22.

NOES—Senators Donnelly and Montgomery—2.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 891**—An act to amend Section 6536 of the Business and Professions Code, relating to barbers and barber colleges.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Cobey, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Assembly Bill No. 443**—An act to amend Sections 28, 46.5, 291, 330.5, 373.5, 571.5, 668, 1402, 1404, 2605, 3709, 3822, 3922, 3935, 3944, 5563, 5717, 5726, 5805, 5931.5, 9002, 9801, and 11053 of, and to add Sections 370.1, 658.6 and 5755 to, and to repeal Sections 669, 670, 671, 672, 672.5, and 673 of, the Elections Code, relating to elections.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3775**—An act making an appropriation to the Attorney General for investigative purposes, to take effect immediately.

Bill read third time, and presented by Senator Grunsky.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 3775:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 10, 1955

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN :

**Assembly Bill No. 3775**, "An act making an appropriation to the Attorney General for investigative purposes, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The money to be appropriated by this bill is necessary to enable the Attorney General to continue with this investigation concerning the administration of the Alcoholic Beverage Control Act and to bring it to a satisfactory conclusion.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Ward, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 538**—An act to add Sections 10054.5 to the Elections Code, relating to the consolidation of elections.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 222**—An act to amend Section 1515 of the Elections Code, relating to the mailing of ballot pamphlets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Ward, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 227**—An act to amend Section 2670.1 of the Elections Code, relating to candidates' filing forms.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 289**—An act to amend Sections 1001 and 1003 of the Elections Code, relating to election proclamations.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 224**—An act to amend Sections 2351, 2353, 2703, and 2705 of the Elections Code, relating to publications.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 229**—An act to add Section 2743.5 to, and to amend Section 3000 of, the Elections Code, relating to the direct primary.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF ASSEMBLY CONCURRENT RESOLUTION NO. 87

Senator Robert I. McCarthy moved that Assembly Concurrent Resolution No. 87 be withdrawn from Committee on Rules for purpose of consideration.

The roll was called, and the motion carried by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—29.

NOES—None.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 87

**Assembly Concurrent Resolution No. 87**—Relative to congratulating the United Bay Area Crusade.

Resolution read, and presented by Senator Robert I. McCarthy.

The roll was called, and the resolution adopted by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Thompson, and J. Howard Williams—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### MOTIONS TO RECONSIDER

**Senate Bill No. 1147**—An act to amend Section 11013 of, and to add Sections 11013.1, 11013.2, 11013.3, 11013.4, and 11013.5 to, the Business and Professions Code, relating to real estate subdivisions.

#### MOTION TO POSTPONE RECONSIDERATION

Senator Ward moved that his motion to reconsider the vote whereby Senate Bill No. 1147 was passed be continued to the next legislative day.

The roll was called, and the motion carried by the following vote :

**AYES**—Senators Abshire, Berry, Busch, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and Way—27.

**NOES**—None.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 866

Senator Thompson moved that Senate Bill No. 866 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 866**—An act to amend Section 214 of the Revenue and Taxation Code, relating to the property tax welfare exemption in respect to property used for scientific purposes.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendment :

#### Amendment No. 1

On page 2, line 16, of the printed bill, strike out "scientific investigation," and insert "medical".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1210

Senator Thompson moved that Senate Bill No. 1210 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1210**—An act to add Section 1103.08 to the Agricultural Code, relating to eggs.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, strike out "in this State".

**Amendment No. 2**

On page 1, lines 5 and 6, strike out "place where the eggs were produced", and insert "name and address of the first packer where the eggs were first packed".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1749**

Senator Richards moved that Senate Bill No. 1749 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1749**—An act to amend Sections 26831, 26832, and 26837 of the Government Code, relating to fees charged by the county clerk.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "is", insert "twenty cents (\$0.20) a folio or when made by a photographic process is".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 216**

Senator Brown moved that Senate Bill No. 216 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 216**—An act to add Section 257.5 of the Probate Code, relating to succession from members of Indian tribes, bands, and groups.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 9, of the printed bill, after the period, insert "In the case of such marriages and".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 70**

Senator Cunningham moved that Senate Bill No. 70 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 70**—An act to provide for the creation of a Colorado River Boundary Commission to confer with representatives of the State of Arizona with respect to the definition or relocation of the common boundary of said states, and to report concerning the same and concerning a compact between said states relative to the said boundary, and to provide an appropriation for the joint investigation of said boundary and for expenses of said commission.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "provide for the creation of a Colorado River Bound-"; and strike out lines 2 to 8, inclusive, and insert "amend Section 2 of Chapter 1693 of the Statutes of 1953, relating to the Colorado River Boundary Commission."

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, strike out lines 1 to 22, inclusive; and on page 2, strike out lines 1 to 36, inclusive, and insert

"SECTION 1. Section 2 of Chapter 1693 of the Statutes of 1953 is amended to read:

Sec. 2. It shall be the duty of said commission to confer and act in conjunction with said representatives to be appointed on behalf of the State of Arizona for the following purposes:

(a) To make a joint investigation at the joint expense of said two states as to the location of the common boundary between the two states with respect to the present channel of the Colorado River from the southern boundary of the State of Nevada to the international boundary between the State of California and the United Mexican States;

(b) To investigate, negotiate and report as to the necessity and advisability of a compact between said two states defining or relocating said common boundary;

(c) To investigate and report as to the necessity and advisability of provisions in any such compact relating to the straightening, control, improvement or relocation of the channel of said river and as to the effect upon such interstate boundary of the performance of any such works;

(d) To hold such hearings and conferences in either of said two states as may be requisite in the premises and to do such other acts and things, either separately or in cooperation with the State of Arizona or the United States, or both, as may be necessary or convenient to accomplish the purposes of this act.



(e) [To report to the Governor of this State and to the Legislature prior to the session of the Legislature in the year 1955 the findings and recommendations of said commission concerning joint action by this State and the State of Arizona in the premises.] *To do all things necessary within the limit of its appropriation to survey, monument and map any boundary line heretofore or hereafter duly fixed by the State of California and the State of Arizona, the cost thereof to be shared jointly by the two states;*

(f) *To aid, assist and advise the members of the Congress of the United States in regard to securing the consent of the Congress to any boundary line heretofore or hereafter duly fixed by the State of California and the State of Arizona;*

(g) *To formulate and enter into administrative agreements on behalf of said states to solve problems which may arise by reason of the two states fixing the true boundary between said states;*

(h) *To make such procedural rules and regulations, to carry out the purposes of this act as said commission may deem necessary or convenient;*

(i) *To investigate and report back to the Governor and the Legislature prior to the session of the Legislature in 1957 its recommendations as to what administrative problems may continue to exist along the common boundary, what experiences it has had in connection with said problems, and what department or departments of the state government should be charged with administration of such problems in the future.*

#### **Amendment No. 3**

On page 2, line 37, strike out "3", and insert "2".

#### **Amendment No. 4**

On page 2, line 38, strike out "----- dollars (\$.-----)", and insert "fifty thousand dollars (\$50,000)".

#### **Amendment No. 5**

On page 2, strike out lines 43 to 48, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

### **WITHDRAWAL FROM COMMITTEE OF SENATE CONSTITUTIONAL AMENDMENT NO. 13**

Senator Cunningham moved that Senate Constitutional Amendment No. 13 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Constitutional Amendment No. 13**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XXI thereof, relating to the boundary of the State of California.

Bill read second time.

#### **Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

#### **Amendment No. 1**

In line 3 of the title of the printed measure, strike out "amending Section 1 of", and insert "adding Section 2 to".

#### **Amendment No. 2**

On page 1, line 7, strike out "amending Section 1 of", and insert "adding Section 2 to".

#### **Amendment No. 3**

On page 1, strike out lines 9 to 27, inclusive; and strike out pages 2 to 20, inclusive, and insert

"SEC. 2. The Legislature, in cooperation with the properly constituted authority of any adjoining state, is empowered to change, alter, and redefine the state boundaries, such change, alteration and redefinition to become effective only upon approval of the Congress of the United States."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

# INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was introduced:

**Senate Joint Resolution No. 25:** By Senator Byrne—Relative to the San Luis Project.

Referred to Committee on Water Resources.

## REPORTS OF STANDING COMMITTEES

### Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred: Senate Bill No. 107  
Senate Bill No. 651  
Assembly Bill No. 3490

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred: Senate Bill No. 94

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred: Senate Bill No. 652

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bill ordered to second reading.

## ADJOURNMENT

At 4.15 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Tuesday, April 12, 1955.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FORTY-SIXTH LEGISLATIVE DAY

SIXTY-THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, April 12, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator McBride, on motion of Senator Collier, due to legislative business.

Senator Dale C. Williams, on motion of Senator Ward, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ralph H. Routier of Oakland and Hal C. Norton of Pasadena.

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James Britt of Modesto.

On request of Senators Dorsey and Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. H. Ringe of Pasadena.



On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Piedmont Area Republican Women's Council: Eve Orr, Mrs. Thomas Caldecott, Doris Purchase, Mrs. Bert Bertillion, Mrs. Robert Dickson, Hazel Dean, Virginia Morrison, Margaret Samuel, Gladys Mink, Dagny Peterson, Carol Deal, Beulah Jones, Angela Schurmacher, Florence Slole, Claire Hulse, Edna Flowers, Pauline Johnson, Else Hess, Mrs. Walter Dahl, Georgia Sherwin, Sue D. Johnson, Laura Johns, Charlotte Nostrabd, Mrs. Prior Letchworth, Mrs. Harry Harker, Mrs. Nial Gardner, Mrs. Robert Bartell, Mrs. John Whalen, Mrs. James Barr, Mrs. Clarence DeLaney, Rose Atkinson, Ethel Schnoor, Mary Cutter, Ruth Robinson, and Mrs. Irving Magnus.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to T. R. Weigel of North Hollywood.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Martin, Sr., and George Martin, Jr., of Gilroy, and Barnard Martino of San Jose.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hayden Jones, Mrs. Marie Kinder, and the following students from Rumsey School, Rumsey: Patricia Jones, Nancy Spearin and Bernel Lloyd.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. Owen M. Geer and the following members of the First Methodist Church, Fullerton: Mrs. Ruth Geer, Pat Moberg, Anita Bell, John Lindsay, James Lindsay, Will Lindsay, June Lindsay, Robert Ogilvie, Nancy Chase, Marcia Renck, Kay Kiker, Doretta Bacon, Dennis Brittain, Margaret Ann Flynn, Shirley Janssens, Jean Stewart, Richard Wagner, Harold Galbraith, Elizabeth Hart, Lynn Thompson, Don Diebold, Don Vail, Janet Smith, Robert Binckes, Tom Binckes, Sherrie Holve, John Maschino, Jack Chorbagian, Judy Thomas, and George Davis.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ernie Marshall, Jr., Elsie Ricklefs, Harry Campbell, and Vivian Hailstone, all of Hoopa.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. C. Grimsley of South Laguna, Mr and Mrs. Edward J. Power of Anaheim, Eugene H. Parker of Laguna Beach, Mrs. C. H. Lauer of San Clemente, Roger Lauer of San Clemente, and Mr. and Mrs. E. V. Parker and sons, Tommy and William, of Laguna Beach.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Alton Peterson, parents Mrs. Margaret Voorhees, Mrs. Clarice Brookins, Mrs. Floyd Duncan, and the following students from Arbuckle Union School District: Sally Atran, Darlene Bragg, Jim Brookins, Duane Chandler, Carol Denhardt, Roger Denny, Larry Descombaz, Joann Cape, Autry Dodson, Shirley Duncan, Birley Free, Sherie Friel, David Fulton, Madeline Fulton, Raymond Gammons, Marianne Hassler, Karen Hill, Dickie Kaiser, Philip Knight, Lloyd Libby, Marjory Lovell, Richard Manford,

Nancy Roberts, Gilbert Salyer, Thelma Smedley, Patti Stitt, Ronnie Tyler, Helen Urchinson, Bonnie Vanderheiden, Mickey Voorhees, Altie Wells, Patsy White, Bill Wren, and Beeky Schohr.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students and adults from Weaver Union School and El Nido School: Ronnie Alloway, Alice Amis, Audrey Aue, Jerry Bales, Bobby Boyles, Bette Bowen, Frank Brown, William Bruce, George Buttice, Edward Chaffin, Arthur Clark, Virginia Covert, Wayne Curtice, Benita Davis, John DeRoos, Grady Jackson, James Haynes, Anthony Heniger, Caesar Hernandez, Geraldine Hill, Naomi Hunter, Tucky Joe Hutcheson, Dean Kohrummel, William Kuhnert, Arthur LaVoy, Alyce Lawr, Eugene Lee, James Mackey, Victor Mancebo, Carl Mays, Vincent Minor, Leonore Nunes, Joseph Olivarez, Robert Olivarez, Gary Papale, Walter Papale, Donald Reeves, Rosa Lee Scoggins, Larry Sevedge, Donald Stanford, Joan Stevenson, Donald Vaught, Darlene Wheatley, Mrs. Velma Clark, Mr. Harry Weitemier, Mrs. Bill Bruce, Mrs. O. S. Alloway, Miss Edythe Pregno, Shirley Auldrige, Jeannie Benson, Jeanette Benson, Clarence Borba, Alvin Branch, Anselma Chavez, Ray Collins, Margaret Cotta, John Eggeman, Dorothy Farmer, Marion Forte, Kenneth Gilbert, Lucy Lugo, Fred McGuire, Ted Mello, Curtis Monson, Phyllis Proletti, Estella Ramos, Bob Ross, Dorothy Scoggins, Linda Stoops, Bill Wilson, Lennie Wooten, Mr. Charles Roveto, Mrs. Ruth Coulson, Mrs. Clarence Borba, and Mr. and Mrs. Ed Forte.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to adults Dorothy Shepard, Donald D. Jameson, Raymond Kirby, and the following students from Scotts Valley Union School: Bruce Bettencourt, Barry Brown, Larry Brown, Jack Dufour, Andy Gustavson, Bob Hager, Wesley Haystead, Don Henneuse, Dennis High, Fred Howard, Frank Jaeger, John Kirby, Bob Koch, Jimmy Koch, Wayne Mathews, Richard McAlear, Robert McAlpine, Bob Mello, Dick Tinkess, Paul Walsh, Barry Watkins, Bob Young, Irene Blair, Colleen Coulter, Jo Ann Nigh, Barbara Petti, Joyce Redding, Sharon Sample, Carolyn Shepard, Kathy Vitzian, Kit Walmsley, Donna White, and Nancy Wilson.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Lois McCoy and the following students from West Aeres School, West Sacramento: Jack Branaum, Gerald Beauchaine, Richard Bowler, Roger Dickerson, Dennis Gibford, Dave Huber, Bill Mitchell, Larry Novelli, Dennis Perez, Robert Reinhardt, Bob Smith, Gary Stout, Tommy Treckeme, Jan Wetering, Arthur Williams, Charles Evans, Danny Trice, Judy Batchelder, Phyllis Cobler, Constance Costa, Nancy David, Julia De Anda, Patty Fox, Doris Granger, Pat Green, Margaret Hill, Loretta James, Georgia Lewis, Myrna Mackewicz, Joan Morley, Noyce Nixon, Karen Purdue, Loretta Robben, Sandra Sager, Marlene Williams, and Myrtle Tietjen.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. Thomas Drake of San Diego.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred M. Cross, Oscar A. Trippet, Lyman H. Johnson, and B. A. Miller, all of Los Angeles.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Arnold Morse of Stockton.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Cunningham asked for, and was granted, unanimous consent to have the following remarks regarding the oranges distributed to the Members of the Senate, printed in the Journal:

CALIFORNIA LEGISLATURE, SENATE

April 12, 1955

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: These beautiful navel oranges you find on your desk today are the product of the great orange-producing County of San Bernardino. The oranges are the gift of N. L. Levering, Journal Clerk of the Senate, and I might add that last Sunday Mr. Levering celebrated his eighty-sixth birthday.

We trust that you will never have eaten a more delicious orange than those we are presenting you today.

Thank you, gentlemen,

JAMES E. CUNNINGHAM

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 10  
Assembly Bill No. 37  
Assembly Bill No. 38  
Assembly Bill No. 39  
Assembly Bill No. 95  
Assembly Bill No. 146  
Assembly Bill No. 186  
Assembly Bill No. 510  
Assembly Bill No. 548  
Assembly Bill No. 674  
Assembly Bill No. 735

Assembly Bill No. 855  
Assembly Bill No. 1011  
Assembly Bill No. 1193  
Assembly Bill No. 1321  
Assembly Bill No. 1519  
Assembly Bill No. 1524  
Assembly Bill No. 1527  
Assembly Bill No. 1614  
Assembly Bill No. 1784  
Assembly Bill No. 2124  
Assembly Bill No. 2501

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 10**—An act to amend Section 7416 of the Public Resources Code, relating to lieu lands.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 37**—An act to amend Section 8821 of the Education Code, relating to admittance qualifications of junior college pupils.

Referred to Committee on Education.

**Assembly Bill No. 38**—An act to amend Section 4200 of the Government Code, relating to the posting of bonds on public works contracts.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 39**—An act to amend Section 16145 of the Education Code, relating to student organizations.

Referred to Committee on Education.



**Assembly Bill No. 95**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Assembly Bill No. 146**—An act to amend Sections 430.2, 430.4, 430.6, and 432.3 of, and to add Sections 430.9, 430.10, 430.11, and 430.12 to, and to repeal Section 432.6, as added by Chapter 327 of the Statutes of 1947, of, the Health and Safety Code, relating to the survey and construction of hospitals, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 186**—An act to add Section 450.2 to the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

**Assembly Bill No. 510**—An act to amend Sections 4452, 4453, 4455, 4460 and 4656 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 548**—An act to amend Sections 14728.1 and 14728.3 of, and to add Section 14728.2 to, the Education Code, relating to school district retirement systems.

Referred to Committee on Education.

**Assembly Bill No. 674**—An act to add Section 5008 to the Education Code, relating to bank accounts as clearing accounts for school districts.

Referred to Committee on Education.

**Assembly Bill No. 735**—An act to add Chapter 18.5 to Division 3 of the Education Code, relating to advance apportionments to junior college districts formed to include high school districts maintaining junior colleges, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 855**—An act to amend Section 14744 of the Education Code, relating to school district retirement systems.

Referred to Committee on Education.

**Assembly Bill No. 1011**—An act to amend the "Los Angeles County Flood Control Act" (Chapter 755 of the Statutes of 1915) by amending Section 13 $\frac{3}{4}$  thereof, relating to the control and conservation of the flood, storm and other waste waters of the Los Angeles County Flood Control District.

Referred to Committee on Local Government.

**Assembly Bill No. 1193**—An act to amend Section 28322 of the Health and Safety Code, relating to food containers.

Referred to Committee on Public Health and Safety.



**Assembly Bill No. 1321**—An act to add Chapter 10.3 to Title 9 of Part 1 of the Penal Code, relating to gaming.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1519**—An act to add Section 69751 to the Government Code, relating to sessions of the superior court in places other than the county seat.

Referred to Committee on Judiciary.

**Assembly Bill No. 1524**—An act to amend Section 20980 of, and to add Section 20982 to, the Water Code, relating to the change of name of irrigation districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1527**—An act to amend Section 21657 of the Water Code, relating to elections in irrigation districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1614**—An act to amend Sections 4826 and 4827 of the Business and Professions Code, relating to the practice of veterinary medicine and surgery.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1784**—An act to amend Section 21378 of the Water Code, relating to internal organization of irrigation districts.

Referred to Committee on Local Government.

**Assembly Bill No. 2124**—An act to amend Sections 220 and 230 of the Elections Code, relating to affidavits of registration.

Referred to Committee on Elections.

**Assembly Bill No. 2501**—An act to amend Section 51890 of the Water Code, relating to reclamation districts.

Referred to Committee on Local Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 92**—An act to amend Section 12304 of the Financial Code, relating to reports by check sellers and cashers;

**Senate Bill No. 98**—An act to amend Section 22411 of the Financial Code, relating to personal property brokers;

**Senate Bill No. 144**—An act to add Section 217 to the Vehicle Code, relating to reciprocity with respect to the privileges of persons owning vehicles registered elsewhere than in this State, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 320**—An act to amend Section 901 of the Probate Code, relating to compensation of executors and administrators;

**Senate Bill No. 342**—An act to add Sections 26907 and 26908 to the Government Code, relating to the destruction of public records;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 489—An act to amend Sections 166, 166.1, 166.2, 166.3, 1015, 1016, 1017, and 1018 of the Welfare and Institutions Code, and Sections 5061, 5062, 5063, and 5064 of the Penal Code, relating to the property of deceased, escaped, discharged, or paroled inmates of state institutions;

Senate Bill No. 524—An act to amend Section 683 of the Civil Code, relating to joint tenancy;

Senate Bill No. 558—An act to add Section 1200.1 to the Probate Code, relating to administration of estates;

Senate Bill No. 860—An act to amend Section 948 of the Code of Civil Procedure, relating to undertakings on appeal;

Senate Bill No. 1334—An act to amend Sections 1040 and 1041 of the Military and Veterans Code, relating to the Veterans' Home of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 184

Senate Bill No. 1028

Senate Bill No. 212

Senate Bill No. 1121

Senate Bill No. 213

Senate Bill No. 1841

Senate Bill No. 839

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 130

Senate Bill No. 998

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 355

Senate Bill No. 830

Senate Bill No. 616

Senate Bill No. 1478

Senate Bill No. 655

And reports the same correctly engrossed.

WARD, Chairman

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1413

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 133

Senate Bill No. 1412

Senate Bill No. 1407

Senate Bill No. 1475

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 1406

Senate Bill No. 1410

Senate Bill No. 1408

Senate Bill No. 1411

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

## Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 2308

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 4; noes 1; absent 2.

MURDY, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 928

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 4; absent 2; not voting 1.

MURDY, Vice Chairman

Above reported bill ordered to second reading.

## Committee on Public Utilities

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Public Utilities, to which were referred:

Assembly Bill No. 917

Assembly Bill No. 1731

Assembly Bill No. 1880

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 4; absent 3.

WAY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 1324**—An act to amend Section 8621 of the Water Code, relating to flood control.

Bill read second time.

## ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 1324 carries an appropriation or an implied appropriation.

The President ordered Senate Bill No. 1324 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**Senate Bill No. 296**—An act to add Section 1256 to the Water Code, relating to the reservation of water for fish and wild life.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 10**—An act to add Section 73.1 to the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to improvement district assessments, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 11**—An act to amend Section 28 of the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to water district assessments, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 107**—An act to amend Section 25102 of the Corporations Code, relating to transactions exempt from the Corporate Securities Law.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

##### Amendment No. 1

On page 1, line 17, of the printed bill, after "unsecured," insert "and any guarantee thereof."

##### Amendment No. 2

On page 1, strike out lines 20 to 22, inclusive, and insert "(d) A promissory note, secured by a lien on a single parcel of real property, when such note is not one of a series of notes executed by one maker or persons associated together in the issue of notes."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 651**—An act to amend Section 6048 of the Insurance Code, relating to county mutual insurers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

##### Amendment No. 1

On page 1, line 5, of the printed bill, strike out "counties", and insert "a county".

##### Amendment No. 2

On page 1, line 6, after the period, insert "In the event that no such insurer may, under the provisions of the preceding sentence, insure property in a county contiguous to the said next adjoining county, then such insurer may also insure property in the said contiguous county."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 94**—An act to amend Section 12100 of the Financial Code, relating to exemptions from the Check Sellers and Cashers Law.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 12100", and insert "Sections 12100 and 12300.3".

**Amendment No. 2**

In line 2 of the title, strike out "exemptions from".

**Amendment No. 3**

On page 1 after line 5, insert "license and authority of the Superintendent of Banks of the State of California, or under".

**Amendment No. 4**

On page 1, after line 9, insert

"(b) Persons or their authorized agents engaged in the business of paying to others bills, invoices, or accounts of an obligor, or of selling or cashing checks, including traveler's cheques, drafts, or money orders issued by a person who has been licensed under and complied with and continues to be licensed under and comply with, Article 3 of Chapter 14 of Division 1 of this code."

**Amendment No. 5**

On page 1 strike out line 14, and insert

"(c) Attorneys at law who are not actively engaged in business as a check seller or cashier."

**Amendment No. 6**

On page 1, line 15, strike out "(c)", and insert "(d)".

**Amendment No. 7**

On page 1, line 18, strike out "(d)", and insert "(e)".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 8**

On page 1, after line 22, insert

"SEC. 2. Section 12300.3 of the Financial Code is amended to read:

12300.3. All money, checks, drafts, and money orders received by a licensee in the business of selling checks, or of receiving money as agent of an obligor for the purpose of paying bills, invoices, or accounts of such obligor, and all money, checks, drafts, and money orders received in such business of the licensee by any of its officers, employees, or agents constitute trust funds owned by and belonging to the persons from whom they were received [and shall be separated not later than the end of each third business day] and *shall be* [thereafter] kept separate, distinct, and apart at all times from funds belonging to the licensee or any of its officers, employees or agents, and may be used for no purpose other than paying bills of said persons, paying checks, drafts, or money orders sold by the licensee or cashing checks, drafts, or money orders by [or on behalf of] the licensee. All such trust funds *received at the main or branch offices of a licensee shall be deposited in a bank or banks in an account or accounts in the name of the licensee designated "trust account," or by some other appropriate name indicating that the funds are not the funds of the licensee or of its officers, employees, or agents, on or before the close of the next business day following receipt. Moneys received by an agent of a licensee must be deposited in such account on or before the close of the third business day following receipt by the agent.* [and as such] Such funds are not subject to attachment, levy of execution or sequestration by order of court except by a payee or bona fide assignee or bona fide holder in due course of a check, draft, or money order sold by a licensee, or except by an obligor for whom a licensee is acting as an agent in paying bills. Funds in said account, together with money on hand and in the hands of agents held for the account of the licensee, [and checks, drafts, or money orders received in said business and on hand] at all times shall be at least equal to the aggregate liability of the licensee on account of checks sold and bills, invoices, and accounts accepted for payment.

Nothing in this law shall be construed to prevent a purchaser, a holder in due course, the payee of a check, draft, or money order sold by the licensee in the usual course of his business, or an obligor for whom the licensee is acting as an agent in paying bills of the obligor, from taking any legal action necessary to enforce any

claims which said purchaser, holder in due course, payee, or obligor may desire to take including the right to levy attachment or execution.

In the event a license under this law shall be suspended or terminated the licensee shall immediately deposit in said trust account an amount which with funds therein contained shall be equal to the outstanding checks sold and bills unpaid."

Amendments read, and adopted.

Bill ordered printed.

**Motion to Re-refer Senate Bill No. 94**

Senator Grunsky moved that Senate Bill No. 94 be re-referred to Committee on Financial Institutions.

Motion carried.

**Senate Bill No. 652**—An act to amend Section 6040 of the Insurance Code, relating to county mutual insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1 of the printed bill, after line 7, insert

"For the purposes of this section "professional buildings" shall mean buildings of a value not to exceed seventy-five thousand dollars (\$75,000), with occupancy limited to offices of members of licensed professions such as medicine, dentistry, law and accountancy. Dwelling accommodations may or may not be included in such buildings."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**Senate Bill No. 1123**—An act to add Section 12701, 12702, and 12703 to the Water Code, relating to the project on San Lorenzo Creek in Alameda County for flood control and allied purposes.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 3261**—An act to amend Sections 6440, 6441, 6442, 6443, 6460, 6461, 6462, 6463, 6504 and 6508 of the Streets and Highways Code (Improvement Act of 1911), relating to the time of payment by the property owner and payment to the bondholder.

**Motion to Re-refer Assembly Bill No. 3261**

Senator Gibson moved that Assembly Bill No. 3261 be re-referred to Committee on Local Government.

Motion carried.

**Assembly Bill No. 3490**—An act to amend Section 1194.8 of the Insurance Code, relating to excess fund investments of insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 2, line 5, of the printed bill, after "assets", insert "A lease eligible for purchase hereunder shall be for a term which at the date of purchase shall not expire for at least 24 years."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 130**—An act to amend Section 28154 of the Government Code, relating to compensation for public service in counties of the fifty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Coombs, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1473**—An act to amend Section 602 of the Code of Civil Procedure relating to the qualifications of jurors.

Bill read third time.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Desmond moved a call of the Senate.

Motion carried. Time, 2.50 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

Indexing Clerk Ed Paine at the Desk

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 998**—An act to amend Sections 473 and 1010 of the Code of Civil Procedure, relating to the giving of notice of default judgment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 184**—An act to amend Section 359.6, of the Agricultural Code, relating to licensed slaughterers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 830**—An act to amend Section 4311 of the Agricultural Code, relating to petitions for sales stimulation and consumer educational programs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.12 p.m., on motion of Senator Desmond, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 1473 refused passage by the following vote:

AYES—Senators Breed, Brown, Burns, Cobey, Cunningham, Desmond, Dorsey, Gibson, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Teale, and Way—16.

NOES—Senators Abshire, Berry, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Harold T. Johnson, Kraft, Murdy, Parkman, Sutton, Thompson, Ward, and J. Howard Williams—19.

#### Motion to Reconsider

Senator Desmond moved to reconsider the vote whereby Senate Bill No. 1473 was refused passage.

#### Postponement of Reconsideration

On motion of Senator Desmond, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1473 was refused passage, was continued until the next legislative day.

#### RECESS

At 3.14 p.m., on motion of Senator Murdy, the Senate recessed to permit Senator Murdy to present to the Senate Roger Lauer, who won the state essay contest conducted by the California Real Estate Association on "Why I Want to Own My Own Home."

The President appointed Senators Murdy and Robert I. McCarthy to escort Roger Lauer to the rostrum.



Senator Murdy introduced Mr. Lauer to the Senate, who addressed the Senate as follows:

#### WHY I WANT TO OWN MY OWN HOME

I want to own my own home because it would answer many of my needs.

Since time immemorial most living beings on this fair planet of ours have had a need for a place to live, a place where they could be secure and raise their families. The birds build their nest, the moles burrow their homes deep in the ground, the lions seek safety in their dens, while man seeks shelter in a house.

Down through the ages this desire has never changed. I am not an exception to this natural longing for a home. In 10 or 15 years, I, like millions of others, hope to be able to achieve this dream.

Like my forefathers, I seek safety and protection from natural hazards and a place which will be a haven for me and my loved ones. I am indeed fortunate to live in a land where such things are possible.

Like my fellow man, I must have friends, neighbors, and be part of the community. All these things are mine when I own a home.

From a practical or financial point of view the ownership of a home is also a good investment. When you rent or lease a house and later move out you don't have anything to show for it. When you buy a house you can sell it years later and still get a large portion, if not all of your money back.

I hope some day to own a home. A home where my family and I can relax and be free to do the things we enjoy. For enjoyment and happiness are what make a house a home.

This is why I wish some day to be the proud owner of a home.

#### REASSEMBLED

At 3.18 p.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Indexing Clerk Edward Paine at the desk.

#### CONSIDERATION OF DAILY FILE (RESUMED)

##### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 212**—An act to amend Sections 35119, 35121, and 35122 of the Government Code, relating to cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Sutton, Teale, Way, and J. Howard Williams—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 213**—An act to amend Section 35006 of the Government Code, relating to cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Richards, Teale, Way, and J. Howard Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1028**—An act to amend Sections 18850 and 18853 of, and to add Section 18853.5 to, the Government Code, relating to salaries of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Teale, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1121**—An act to add Sections 35408 and 35409 to the Water Code, relating to the powers of California water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 616**—An act to amend Sections 74182, 74183, 74184, and 74185 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Bill read third time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendment:

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 through 26, inclusive; and strike out page 2, and insert

"74182. There shall be one clerk, to be appointed by the judges of the court, who shall be secretary of the court and who shall receive [five hundred dollars (\$500)] *six hundred fifty dollars (\$650)* monthly.

**SEC. 2.** Section 74183 of said code is amended to read:

[74183. The clerk shall appoint:]

[(a) One chief deputy clerk, who shall receive three hundred eighty-five dollars (\$385) monthly.]

[(b) One deputy clerk, who shall receive three hundred thirty-five dollars (\$335) monthly.]

[(c) Two deputy clerks who shall be court clerks, each of whom shall receive three hundred ten dollars (\$310) monthly.]

[ (d) One deputy clerk, who shall be in charge of the traffic violations bureau of the court, and who shall receive three hundred ten dollars (\$310) monthly.]

[ (e) Two deputy clerks, each of whom shall receive two hundred seventy-five dollars (\$275) monthly.]

[ (f) One senior stenographer-clerk who shall receive two hundred seventy-five dollars (\$275) monthly.]

[ (g) One deputy clerk who shall be a stenographer and who shall receive two hundred seventy-five dollars (\$275) monthly.]

[ (h) Four clerks, each of whom shall receive two hundred forty dollars (\$240) monthly.]

74183. The clerk shall appoint:

(a) One chief deputy clerk who shall be in charge of the civil division of the court and who shall receive five hundred dollars (\$500) monthly.

(b) One deputy clerk (criminal division), who shall receive four hundred dollars (\$400) monthly.

(c) One deputy clerk (court clerk, criminal division), who shall receive three hundred seventy-five dollars (\$375) monthly.

(d) One deputy clerk (court clerk, who shall be in charge of the small claims division), who shall receive three hundred seventy-five dollars (\$375) monthly.

(e) One deputy clerk, who shall be in charge of the traffic violations bureau of the court and who shall receive three hundred seventy-five dollars (\$375) monthly.

(f) One deputy clerk, who shall be in charge of machine operations (traffic violations bureau), who shall receive three hundred fifty dollars (\$350) monthly.

(g) Two key punch operators (traffic bureau), each of whom shall receive three hundred twenty-five dollars (\$325) monthly.

(h) Two deputy clerks (criminal division), each of whom shall receive three hundred twenty-five dollars (\$325) monthly.

(i) One senior stenographer-clerk (criminal division), who shall receive three hundred twenty-five dollars (\$325) monthly.

(j) One deputy clerk (civil division), who shall be a stenographer, and who shall receive three hundred twenty-five dollars (\$325) monthly.

(k) Two deputy clerks (civil division), each of whom shall receive three hundred twenty-five dollars (\$325) monthly.

(l) Two deputy clerks (court clerks, civil division), each of whom shall receive three hundred twenty-five dollars (\$325) monthly.

(m) Five clerks (criminal division), each of whom shall receive two hundred ninety dollars (\$290) monthly.

SEC. 3. Section 74184 of said code is amended to read:

74184. There shall be one marshal, to be appointed by the judges of the court, who shall receive [five hundred dollars (\$500) a month] *six hundred fifty dollars (\$650) monthly.*

SEC. 4. Section 74185 of said code is amended to read:

74185. The marshal shall appoint:

(a) One assistant marshal, who shall receive [three hundred thirty-five dollars (\$335)] *four hundred dollars (\$400) monthly.*

(b) One chief deputy marshal and one deputy marshal, each of whom shall receive [three hundred ten dollars (\$310)] *three hundred eighty-five dollars (\$385) monthly.*

(c) Two deputy marshals (bailiffs) each of whom shall receive three hundred fifty dollars (\$350) monthly.

(d) One deputy marshal who shall be a stenographer [clerk], who shall receive [two hundred seventy-five dollars (\$275)] *three hundred twenty-five dollars (\$325) monthly.*

[ (e) One deputy marshal clerk, who shall receive [two hundred forty dollars (\$240)] *two hundred ninety dollars (\$290) monthly.*"]

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 655**—An act to amend Sections 14, 16, 19 and 22 of the Sonoma County Flood Control and Water Conservation District Act, relating to the Sonoma County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**UNFINISHED BUSINESS**

**Consideration of Assembly Amendments**

**Senate Bill No. 104**—An act to amend Section 348 of the Code of Civil Procedure, relating to limitation of action for deposit of money or other property.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 104?

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "industrial loan company, credit union,".

**Amendment No. 2**

On page 1, line 6, after "society", insert "or evidenced by a certificate issued by an industrial loan company or credit union".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 104 by the following vote:

AYES—Senators Abshire, Berry, Breed, Cobey, Collier, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Above bill ordered enrolled.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Consideration of Assembly Amendments**

**Senate Bill No. 1200**—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No 1200?

**Amendment No. 1**

On page 2, line 11, of the printed bill, as amended in Senate March 22, 1955, strike out "savings", and insert "retirement".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1200 by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold



T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, and Way—26.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 1598**—An act to add Section 16603 to the Business and Professions Code, relating to tie-in sales of horror comic books.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 1598?

#### Amendment No. 1

On page 1, line 23, of the printed bill as amended in Senate March 15, 1955, strike out "magazine", and insert "booklet".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1598 by the following vote:

AYES—Senators Berry, Breed, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Way, and J. Howard Williams—25.

NOES—None.

Above bill ordered enrolled.

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 144**—An act to add Section 860 to the Financial Code, relating to statements rendered by banks to depositors.

Bill read third time, and presented by Senator Miller.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 326**—An act to amend Section 1157.1 of the Government Code, relating to public agencies.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 261**—An act to add Section 682.1 to the Elections Code, relating to changing polling places.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Thompson, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 265**—An act to amend Section 5501 of the Elections Code, relating to digests of election laws.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 284**—An act to amend Section 9756 of the Elections Code, relating to nomination of candidates for elective offices.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 287**—An act to amend Section 11120 of the Elections Code, relating to filling vacancy when recall prevails.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 712**—An act to add Article 16 to Chapter 17 of Division 6 of the Agricultural Code, relating to the construction and interpretation of Chapter 17 of Division 6 of the Agricultural Code with respect to stabilization and marketing of fluid milk and fluid cream.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 713**—An act to add Section 19 to the Agricultural Code, relating to the severability of provisions of the Agricultural Code.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Thompson, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1021**—An act to amend Sections 911.22 and 911.23 of the Agricultural Code, relating to noxious weed seeds.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Thompson, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 872**—An act to add Section 5102 to the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 309**—An act to amend Section 427 of the Education Code, relating to the government of counties.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Regan, Richards, Short, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1745**—An act to amend Sections 31645, 31724, and 31765.1 of, and to add Section 31627.2 to, the Government Code, relating to the retirement of county employees, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried. Time, 4.15 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.17 p.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1745 passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**Motions to Reconsider**

**Senate Bill No. 1147**—An act to amend Section 11013 of, and to add Sections 11013.1, 11013.2, 11013.3, 11013.4, and 11013.5 to, the Business and Professions Code, relating to real estate subdivisions.

**Motion to Postpone Reconsideration**

Senator Ward moved that his motion to reconsider the vote whereby Senate Bill No. 1147 was passed, be continued until Tuesday, April 19, 1955.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Ward moved a call of the Senate.

Motion carried. Time, 4.20 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1179

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk



## REPORTS OF STANDING COMMITTEES

## Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1720

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 13.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1713

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; noes 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1712

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 13; committee vote: Ayes 7; noes 6.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1649

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 932

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 646

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 9  
Senate Bill No. 1547  
Senate Bill No. 1548

Senate Bill No. 1550  
Assembly Bill No. 3249  
Assembly Bill No. 3777

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 7; noes 6.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 325

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Representation

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Legislative Representation, to which was referred:

Senate Bill No. 1983

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Assembly Bill No. 1922

Assembly Bill No. 1956

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bills ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 1344

Assembly Bill No. 1609

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

SUTTON, Chairman

Above reported bills ordered to second reading.

**Committee on Public Health and Safety**

SENATE CHAMBER, SACRAMENTO, April 11, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1405

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. MCCARTHY, Chairman

Above reported bill ordered to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.25 p.m., on motion of Senator Ward, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the motion by Senator Ward to continue his motion to reconsider the vote whereby Senate Bill No. 1147 was passed, until Tuesday, April 19, 1955, was carried by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

**RESOLUTIONS**

The following resolution was offered:

By Senators Regan, Parkman, Coombs, Robert I. McCarthy, Cunningham, Kraft, Short, Gibson, Busch, Donnelly, Burns, Miller, Thompson, Montgomery, Teale, Cobey, Harold T. Johnson, Berry, J. Howard Williams, Richards, and Dale C. Williams:

**Senate Resolution No. 91****Relative to underground water supply**

WHEREAS, Under the combined impact of continuous population increase and the rapid depletion of underground water supplies, it has become a matter of state and national urgency that the development of California water resources be speeded to the utmost; and

WHEREAS, The needs of population, industry, agriculture and national defense call for immediate action on many California projects now under consideration by both the Congress of the United States and the Legislature of the State of California; and

WHEREAS, Within a 10-year period California increased in population from fifth to second place among the states and it is still growing in a manner unprecedented in national history and with this growth has come industrial as well as agricultural expansion and a new understanding of the importance of California's economic contribution to the national welfare; and

WHEREAS, The basic concept under which California has for many years worked toward the solution of its state-wide water problem has been through the regulated movement of water from areas of surplus supply to areas of water deficiency; and

WHEREAS, Progress under this concept has made necessary detailed studies which have involved both national and state policy, and the magnitude of such projects regularly involves the consideration of flood control, navigation, drainage, irrigation, salt water exclusion, pollution, recreation and domestic supplies; and

WHEREAS, Progress under this concept has also, in the face of the pressing requirements of population growth, national defense and sound economic advancement, called for a cooperative approach which has and must continue to include federal assistance in both finance and construction and any slow-down in construction caused by reliance upon state credit alone would inescapably soon be reflected in handicaps to economic stability and in actual economic loss; and

WHEREAS, There is pending before the Congress of the United States legislation which specifically calls for the immediate authorization and construction of the

Trinity River-San Luis Reservoir Project in which the ratio of benefits to cost of both phases of the project is known to be exceptionally favorable and the available market for both water and power developed by the project is known to far exceed potential output; and

WHEREAS, The Trinity River development will provide a new supply of water for irrigation, and through low cost power add to the economic feasibility of the storage and distribution facilities of the San Luis Reservoir Project in the San Joaquin Valley and the two developments in combination will enable the utilization of millions of acre-feet of flood water now wasting annually into Humboldt and San Francisco Bays; and

WHEREAS, Integration of the Trinity River-San Luis Reservoir Project with the federally operated Central Valley Project will increase the economic feasibility of both projects and such integration should continue until the State of California determines that it is in a position to assume the responsibilities of operation, maintenance and further development of the San Luis phase of the project and provide for its integration with its state-wide program; and

WHEREAS, Such eventual integration with the state plan should be provided for in congressional legislation in view of the pending development of the Feather River and any development or construction provided by any agency of the Federal Government should be planned and designed with this aim and purpose in mind for the full development of California's water resources requires a state-wide master plan into which all projects can eventually be integrated; no, therefore, be it

*Resolved by the Senate of the State of California,* That because of the economic dangers and reversals which may be attendant on further delay in construction of the Trinity River-San Luis Reservoir Project, the Congress of the United States is hereby petitioned to enact such legislation as may be required to bring about immediate authorization and construction of the project by the Federal Government under a plan which will permit integration of the project with a state-wide California plan at a later date; and, be it further

*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of the Interior and to the Secretary of the Army.

Resolution read and referred to Committee on Rules.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 118

Senator John F. McCarthy moved that Senate Bill No. 118 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 118**—An act to amend Section 14101 of the Government Code, relating to public works.

Bill read second time.

#### Motion to Amend

Senator John F. McCarthy moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, as amended in Senate April 6, 1955, strike out lines 3 to 11, inclusive, and insert

"14101. The department shall contract with qualified architects and engineers for the performance of work when it is determined by the Director of Public Works, with the approval of the Director of Finance, that the staff is unable to per-".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.



**WITHDRAWAL FROM COMMITTEE OF SENATE  
CONSTITUTIONAL AMENDMENT NO. 6**

Senator John F. McCarthy moved that Senate Constitutional Amendment No. 6 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Constitutional Amendment No. 6**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8 to Article XXIV thereof, relating to the employment of private architects, engineers and consultants by the State.

Resolution read.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 9, of the printed measure, as amended in Senate April 6, 1955, strike out "which will", and insert "to".

**Amendment No. 2**

On page 1, line 10, after "architects", strike out the comma, and insert "and".

**Amendment No. 3**

On page 1, line 10, strike out "and consultants".

**Amendment No. 4**

On page 1, strike out lines 12 to 17, inclusive, and insert "which the staff of a state agency is unable to perform within".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 145**

Senator Coombs moved that Senate Bill No. 145 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 145**—An act to amend Section 433 of the Education Code, relating to the compensation of public officers.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "seven thousand four hundred dollars (\$7,400)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 897

Senator Gibson moved that Senate Bill No. 897 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 897**—An act to amend Section 6500 of the Business and Professions Code, relating to barbers.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "6500", and insert "6630".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 6630 of the Business and Professions Code is amended to read: 6630. The amount of fees prescribed by this chapter is that fixed by the following schedule:

(a) The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering is fifteen dollars (\$15) and for the issuance of the certificate three dollars (\$3).

(b) The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice as an apprentice is seven dollars (\$7) and for the issuance of a certificate two dollars (\$2).

(c) The fee to be paid by an applicant for an examination to determine his preliminary education is three dollars (\$3).

(d) The fee to be paid for the renewal of a certificate of registration to practice barbering [is three dollars (\$3)] *shall be set by the board annually at not more than five dollars (\$5) and not less than two dollars (\$2)*, and the fee for the restoration of an expired certificate *is* five dollars (\$5).

(e) The fee to be paid for the renewal of a certificate of registration to practice as an apprentice [is two dollars (\$2)] *shall be set by the board annually at not more than three dollars (\$3) and not less than one dollar (\$1)*, and the fee for the restoration of an expired certificate *is* three dollars (\$3).

(f) The fee to be paid by an applicant to conduct a barber shop is three dollars (\$3). The fee to be paid for the annual renewal of a certificate to conduct a barber shop is three dollars (\$3).

(g) The fee for the issuance of a certificate of registration for a barber college is one hundred dollars (\$100). The annual renewal fee for such certificate is one hundred dollars (\$100) and the fee for the restoration of an expired certificate two hundred dollars (\$200).

(h) The examination fee for a certificate of registration as an instructor in a barber college is twenty-five dollars (\$25) and for the issuance of a certificate ten dollars (\$10). The annual renewal fee for such certificate is ten dollars (\$10) and the fee for the restoration of an expired certificate twenty dollars (\$20).

A duplicate certificate will be issued upon the filing of a statement covering the loss of a certificate, verified by the oath of the applicant, and submitting one signed photograph, and upon the payment of a fee of one dollar (\$1) for the issuance of the certificate. Each duplicate certificate shall have the word "Duplicate" stamped across the face thereof, and bear the same number as the certificate in lieu of which it is issued."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 900

Senator Gibson moved that Senate Bill No. 900 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 900**—An act to amend Section 7300 of the Business and Professions Code, relating to cosmetology.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "7300", and insert "7442".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 7442 of the Business and Professions Code is amended to read:

7442. The amount of the fees required by this chapter is that fixed by the following schedule:

(a) The fee for examination as a hairdresser and cosmetician or cosmetologist [is ten dollars (\$10)] *shall be set by the board annually at not more than fifteen dollars (\$15) and not less than five dollars (\$5).*

(b) The fee for examination as an electrologist [is ten dollars (\$10)] *shall be set by the board annually at not more than fifteen dollars (\$15) and not less than five dollars (\$5).*

(c) The fee for examination as a manicurist [is five dollars (\$5)] *shall be set by the board annually at not more than eight dollars (\$8) and not less than two dollars (\$2).*

(d) The fee for registration and licensing a hairdresser and cosmetician or cosmetologist registered in another state is ten dollars (\$10).]

(e) The fee for registration and licensing an electrologist registered in another state is ten dollars (\$10).]

(f) The fee for registration and licensing a manicurist registered in another state is five dollars (\$5).]

(g) (d) The application fee for a junior operator [is two dollars (\$2)] *shall be set by the board annually at not more than four dollars (\$4) and not less than one dollar (\$1).*

(h) (e) The application fee for junior electrologist [is two dollars (\$2)] *shall be set by the board annually at not more than four dollars (\$4) and not less than one dollar (\$1).*

(i) (f) The issuance fee for a duplicate license is one dollar (\$1).

(j) (a) The annual renewal fee for an individual license [is two dollars (\$2)] *shall be set annually by the board at not more than five dollars (\$5) and not less than one dollar (\$1).*

(k) (h) The delinquency fee is one dollar (\$1).

(l) (i) The annual registration fee for a cosmetological establishment [is three dollars (\$3)] *shall be set annually by the board at not more than five dollars (\$5) and not less than two dollars (\$2).*

(m) (j) The annual registration fee for a school of cosmetology [is one hundred twenty-five dollars (\$125)] *shall be set by the board annually at not more than one hundred and fifty dollars (\$150) and not less than one hundred dollars (\$100).*

(n) (k) The fee for the instructors' examination [is fifteen dollars (\$15)] *shall be set by the board annually at not more than twenty dollars (\$20) and not less than ten dollars (\$10).*

(o) (l) The fee for an electrology instructor's examination [is fifteen dollars (\$15)] *shall be set by the board annually at not more than twenty dollars (\$20) and not less than ten dollars (\$10).*

[(p)] (m) The fee for examination as a permanent waver [is five dollars (\$5)] shall be set by the board annually at not more than eight dollars (\$8) and not less than two dollars (\$2).

[(q)] (n) The reinstatement fee [is four dollars (\$4)] is twice the amount of the fee set by the board for the particular type of license involved for each year in which the license was not renewed or reinstated within the time prescribed by this article."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 901

Senator Gibson moved that Senate Bill No. 901 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 901**—An act to amend Section 8520 of the Business and Professions Code, relating to structural pest control.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8520", and insert "Sections 8522 and 8621".

#### Amendment No. 2

On page 1, strike out lines 1 to 8, inclusive, and insert  
"SECTION 1. Section 8522 of the Business and Professions Code is amended to read:

8522. Members of the board shall be appointed by the Governor for a term of four years, subject to removal by him at his pleasure.

The terms of the members of the board in office when this chapter takes effect shall expire as follows:

Two members, January 15, 1942; one member, January 15, 1943; one member, January 15, 1944; and one member, January 15, 1945.

The terms shall expire in the same relative order as to each member as the terms for which he holds office before this chapter takes effect.

Vacancies shall be filled by the Governor for the unexpired term.

No member shall hold office beyond the term for which he was appointed unless reappointed. No person shall serve as a member of the board for more than three consecutive terms, but this provision shall not prevent any member from completing any term of office which he may be serving at the time this limitation takes effect.

SEC. 2. Section 8621 of said code is amended to read:

8621. All accusations against licensees shall be filed within two years after the act or omission alleged as the ground for disciplinary action, except that with respect to an accusation alleging a violation of Section 8637, the accusation may be filed within two years after the discovery by the board of the alleged facts constituting the fraud or misrepresentation prohibited by the section."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 905

Senator Gibson moved that Senate Bill No. 905 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.



## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 905**—An act to amend Section 9500 of the Business and Professions Code, relating to cleaning, dyeing, and pressing.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "9500", and insert "9580".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 9580 of the Business and Professions Code is amended to read:

9580. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

- (a) An application for examination is ten dollars (\$10).
- (b) The annual license fee for a dyeing plant or a wholesale or retail cleaning establishment or plant is fifty dollars (\$50) but may be reduced by the board or the director to a sum not less than thirty dollars (\$30).
- (c) The annual license fee for each private school or college of spotting, sponging or pressing is two hundred fifty dollars (\$250).
- (d) The annual license fee for a "cleaning and dyeing shop or store," a "spotting, sponging, or pressing establishment," dry cleaning agency, hat renovator or fur renovator is eight dollars (\$8), but may be reduced by the board or the director to an amount not less than five dollars (\$5).
- (e) The annual fee required of all operators and owner-operators for a certificate of registration [is two dollars (\$2)] *shall be set by the board annually at not more than five dollars (\$5) and not less than one dollar (\$1)*.
- (f) The fee for a duplicate license or certificate of registration is one dollar (\$1)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 906

Senator Gibson moved that Senate Bill No. 906 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 906**—An act to amend Section 9600 of the Business and Professions Code, relating to cemetery regulation.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 9600", and insert "Sections 9753 and 9759".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 9753 of the Business and Professions Code is amended to read:

9753. [For a] *The annual renewal fee for a cemetery broker's license [the annual fee is forty dollars (\$40)] shall be set by the board annually at not more than fifty dollars (\$50) nor less than thirty dollars (\$30).*

SEC. 2. Section 9759 of said code is amended to read:

9759. [For a] *The annual renewal fee for a cemetery salesman's license [the annual fee is five dollars (\$5)] shall be set by the board annually at not more than eight dollars (\$8) nor less than two dollars (\$2)."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 912**

Senator Gibson moved that Senate Bill No. 912 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 912**—An act to amend Section 6710 of the Business and Professions Code, relating to civil and professional engineers.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 6710 of", and insert "Sections 6712, 6715, 6762, 6775, 6795, and 6799 of, to repeal Sections 6738 and 6756 of, and to add Sections 6756, 6756.1, 6779, and 6780 to,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 6712 of the Business and Professions Code is amended to read:

6712. Members of the State Board of Registration for Civil and Professional Engineers in office when this act takes effect shall continue as members of the State Board of Registration for Civil and Professional Engineers without change in their terms so that the terms of said members presently in office shall expire as follows: The term of one member, January 15, 1952; the term of two members, January 15, 1953; the term of two members, January 15, 1954, and the term of two members, January 15, 1955. Thereafter, all appointments to said board shall be for a term of four years, and vacancies shall be filled by appointment for the unexpired term. Each member appointed to fill a new term of vacancy shall be a registered professional engineer in the same branch as his predecessor.

*No member shall hold office beyond the term for which he was appointed unless reappointed. No person shall serve as a member of the board for more than three consecutive terms, but this provision shall not prevent any member from completing any term of office which he may be serving at the time this limitation takes effect.*

SEC. 2. Section 6715 of said code is amended to read:

6715. The secretary shall keep a complete record of all applications for registration and the board's action thereon and [shall] *may* prepare annually a roster showing the names and addresses of all registered professional engineers.

A copy of the roster [shall] *may* be filed with the Secretary of State and with the clerk of each county in the State, and a copy [shall] *may* be furnished to each professional engineer registered under the provisions of this chapter. Copies of the roster shall be available on application to the secretary, at such price per copy as may be fixed by the board.

All records shall be public records.

SEC. 3. Sections 6738 and 6756 of said code are repealed.

SEC. 4. Section 6756 is added to said code, to read:

6756. Certification as an engineer-in-training shall be granted by the board upon the applicant's successful completion of that division of the examination prescribed in Section 6755 which deals with fundamental engineering subjects, including mathematics and the basic sciences, and payment of the fee prescribed by this chapter. Notice of an applicant's successful completion of the examination, and receipt by the board of the fee shall be only evidence of the applicant's engineer-in-training status.

An engineer-in-training certificate authorizes the holder thereof to practice professional engineering as a subordinate under the supervision of a registered professional engineer only, and the holder thereof is not authorized to assume responsible charge of work.

SEC. 5. Section 6756.1 is added to said code, to read:

6756.1. An engineer-in-training certificate shall be valid for a period of eight years from the date of its issuance, and no renewal or other fee, other than the application fee, shall be charged for such certificate. If the holder of a certificate fails to qualify for and be registered as a professional engineer under the provisions of this chapter within eight years from the date the certificate was issued, the certificate shall expire, and shall not be renewed.

SEC. 6. Section 6762 of said code is amended to read:

6762. Any applicant who has passed the examination and has otherwise qualified hereunder as a professional engineer [or as an engineer-in-training], upon payment of the registration fee fixed by this chapter, shall have a certificate of registration issued to him as a professional engineer [or as engineer-in-training] in the particular branch for which he is found qualified.

Certificates of registration for professional engineers shall be signed by the president and secretary [; certificates of registration for engineers-in-training shall be signed by the secretary;] and issued under the seal of the board.

SEC. 7. Section 6775 of said code is amended to read:

6775. The board may receive and investigate complaints against registered professional engineers [and engineers-in-training], and make findings thereon.

By a majority vote, the board may reprove, privately or publicly, or may suspend for a period not to exceed two years, or may revoke the certificate of any professional engineer [or engineer-in-training] registered hereunder:

(a) Who has been convicted of a felony, *in which case the certified record of conviction shall be conclusive evidence thereof.*

(b) Who has not a good character.

(c) Who has been found guilty by the board of any deceit, misrepresentation, violation of contract, fraud or gross incompetency in his practice.

(d) Who has been found guilty of any fraud or deceit in obtaining his certificate or violation of any provision of this chapter.

(e) Who aids or abets any person in the violation of any provisions of this chapter.

(f) Who violates any provision of this chapter.

SEC. 8. Section 6779 is added to said code, to read:

6779. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony is deemed to be a conviction within the meaning of this article. The board may order the certificate suspended or revoked, or may decline to issue a certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

SEC. 9. Section 6780 is added to said code, to read:

6780. The adjudication of insanity or mental illness, or the voluntary commitment or admission to a state hospital of any certificate holder for a mental illness shall operate as a suspension of the right to practice of any certificate holder under this chapter, such suspension to continue until restoration to or declaration of sanity or mental competence. The record of adjudication, judgment or order of voluntary commitment is conclusive evidence of such insanity or mental illness, and upon

receipt of a certified copy of any such adjudication, judgment, voluntary commitment or order by the board it shall immediately suspend the certificate of the person adjudicated or committed and shall not restore such certificate to good standing until it shall receive competent evidence of restoration to or declaration of sanity and until it is satisfied that, with due regard for the public interest, said person's right to practice may be safely reinstated.

SEC. 10. Section 6795 of said code is amended to read:

6795. Any certificate of registration or authority to use the title "structural engineer" issued under the provisions of this chapter shall remain in effect until the thirtieth day of June following the date of issuance.

Every professional engineer registered [, or engineer-in-training certified] under this chapter who desires to continue the practice of his profession beyond the thirtieth day of June following the date of issuance of his original certificate shall on or before the thirtieth day of June of each year pay an annual renewal fee which shall be retained for the board, for which fee a renewal certificate of registration [or certification] for the current year shall be issued.

SEC. 11. Section 6799 of said code is amended to read:

6799. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

(a) The fee for filing each application for registration as a professional engineer, or authority to use the title "structural engineer" is fifteen dollars (\$15) and for each application for certification as engineer-in-training is five dollars (\$5), except that as to any person who is the holder of a current certificate as an engineer-in-training, the fee for filing an application for registration as a professional engineer is ten dollars (\$10).

(b) The registration fee for professional engineer is ten dollars (\$10) for each certificate issued.

(c) The duplicate certificate fee is one dollar (\$1).

(d) The temporary registration fee for professional engineer is ten dollars (\$10).

(e) The structural engineer's certificate of authority fee is ten dollars (\$10).

(f) The annual renewal fee for professional engineer shall be fixed by the board at not more than [six dollars (\$6)] *eight dollars (\$8)* and not less than four dollars (\$4) for each branch of professional engineering in which registration is held; *and* the annual renewal fee for authority to use the title "structural engineer" is three dollars (\$3) [, and for engineer-in-training is two dollars (\$2) for each branch in which certification is held].

(g) The penalty for delinquency of the annual renewal fee is one dollar (\$1) for each month or fraction thereof after the date upon which the annual fee became due until the amount thereof aggregates five dollars (\$5).

Applicants wishing to be examined in more than one branch of engineering shall be required to pay the additional fee for each examination after the first."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 109

Senator Grunsky moved that Senate Bill No. 109 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 109**—An act to amend Section 25153 of the Corporations Code, relating to preorganization subscriptions for securities.

Bill read second time.

#### Motion to Amend

Senator Grunsky moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 25153", and insert "Sections 26003 and 26008".

#### Amendment No. 2

In line 2 of the title, strike out "preorganization subscriptions for", and insert "corporate".



**Amendment No. 3**

On page 1, strike out lines 3 to 27, inclusive, and insert

"26003. (a) The fee for filing an original or supplemental application for a permit to issue securities (except applications for permits to issue certificates of deposit, any guarantee of any security, or securities evidencing any change in the rights, preferences, privileges, or restrictions on outstanding securities, the fees for which applications are fixed in Sections 26006, 26007, and 26008, respectively) is twenty dollars (\$20), plus the sum of the following:

(1) Fifteen one-hundredths of 1 percent of the amount of any excess of the aggregate value of the securities sought to be issued over one thousand dollars (\$1,000) and not exceeding fifty thousand dollars (\$50,000).

(2) Five one-hundredths of 1 percent of such amount in excess of fifty thousand dollars (\$50,000) and not exceeding one hundred thousand dollars (\$100,000).

(3) Three one-hundredths of 1 percent of such amount in excess of one hundred thousand dollars (\$100,000) and not exceeding five hundred thousand dollars (\$500,000).

(4) One one-hundredths of 1 percent of such amount in excess of five hundred thousand dollars (\$500,000).

(b) For the purpose of determining the fees fixed in subdivision (a):

(1) The value of the securities shall be their par or face value unless the consideration for the securities, as alleged in the application or as determined by the commissioner, is in excess of their par or face value, or the securities when issued will have a value, as determined by the commissioner, in excess of their par or face value, in which case the value of the securities shall be the value of the consideration so received or the value as determined by the commissioner, whichever is greater.

(2) Where the securities have no nominal or par value, the value of the securities shall be the price at which the company proposes to sell or issue the securities, or the value, as alleged in the application, or the actual value, as determined by the commissioner, of the consideration (if other than money) to be received in exchange therefor, or of the securities when issued, whichever is greater. However, until a new value has been established, each share of no par value stock shall have a value equal to the value which has been established by previous sales for money or other property or other shares of the same class.

(3) Interim or voting trust certificates shall have a value equal to the aggregate value of the securities to be represented by the interim or voting trust certificates.

(4) Rights, warrants, or other certificates evidencing rights to purchase additional securities shall have a value equal to the difference between the selling price of the securities represented by the rights, warrants, or other certificates and the market value of the securities so represented at the date of filing of application; provided, the market price is higher than the selling price, otherwise the rights, warrants, or other certificates shall be deemed to have no value, and the fee for filing such application is twenty dollars (\$20).

(5) Where an application is made to issue securities containing a provision entitling the holders thereof to convert or exchange them for a different class of securities, the value of the securities to be so issued shall be an amount equal to twice the amount of the consideration to be received for the securities containing the conversion or exchange provision.

(6) *In the case of a share dividend or share split the value of the securities to be issued shall be the amount of surplus proposed to be transferred to stated capital and any surplus account.*

SEC. 2. Section 26008 of said Code is amended to read:

26008. The fee for filing any application for a permit to issue securities evidencing any change in the rights, preferences, privileges, or restrictions on outstanding securities is twenty-five dollars (\$25), *except where such issuance will result in an increase in the stated capital in which event the fee shall be in accordance with Section 26003 (b) (6).*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1005**

Senator Grunsky moved that Senate Bill No. 1005 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1005**—An act creating the Santa Cruz County Flood Control and Water Conservation District for the controlling, conservation, diversion, storage and disposition of storm, flood and other surface waters, prescribing the boundaries, organization, operation, management, financing and other powers and duties of the district.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill strike out "surface".

**Amendment No. 2**

On page 1 strike out lines 1 through 5, and insert

**"CHAPTER I. GENERAL**

**SECTION 1.** This act shall be known and may be cited as the Santa Cruz County Flood Control and Water Conservation District Act.

**SEC. 2.** A flood control and water conservation district is hereby created, to be called the "Santa Cruz County Flood Control and Water Conservation District", and the boundaries and territory of said district are as follows:

All that territory of the County of Santa Cruz lying within the exterior boundaries thereof.

**SEC. 3.** As used in this act:

"District" means Santa Cruz County Flood Control and Water Conservation District.

"Board" means the board of directors of the district.

**SEC. 4.** The objects and purposes of this act are to provide, to the extent that the board may deem expedient or economical for water conservation, the control and disposition of flood, storm and other waters of the district, and to that end the district is hereby created to be a body corporate and politic and as such shall have powers herein provided.

**SEC. 5.** This act shall be liberally construed to the end that the purposes may be effective. No error, irregularity, informality and no neglect or omission of any officer of the district in any procedure taken hereunder which does not directly affect the jurisdiction of the board to order the work done or improvement to be made shall void or invalidate such proceedings or any assessment for the cost of work or improvement done thereunder.

**SEC. 6.** The provisions of this act relative to the performance of official duty as to any time or place, the form of any resolution, notice, order, list, certificate of sale, deed or other instrument shall be deemed directory. No bond, coupon, assessment, or installment thereof, or of the interest or penalties thereon, or certificate of sale or deed shall be held invalid for error in the computation of the proper amount due on the same.

**SEC. 7.** All decisions and determinations of the board, upon notice and hearing, shall be final and conclusive upon all persons, as to all errors, informalities, omissions and irregularities which might have been avoided, or which might have been remedied during the progress of the proceedings, or which can be remedied, and as to illegalities not amounting to a want of due process of law.

**SEC. 8.** The area of the district is subject to periodical floods during the rainy seasons precipitated by the water of the Pajaro and other rivers, which rivers are an important potential source of water for domestic, industrial and agricultural uses inside and outside the watersheds. During the dry season, said rivers would be without water if it were not for the foreign waters turned into the rivers. Recognizing this fact, the United States Army Engineers have made studies and recommendations for a proposed plan of improvement for flood control and allied purposes within the area of the district. The cost of adequate flood control and water conservation is beyond the means of the property owners and taxpayers of the district, and it is necessary to negotiate to obtain financial aid from the United States Government. It is recommended by the United States Government and it is desirable to immediately form a political entity to satisfactorily deal with the agency of the United States Government.

Investigation having shown conditions in the county to be peculiar to that county, it is hereby declared that a general law cannot be made applicable thereto and that the enactment of this special law is necessary for the conservation, development, control and use of said waters for the protection of life and property therein and for the public good.

SEC. 9. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 10. Any proceeding wherein the final action of the district in forming any zone is questioned must be brought or the defense raising such question filed within 30 days after such final action. Any proceeding wherein the validity of any bond issue is questioned must be brought or the defense raising the question filed within 30 days after the date of election. Any proceeding wherein the validity of any resolution of intention or the award of any contract or the levy of any assessment or the issuance of bonds in any assessment proceeding is questioned must be brought or the defense raising such question filed within 30 days after the resolution ordering the acquisitions or improvements as to such resolution of intention, after the award of said contract as to said contract, after the levy of said assessment as to said assessment, and after the issuance of said bonds as to any bonds.

SEC. 11. All bonds issued in pursuance of the provisions of this act by their issuance be conclusive evidence of the regularity, validity and legal sufficiency of all proceedings, acts and determinations in any wise pertaining thereto, had or made under this act.

## CHAPTER 2. POWERS

### Article 1. General

SEC. 21. The district shall have perpetual succession and seal.

SEC. 22. It may sue and be sued in the name of the district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

SEC. 23. It may have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use by the State, any political subdivision or district thereof.

SEC. 24. In condemnation proceedings, the district shall proceed under the provisions of Title 7, Part 3, of the Code of Civil Procedure, which said provisions are hereby made applicable for that purpose; and it is hereby declared that the use of the property, lands, rights of way, easements or materials, which may be condemned, taken or appropriated under the provisions of this act is a public use, and the board is granted the same powers and rights with respect to the taking of property for the public uses of said district as are now or may hereafter be conferred by general law on the legislative body of a county, city and county, incorporated city or town, water district or irrigation or reclamation district, or drainage or water conservation or flood control district.

SEC. 25. It may compel by injunction or other lawful means the owner or owners of any bridge, trestle, wire line, viaduct, embankment or other structure which shall be intersected, traversed, or crossed by any channel, ditch, bed of any stream, waterway, conduit or canal, and whenever necessary in the case of existing works or structures, to compel the removal or alteration thereof for such purpose or purposes.

SEC. 26. It may make, execute, carry out and enforce all contracts of every character, necessary, convenient, incidental, useful or proper to carry out any of the provisions, objects or purposes of this act.

SEC. 27. It may incur indebtedness, and issue and refund bonds in the manner herein provided.

SEC. 28. It may cause taxes and assessments to be levied and collected for the purpose of paying any obligations of the district in the manner hereinafter provided.

SEC. 29. It may do any and every lawful act necessary that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the district, including, but not limited to, irrigation, domestic, fire protection, municipal, commercial, industrial, and all other beneficial uses.

SEC. 30. It may conserve water by storage in surface reservoirs, divert and transport water for beneficial uses within the district.

SEC. 31. It may supply, provide and transport water for recreational purposes within or without the district.

SEC. 32. It may release water from surface reservoirs to replenish and augment the supply of waters in natural underground reservoirs and otherwise reduce the waste of water and protect life and property from floods within the district.

SEC. 33. It may control flood and storm waters within the district and the flood and storm waters of streams outside of the district, which flow into the district.

SEC. 34. It may operate works and exercise water rights, property rights and privileges useful or necessary to convey, supply, sell, or make use of water for any purpose authorized herein.

SEC. 35. It may sell water for the benefit of the district, conserve water for future use and appropriate, acquire and conserve, water and water rights for any useful purpose.

SEC. 36. It may do any and all things necessary or incidental to the accomplishment of the things which are permitted to be done under this act.

### Article 2. Property and Works

SEC. 41. It may acquire and contract to acquire by purchase, condemnation, donation or other lawful means in the name of the district from private persons, public and private corporations, associations, agencies or districts, lands, rights of



way, easements, privileges, material and property of every kind within or without the district or county.

SEC. 42. The legal title to all property acquired shall immediately and by operation of law vest in the district, and shall be held by the district, in trust for, and is hereby dedicated and set apart to, the uses and purposes set forth herein.

SEC. 43. If the board determines by resolution duly passed and entered in their minutes, that any district property, real or personal, is no longer necessary to be retained for the uses and purposes of the district it may thereafter sell or otherwise dispose of said property, or lease the same, in the manner provided by law for the disposition and sale of property of counties.

SEC. 44. It may construct, purchase, lease or otherwise acquire, construct, complete, add to, extend and repair works, and may purchase, lease, appropriate, or otherwise acquire surface waters and water rights, useful or necessary to make use of water for any purposes authorized by this act.

SEC. 45. It may construct, maintain, repair, improve or protect any and all necessary drains or any other works and do any and every lawful act necessary to be done that the lands and other property within the district may be drained and protected from the effects of water.

SEC. 46. It may construct, maintain, repair and operate all levees, bulkheads, walls of rock or other material, pumps, dams, channels, conduits, pipes, ditches, canals, reservoirs, tunnels, drains, poles, posts, wires, lamps, power plants, railroads, dredges and all other auxiliary, incidental, necessary or convenient agencies, work or improvements that may be required to carry out, facilitate, repair, maintain and complete any works.

SEC. 47. All costs of relocating or otherwise changing any portion of a county highway shall be paid from funds available for rights of way for flood control purposes, unless the county road commissioner recommends to the board of supervisors that the cost of relocating a particular county highway should be paid from funds appropriated for county highway purposes, and the board of supervisors, upon said recommendation, finds that the relocating of said highway is of general benefit to the county.

SEC. 48. All costs of relocating or otherwise changing any portion of a state highway shall be paid from funds available.

#### Article 3. Federal and State Contracts

SEC. 51. It may make and enter into contracts with the United States, the State of California, any political subdivision, county, municipality, district, agency or mandatory of the State of California or of the United States and any department, board, bureau or commission of the State of California or the United States, or any person, firm, association or corporation, jointly or severally, for the acquisition of property or rights or the construction, maintenance and operation in whole or in part of any or all works and improvements provided for in this act.

SEC. 52. It may lease or rent to or from any of the parties named in Section 51 any property or rights necessary, in the opinion of the board, to accomplish or carry out any of the work or improvement or the maintenance thereof herein provided and under such terms and conditions as may be agreed upon between the parties.

SEC. 53. It may receive and accept any and all contributions in labor, material or money from any of the parties named in Section 51, to be applied to the work or improvement herein provided for.

SEC. 54. It may cooperate and contract with the United States under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto or any other act of Congress heretofore or hereafter enacted permitting cooperation or contract for the purposes of construction of works, whether for irrigation, drainage, or flood control, or for the acquisition, purchase, extension, operation or maintenance of such works, or for a water supply for any purposes, or for the assumption as principal or guarantor of indebtedness to the United States, or for carrying out any of the purposes of the district, and to carry out and perform the terms of any contract so made.

SEC. 55. For the purposes of Section 54, the district shall have in addition to the powers specifically set forth in this act, all powers, rights and privileges possessed by irrigation districts as set out in Chapter 2 of Part 6 of Division 11 of the Water Code, not inconsistent with the provisions of this act.

#### CHAPTER 3. OFFICERS AND EMPLOYEES

SEC. 71. The board of supervisors of the county shall be, and they are hereby designated as, and empowered to act as, ex officio the board of directors of the district and shall exercise the powers of the district enumerated in this act, except as otherwise provided, and may perform all other acts necessary or proper, in their discretion, to accomplish the purposes of this act.

SEC. 72. If a city or district empowered to produce, store or distribute water shall be included or formed within a zone, the mayor of such city or president or chairman of said district, or a representative appointed by its legislative body in his place, shall be an ex officio member of the board of directors of the district as to all matters pertaining to said zone.



SEC. 73. Each member of the board of supervisors shall serve without additional compensation for acting as a member of the board of the district, except that each member shall be allowed his actual, necessary and reasonable traveling expenses.

SEC. 74. The directors shall elect a chairman, who shall preside at all meetings of the board and in case of his absence or inability to act, the members present must, by an order entered in their minutes, select one of their number to act as chairman temporarily.

SEC. 75. Any member of the board may administer oaths, when necessary in the performance of his official duties.

SEC. 76. The county clerk, county assessor, county tax collector, county auditor, county treasurer, county surveyor, district attorney and purchasing agent, their assistants, deputies, clerks and employees shall be ex officio such officers, assistants, deputies, clerks and employees respectively of the district.

SEC. 77. They shall respectively perform, unless otherwise provided by the board, without additional compensation, the same various duties for the district as for the county in order to carry out the provisions of this act.

SEC. 78. It may appoint and employ such engineers, attorneys, assistants and other employees as may be necessary, including, if it seems advisable, a clerk and a superintendent of work, and define their powers and duties, to serve at the pleasure of the board.

SEC. 79. It may fix and determine their compensation, and the amount of bond required of each appointee and pay the premium on each such bond, if any.

#### CHAPTER 4. LEGISLATION

SEC. 91. A majority of the members of the board shall constitute a quorum for the transaction of business, and no act of the board shall be valid or binding unless a majority of all members concur therein.

SEC. 92. The board may adopt and enforce reasonable rules and regulations for the administration and government of the district and to facilitate the exercise of its powers and duties, and all police measures necessary for the maintenance, operation, preservation, use and enjoyment of its works and facilities.

SEC. 93. All ordinances, resolutions and other legislative acts for the district shall be adopted by the board, and certified to, recorded and published in the same manner as are ordinances, resolutions or other legislative acts for the county.

SEC. 94. The initiative and referendum powers are hereby granted to the electors of the district to be exercised in relation to the enactment or repealment of district ordinances in accordance with the procedure established by the laws of the State for the exercise of such powers in relation to counties.

SEC. 95. The board has police power over any works acquired, constructed, or improved pursuant to this act and may make and enforce all necessary regulations to protect the public health in the operation and maintenance of the works.

SEC. 96. The violation of any rule, regulation or ordinance shall constitute a misdemeanor and be punishable as such.

#### CHAPTER 5. CONTRACTS

SEC. 111. No director of the district shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the board, or in the profits to be derived therefrom. For any violation of this provision, such person shall be guilty of a misdemeanor, and upon conviction thereof shall forfeit his office.

SEC. 112. The foregoing provision shall not be construed to apply to any contract made with a corporation for its general benefit where such a director is a minority stockholder therein.

SEC. 113. All contracts for the construction of any unit of work, except as provided in Sections 122 and 128, estimated to cost in excess of five thousand dollars (\$5,000) shall be let to the lowest responsible bidder in the manner hereinafter provided.

SEC. 114. Materials and supplies for use in any new construction work or improvement, may not be purchased if the cost thereof exceeds five thousand dollars (\$5,000), without advertising for bids and awarding the contract therefor to the lowest responsible bidder.

SEC. 115. The board shall adopt plans, specifications, strain sheets and working details for the work.

SEC. 116. The board shall cause an advertisement for bids for the performance of the work or the purchase of materials to be published at least two consecutive times in a newspaper, of general circulation published in the county, the first of which shall be at least 10 days before the day set for opening bids.

SEC. 117. All bidders shall be afforded opportunity to examine the plans, specifications, strain sheets and working details.

SEC. 118. All proposals or bids offered shall be accompanied by a cashier's or certified check payable to the district, for an amount which shall not be less than ten percent (10%) of the aggregate of the proposal, or by a bond for that amount and so payable, signed by the bidder and two sureties, who shall justify before any officer competent to administer an oath, in double that amount, and over and above

all statutory exemptions, or by a corporate surety bond, to the satisfaction and approval of the district.

SEC. 119. The board shall award the contract to the lowest responsible bidder, and the person to whom the contract is awarded shall perform the work in accordance with the plans, specifications, strain sheets and working details, unless the contract is modified by a four-fifths vote of the board.

SEC. 120. The person to whom the contract is awarded shall execute a bond to be approved by the board for the faithful performance of the contract.

SEC. 121. If the board is advised by its engineer, or by the county surveyor or engineer, that any facility can be constructed or repaired for a sum less than the lowest responsible bid, it may reject all bids and order the work done by day's work under the supervision and direction of the county surveyor or engineer or its engineer as determined by the board.

SEC. 122. By the unanimous consent of the whole board in cases of great emergency, it may proceed at once to replace or repair any and all structures without adopting plans, specifications, strain sheets or working details or giving notice for bids to let contract. The work may be done by day labor under the direction of the board, by contract, or by a combination of the two. If the work is done wholly or in part by contract, the contractor shall be paid the actual cost of material and labor expended by him in doing the work, plus not more than 15 percent to cover all profits, supervision, use of machinery and tools, and other expenses. No more than the lowest current market prices shall be paid for materials.

SEC. 123. The plans and specifications adopted by the board for the erection, alteration, construction or repair of any public building or other public structure shall not be altered or changed in any manner which increases its cost, except by a vote of two-thirds of the members of the board.

SEC. 124. Whenever the board enters into a contract for the erection, construction, alteration or repair of any public building or other structure, the contract shall not be altered or changed in any manner, except by order adopted by a vote of two-thirds of the board, and the consent of the contractor.

SEC. 125. If any change or alteration of the contract is ordered, it shall be specified in writing and the cost agreed upon between the board and the contractor. If the cost so agreed upon

(a) does not exceed the amount specified in Section 113, or (b) does not exceed 10 percent of the original contract price, the board may authorize the contractor to proceed with the change or alteration without the formality of obtaining bids therefor.

No change or alteration shall be authorized the amount of which is within the limitation specified in subdivision (b) and in excess of the limitation specified in subdivision (a) except by four-fifths vote of the board.

SEC. 126. If the cost of the work is reduced by reason of any modification of the contract, compensation shall be made to the district therefor.

SEC. 127. Personal property may be purchased in the manner provided therefor for the county.

SEC. 128. The provisions of this chapter do not apply to work to be performed by others pursuant to Article 3 of Chapter 2.

## CHAPTER 6. FISCAL MATTERS

### Article 1. Funds, Claims and Warrants

SEC. 151. The board shall establish and maintain such separate funds and accounts as are necessary to carry out the separate purposes of this act, and may establish such additional separate funds as it shall from time to time determine.

SEC. 152. It may create and administer revolving funds to facilitate and assist in the carrying on and completing of such acquisitions, works and improvements provided for herein, and may abolish same.

SEC. 153. It shall make such transfers, for purposes of a loan or permanently, from one fund to another of the district as to its funds or from one fund to another of a zone as to said zone, as it shall determine, and the limitations provided in the budget laws shall not apply.

SEC. 154. Claims against the district shall be prepared, presented, audited and allowed or disallowed in the same manner and within the periods of time specified in the laws of the State of California, now or hereinafter enacted, for the preparing, presenting, auditing, and allowance or disallowance of claims against the county.

SEC. 155. Warrants in payment of claims or salaries or other obligations shall be issued and registered as provided for counties.

### Article 2. Water Rates and Charges

SEC. 171. The board may prescribe, revise and collect rates or other charges for the services, facilities and water furnished by it.

SEC. 172. So far as possible the board shall fix such charges for commodities or service furnished by any revenue producing works as will pay all of the expenses of the government of the district, or such portion as the board determines justly apportionable to such works. The expenses to be paid include:

- (a) Salaries, office expenses, and other necessary disbursements;
- (b) The operating expenses of the works;

(c) The interest on any indebtedness incurred for the acquisition, construction and completion of the works;

(d) Provisions for a sinking or other appropriate fund for the payment of the principal of such debt as it becomes due;

(e) Provisions for an appropriate fund for repairs, replacements and betterments.

It is the intention of this section that a district pay all of such charges and expenditures and the interest and principal of its debt from the revenues derived by the district from the operation of its public works, and that each public works owned and operated by a district shall be self-sustaining.

SEC. 173. It may provide that charges for any of its services or facilities shall be collected together with and not separately from the charges for other revenues or facilities rendered by it, or may be collected by any other private or public utility, and that all charges shall be billed upon the same bill and collected as one item.

SEC. 174. It may provide that if all or part of a bill is not paid, the district may discontinue any or all services or facilities for which the bill is rendered.

SEC. 175. It may provide for the collection of charges. Remedies for their collection and enforcement are cumulative and may be pursued alternatively or consecutively as the district determines.

SEC. 176. It may provide for a basic penalty of not more than 10 percent for nonpayment of the charges within the time and in the manner prescribed by it, and in addition may provide for a penalty of not exceeding one-half of 1 percent per month for nonpayment of the charges and basic penalty. It may provide for collection of the penalties herein provided for.

SEC. 177. All revenues received from the collection of the rates and charges as fixed shall be used as follows:

(a) Pay interest on a bonded debt;

(b) So far as possible, provide a fund for the payment of the principal of the bonded debt as it becomes due;

(c) Pay the maintenance and operating expenses of works and facilities and administrative costs of the district; and

(d) Pay additions and extensions of works owned or operated by the district.

SEC. 178. It may pledge, place a charge upon, contribute or otherwise make available, as security or additional security for the payment of any revenue bonds issued by the district or other obligations incurred by it, any and all revenues received or receivable from any services or facilities, furnished by it.

#### Article 3. District Taxes

SEC. 191. The district taxes and other taxes herein provided shall be levied and collected on the same property and at the same time and in the same manner as and together with and not separately from county taxes, and be subject to the same penalties and provisions for redemption or sale, and each shall be in addition to all other taxes herein provided.

SEC. 192. The board, in any year, shall have the power to levy a tax upon the taxable property in said district, which shall be separate from and in addition to other taxes herein provided.

SEC. 193. The district tax shall not exceed the sum of two cents (\$.02) on each one hundred dollars (\$100) of the assessed valuation of all property within the district, measured by the county assessment roll last equalized prior to the levying of said tax.

SEC. 194. Said money shall be used to pay the costs and expenses of surveys, compensation for clerical, engineering, legal, printing and advertising of all resolutions, notices, and other matter required to be printed, posted or published, all costs and expenses of legal actions or proceedings, and also the rental or purchase of real or personal property used in connection with such work and surveys, or any other of its purposes and to repay the county any and all moneys loaned to the district for the purposes herein stated and prior to the receipt of taxes.

SEC. 195. There may be included in any district tax a sum sufficient, in the judgment of the board, to take care of anticipated delinquencies in the punctual payment of said tax.

SEC. 196. The amount of compensation to be charged by and paid to the county for the performance of service, as in this chapter provided, for and on behalf of such district, shall be fixed by agreement by the board of supervisors of the county, not to exceed one-half percent of all moneys collected for such district as in this act provided. The amount so collected by such county shall be placed to the credit of the county salary fund.

#### Article 4. Zone Taxes

SEC. 211. Each year, at the time the board fixes and levies taxes for district purposes, it shall also fix and levy the rate of zone tax for said year in each zone.

SEC. 212. The zone rate shall be such as will produce the amount required to meet the expenditures incident to the project or works of improvement for which the zone is established and the cost of the maintenance thereof or both, and any moneys owing the district or county, during the current fiscal year.



SEC. 213. The zone tax in any one fiscal year shall not exceed an aggregate of twenty-five cents (\$0.25) on each one hundred dollars (\$100) of assessed valuation for any and all zone projects or works of improvement unless the excess is authorized at an election as provided in this act.

SEC. 214. All funds collected by reason of any zone tax shall be expended only on behalf of the zone and only for the purpose for which the zone was formed as set forth in the notice of hearing on the proposal to establish the zone.

#### Article 5. Special Zone Taxes

SEC. 231. Whenever the board determines that it is in the best interest of a zone to undertake a project or works of improvement which will require a rate of zone tax in excess of twenty-five cents (\$0.25) on each one hundred dollars (\$100) of assessed valuation it may submit the proposition to the electors within the zone.

SEC. 232. The board shall, by resolution, call an election for the purpose of proposing the question to the voters of the zone as to whether or not the tax in excess of twenty-five cents (\$0.25) for each one hundred dollars (\$100) of assessed valuation shall be proposed within the zone, prescribing the notice, time, place and manner of conducting the election in conformity, as nearly as practicable, with the provisions of the Elections Code governing county elections.

SEC. 233. Notice of the time, place and purpose of the election shall be given by publication once a week for at least two weeks in a newspaper of general circulation published within the district and circulated in the zone.

SEC. 234. The moneys collected from a special tax shall be used for the purposes and objects incident to the call for each tax. After said purposes and objects have been accomplished, any balance shall be transferred to the general zone fund.

#### Article 6. Zone Bond Taxes

SEC. 251. When the requirements for interest, principal and any sinking fund for any fiscal year on bonds issued for any zone can be met out of surplus or other funds of such zone, no tax need be levied for said year.

SEC. 252. If in any year any zone shall have no revenue or if the revenues thereof are, in the judgment of the board, inadequate to provide moneys therefor, the board shall annually levy and collect a tax sufficient to:

(a) Pay the interest on the bonds of any zone that have been issued or authorized;

(b) Pay such part of the principal as will fall due within the succeeding year; and

(c) Meet any sinking fund requirements.

SEC. 253. When bonds have been authorized or issued in more than one zone, and the proposition therefor provides for percentages of the levies in the several zones, the levies shall be in conformity thereto.

SEC. 254. A bond interest and redemption or sinking fund shall be created for each bond issue. Into this fund shall be deposited all moneys collected from revenues therefor and all moneys derived from taxes levied to meet the deficiencies in such revenues for bond purposes.

SEC. 255. The moneys deposited in the redemption fund and any accruals thereon and the proceeds of taxes levied therefor shall be used exclusively to pay the principal and interest of the bonds and for any premiums provided for the calling of same.

SEC. 256. When all bonds and interest coupons of any bond issue have been fully paid, any balance in the redemption fund created therefor shall be transferred to the general fund or other fund of the zone designated by the board.

#### CHAPTER 7. ZONES

##### Article 1. Formation

SEC. 301. The board may establish zones within the district to undertake any project or works of improvement. As used herein, "works of improvement" includes, without limitation as to the generality thereof, maintenance, repair, or reconstruction of existing works.

SEC. 302. Proceedings for the establishment of a zone may be instituted by the board, by resolution, on its own initiative and shall be instituted by the board upon receipt of a petition requesting the formation of a zone and signed by not less than 10 percent of the registered electors in the proposed area thereof.

SEC. 303. The petition may consist of any number of separate instruments, each of which must comply with all of the requirements of a petition except as to number of signatures.

SEC. 304. A petition requesting the formation of a zone for the institution of a project of works of improvement shall:

(a) Request the board to institute proceedings to establish the zone;

(b) Describe the boundaries of the territory which is proposed for inclusion in the zone;

(c) State the specific project or works of improvement for which the zone is to be created.

SEC. 305. Before a petition is circulated, the proposed boundaries of the zone shall be submitted to the county boundary commission for recommendation and report as provided in Chapter 3, Title 6, of the Government Code.



SEC. 306. Prior to the hearing on the proposal to establish any zone, the board shall direct the chief engineer of the district to make and file a report with the board which shall show:

(a) A general description of the project or works of improvement for which the zone is to be created;

(b) A general description of any lands, rights of way, easements and property to be taken, acquired or injured in carrying out such work;

(c) An estimate of the cost of the project or works, including an estimate of the cost of any lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work, and also of all incidental expenses and of all operating, maintenance and other costs which may be incurred in connection therewith.

SEC. 307. The report shall be considered by the board which may either accept the report as filed or refer it back to the chief engineer of the district for consideration of such modification or change as the board deems necessary in the best interests of the district.

SEC. 308. After receiving a satisfactory engineer's report on the proposal to establish a zone, the board shall adopt a resolution of intention to establish a zone, which resolution shall contain the following:

(a) A statement that a zone is proposed to be established under the terms of this act and describing the boundaries of the territory proposed for inclusion in the zone;

(b) A statement as to the name proposed for the zone in substantially the following form: "Santa Cruz County Flood Control and Water Conservation District, Zone No. \_\_\_\_";

(c) A description of the project or works of improvement for which the zone is to be created and an estimate of the rate of tax which must be levied to secure funds for the project or works of improvement and for the maintenance thereof, which will be levied annually upon all taxable real property within the zone;

(d) A statement of the estimated cost of the proposed project or works of improvement;

(e) A statement as to the place where the engineer's report may be examined; and

(f) A statement of the time and place for a public hearing at which the board will consider the establishing of a zone, which hearing shall be not less than 30 days nor more than 60 days after the adoption of the resolution.

SEC. 309. The clerk of the board of supervisors shall publish a copy of the resolution twice, the first of which shall be at least 20 days prior to the date of the hearing, in a newspaper of general circulation published in the county and circulated in the zone. Copies of the resolution shall also be posted in not less than three public places in the zone at least 10 days before the date of the hearing.

SEC. 310. At the hearing the board shall hear testimony of all interested persons for or against the establishment of the zone, the inclusion therein of any lands that would not be benefited or the failure to include any lands which would be benefited, and the undertaking of the project or works of improvement.

SEC. 311. The board shall also receive any written protests by any interested person concerning the establishment of the zone which are filed with the clerk of the board at or before the time fixed for hearing.

SEC. 312. Written protests may be withdrawn at any time before the hearing is concluded.

SEC. 313. The hearing may be continued from time to time for a period not to exceed 60 days.

SEC. 314. At the conclusion of the hearing the board shall consider all testimony and protests presented to it concerning the establishment of the zone, and may, if it determines it to be in the best interests of the district, establish the zone.

SEC. 315. If the board determines to establish the zone, it shall, by resolution, so declare and fix the boundaries and designate the projects or works of improvements to be performed therein.

SEC. 316. No land which will not be benefited shall be included in any zone.

SEC. 317. No zone initiated by petition shall be created,

(a) For any project or works of improvement not included in the petition or amendment thereof, or

(b) Which includes lands not within the boundaries proposed in the petition or any amendment thereof.

SEC. 318. If at any time before the establishment of a zone there is a written protest filed with the clerk by the owners of real property in excess of 50 percent of the assessed valuation of such property within the zone as shown by the last equalized assessment roll of the county, the proceedings shall be forthwith abandoned and the board shall not, for a period of six months from the filing of the written protest, initiate any proceedings to establish a zone for the same project or works of improvement as that proposed.

SEC. 319. No city or district empowered to produce, store or distribute water shall be included within a zone without its written consent by resolution adopted by its legislative body unless its electors have so consented.

SEC. 320. A referendum may be had within a zone on the formation thereof within the time and in the manner provided for the formation of county sanitation districts.

#### Article 2. Modification of Works

SEC. 331. The scope of the works and improvements of a zone, as provided in the petition for its formation and as finally determined by the board, may be modified, increased and enlarged.

SEC. 332. An engineering report shall be prepared as to the modifications proposed, and their effect on the original report.

SEC. 333. The hearing on said report shall be had on notice published once at least ten (10) days before, and the determination of the board made at the time of said hearing.

SEC. 334. When any bonds have been authorized or issued for the purpose of any report, the proceeds thereof may be used for the purposes of any modification thereof made pursuant hereto.

#### Article 3. Inclusion of Territory

SEC. 351. Territory may be annexed to or included in any zone in the manner herein provided for the formation of a zone.

SEC. 352. Territory may also be annexed to or included in any zone in the manner provided for the inclusion of territory in a county water district, except that said area shall be annexed upon the adoption of the resolution so declaring and no certificate or ordinance shall be used.

SEC. 353. When the territory has been annexed it shall thereupon become a part of the zone and shall be subject to all of the liabilities and entitled to all of the benefits of the zone.

#### Article 4. Exclusion of Territory

SEC. 371. Territory may be excluded from any zone in the manner provided for the exclusion of territory from a county water district, except that said area shall be excluded upon the adoption of the resolution so determining and no certificate or ordinance shall be used.

SEC. 372. From and after the adoption of the resolution declaring the area excluded, it shall no longer be a part of the zone and shall not be further subject to its liabilities or entitled to its benefits.

#### Article 5. Consolidation of Zones

SEC. 391. Two or more zones may be consolidated in the manner provided for the formation of a zone, except that reference in said proceedings shall be had to consolidation rather than to formation.

SEC. 392. Two or more zones may also be consolidated in the manner provided for the consolidation of county water districts, except that no report from or approval by the State Engineer shall be required, said consolidation shall be complete upon the adoption of the resolution so declaring and no ordinance or certificate shall be used.

SEC. 393. From and after the adoption of the resolution declaring the zones consolidated, they shall be one zone and all shall be subject to the liabilities and entitled to the benefits of each.

#### Article 6. Dissolution of Zones

SEC. 411. The provisions of Article 1, Chapter 4, Part 8, Division 12 of the Water Code for the dissolution of county water districts, as now or hereafter amended, shall apply to and be used in the dissolution of zones.

SEC. 412. The zone shall be dissolved upon the adoption of the resolution so declaring following the canvass of the vote, and no ordinance or certificate shall be used or filed.

SEC. 413. The title to the assets of the zone shall be and remain in the district.

SEC. 414. If the assets are not further needed for any district purposes, they may be sold and the proceeds applied in payment of zone liabilities.

SEC. 415. If the receipts from the sale of the assets of the zone are more than sufficient to pay its indebtedness, the remaining amount shall be paid into the general fund of the district.

SEC. 416. If an insufficient amount is secured from the sale of the assets to pay the indebtedness, the board shall from time to time cause taxes to be levied on the property in the zone liable to taxation for the indebtedness and collected in a sufficient amount to pay the balance of the indebtedness as it matures.

#### CHAPTER 8. ZONE BONDS

##### Article 1. General Obligation Bonds

SEC. 431. The board must estimate and determine the amount of money necessary to be raised within one or more zones to construct or purchase necessary works and acquire the necessary property and rights therefor and otherwise carry out the provisions of this act, and may determine that a different percentage of the cost be raised in each zone.

SEC. 432. For the purpose of ascertaining the amount of money necessary to be raised for such purposes, or any of them, the board shall cause such surveys, examinations, drawings and plans to be made as shall furnish the proper basis for said estimate.

SEC. 433. All such surveys, examinations, drawings and plans shall be made under the direction of the engineer of the district and shall be certified by him.

SEC. 434. In determining the amount of bonds to be issued, the board may include:

(a) all costs and estimated costs incidental to or connected with the acquisition, construction, improving or financing of the enterprise; and

(b) all engineering, inspection, legal and fiscal agent's fees, costs of the bond election and of the issuance of the bonds, bond reserve funds and working capital and bond interest estimated to accrue during the construction period and for a period of not to exceed 12 months after completion of construction.

SEC. 435. After receiving such report the board shall determine and declare by resolution whether or not the proposed plan of work is satisfactory and whether or not the project, as set forth in said report, is feasible, and if so, shall make an order determining the amount of bonds that should be issued in order to raise the amount of money necessary therefor, and in determining said amount, sufficient shall be included to cover the cost of inspection of works in course of construction.

SEC. 436. After the adoption of said report and estimate of the amount of money required to be raised, the board shall call a special election and submit to the qualified voters of said zone or zones a proposition.

SEC. 437. The proposition shall be whether the zone or zones incur a bonded indebtedness for the purpose of providing for the conservation, control and disposition of flood and storm waters of said district and to protect from damage from such storm and flood waters, the waterways, property, public highways, and public places in said district, and for any other purpose set forth in this act, and shall state the percentage of the cost to be raised in each zone if more than one.

SEC. 438. Propositions for incurring indebtedness may be united and be submitted as a single proposition or separate propositions may be submitted for each separate purpose.

SEC. 439. The resolution calling the special election shall state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor and shall fix the maximum rate of interest to be paid on said indebtedness which shall not exceed six percent (6%) per annum, and shall fix the date on which the special election shall be held and the manner of voting for and against the incurring of such indebtedness.

SEC. 440. For the purpose of said election, the board shall, in its resolution, establish election precincts within the boundaries of the zone or zones, and may form election precincts by consolidating the precincts established for general election purposes in said district to a number not exceeding six for each such bond election precinct, and shall designate a polling place and appoint one inspector, one judge and two clerks for each such precinct.

SEC. 441. In all particulars not recited in such resolution, such election shall be held as nearly as practicable in conformity with the general election laws of the State for county elections.

SEC. 442. At such election all persons whose names appear on the last great register of the county as residing within the zone or zones shall be entitled to vote.

SEC. 443. Such resolution calling such election shall be published once a week for two weeks in some newspaper published in such district and circulated in the zone or zones. No further notice of such election need be given.

SEC. 444. Any defect or irregularity in the proceedings prior to the election shall not affect the validity of the bonds.

SEC. 445. If at such election a majority of the votes are cast in each zone in favor of the incurring of such bonded indebtedness, then the bonds of said district or zone or zones, for the amounts stated in such proceedings, shall be issued and sold as provided in this act.

SEC. 446. The board shall prescribe by resolution the form of the bonds and of the interest coupons attached thereto and shall fix the maximum rate of interest said bonds shall bear.

SEC. 447. The bonds shall mature serially in amounts to be fixed by the board, payment of the bonds commencing not later than five years from the date thereof and being completed in not more than 40 years from said date.

SEC. 448. The board shall fix the place, or places (which may be within or without the State of California and which shall be designated in said bonds) where said bonds together with the interest thereon shall be payable.

SEC. 449. Callable bonds may be redeemed in such amounts and manner and at such prices as the board may prescribe by resolution and designate in the bonds.

SEC. 450. The bonds shall be issued in such denominations as the board may determine, except that no bonds shall be of a less denomination than one hundred dollars (\$100), nor of a greater denomination than one thousand dollars (\$1,000).



SEC. 451. The bonds shall be payable on the day and at the place or places fixed therein, and with interest specified therein, which interest shall be payable semiannually or as the board shall determine.

SEC. 452. The board may, in its discretion, divide the aggregate principal amount of such issue into two or more divisions or series and fix different dates for the bonds of each separate division or series. In the event any authorized issue is divided into two or more divisions or series, the bonds of each division or series may be made payable at such time or times as may be fixed, separate and distinct from the time or times of payment of bonds of any other division or series of the same issue.

SEC. 453. The bonds shall be signed by the chairman of the board which may be by his printed, lithographed or engraved signature, and countersigned by the treasurer of the district, and the seal of said district shall be affixed thereto.

SEC. 454. The interest coupons of the bonds shall be numbered consecutively and signed by the treasurer of said district by his printed, engraved or lithographed signature.

SEC. 455. In case any officer whose signature or countersignature appears on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, the signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

SEC. 456. The district may sell the bonds so issued at the times or in the manner the board deems to be to the public interest; provided, that all bonds shall be sold on sealed proposals to the highest bidder after advertising for bids by publication of notice of sale once, not less than 10 days prior to the date of sale, in a newspaper of general circulation in the district.

SEC. 457. If no bids are received or if the board determines that the bids received are not satisfactory as to price or otherwise, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

SEC. 458. The bonds may be registered with the treasurer in accordance with the provisions of any law applicable to the registration of municipal bonds, and thereafter the principal and interest thereon shall be paid to the proper registered owner thereof.

SEC. 459. Whenever the district shall have any moneys in any fund which money is not immediately required, the same or any part thereof may be invested temporarily in any bonds already issued by such district or in any bonds of the United States of America or the State of California or as provided by law. The interest therefrom shall be deposited in the fund from which the investment was made.

SEC. 460. Such investment may be made by direct purchase of any issue of bonds of the district or any part thereof at the original sale of such bonds or by the purchase of such bonds after they have been so issued. Any bonds so purchased and held in any such fund may from time to time be sold and the proceeds temporarily reinvested in bonds as above provided.

SEC. 461. Sale of any bonds so purchased and held in any fund shall, from time to time, be made in season so that the proceeds may be applied to the purpose for which the fund was created except that if such moneys shall not be required for the purpose of paying the interest or any part of the principal of the outstanding bonds, the bonds of the district purchased from such moneys may be cancelled by the treasurer of said district upon order by the board.

SEC. 462. Bonds issued under this act shall be, by their issuance, conclusive evidence of the regularity, validity and legal sufficiency of all proceedings, acts and determinations had or made under this act.

SEC. 463. The bonds and the interest thereon shall be paid from revenue or from an annual tax upon the taxable property within the zone or zones in which they are issued, and all such taxable property within such zone or zones shall be and remain liable to be taxed for such payments as herein provided.

SEC. 464. Any bonds which shall be issued under the provisions of this act shall be legal investments for all trust funds, and for the funds of insurance companies, banks, both commercial and savings, and trust companies, and for state school funds.

SEC. 465. Whenever any money or funds may be, by any law now or hereafter enacted, invested in bonds of cities, cities and counties, counties, school districts or irrigation districts, within the State of California, such money or funds may be invested in the bonds issued under this act.

SEC. 466. Whenever bonds of cities, cities and counties, counties, school districts or irrigation districts within this State may be, by any law now or hereafter enacted, used as security for the performance of any act of the deposit of any public moneys, the said bonds issued under this act may be so used.

SEC. 467. All proceeds received from the sale of the bonds hereunder shall be deposited with the county treasurer in a special construction fund and be paid out by him only upon authority of the board and by proper warrant.



SEC. 468. All proceeds from the sale of bonds and interest on such proceeds in excess of the actual cost of all work and improvement and proceedings thereunder may be used for any lawful purposes for which said zone or zones were created as in this act provided.

SEC. 469. Notwithstanding any other provisions of this act the board may, in a resolution relating to the issuance of revenue bonds, designate a trustee, fiscal agent, paying agent or depository to receive the proceeds of sale of said revenue bonds or all or a part of any revenues received or to be received by the district from any enterprise or from any services or facilities furnished or to be furnished, all as set forth in such resolution.

#### Article 2. Refunding Bonds

SEC. 491. The bonds of any issue may be refunded.

SEC. 492. The provisions of Article 3, Chapter 4, Division 4 of the Government Code, as now or as hereafter provided, for the refunding of bonds by cities, shall apply in the refunding of zone bonds.

#### Article 3. Validating Suit

SEC. 511. An action in rem may be commenced by the board in the name of the district in the superior court of the State of California, in and for the county, to determine the validity of any of the bonds.

SEC. 512. A summons shall be issued in such action, which summons, besides the matters required by Section 407 of the Code of Civil Procedure, shall contain a statement that the action is brought to determine the validity of bonds of the district to the amount stated therein.

SEC. 513. The jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in some newspaper of general circulation published in the county, such paper to be designated by the court.

SEC. 514. Jurisdiction shall be complete within 10 days after the full publication of such summons in the manner herein provided. Anyone interested may at any time before the expiration of said 10 days appear and by proper proceedings contest the validity of such bonds.

SEC. 515. The action shall be given precedence in hearing and trial over all other civil actions or proceedings in such court and judgment shall be rendered therein declaring said bonds either valid or invalid.

SEC. 516. The court hearing any proceeding or action inquiring into the regularity, legality or correctness of the proceedings leading up to the issuance of bonds or the validity of the bonds must disregard any error, irregularity, or omission which does not affect the substantial rights of the parties to said action or proceeding.

SEC. 517. The rules of pleading and practice provided by the Code of Civil Procedure which are not inconsistent with the provisions of this act are applicable to all actions or proceedings herein provided for.

SEC. 518. Either party may have the right to appeal to the Supreme Court at any time within 30 days after the rendition of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal.

#### Article 4. Revenue Bonds

SEC. 531. The district may authorize, issue and sell revenue bonds pursuant to the provisions of Chapter 6, Part 1, Division 2, Title 5 of the Government Code to provide funds for the acquisition, construction, improving or financing any one or more revenue producing enterprises for any one or more of the purposes for which the district has been formed.

SEC. 532. "Enterprise" as used in the section above means a revenue producing system, plant, works, or undertaking used for or useful in carrying out any one or more of the purposes of the district.

SEC. 533. In connection with the authorization, issue and sale of revenue bonds pursuant to this article and so long as any of these bonds remain outstanding, the district may exercise, in addition to the powers covered by this act, any or all of the powers of local agencies provided for in said chapter.

#### Article 5. Assessments and Bonds

SEC. 551. Whenever, in the opinion of the board, the public interest or convenience may require, it may order to be done in, under, or upon the whole or any portion of any one or more of the streets or public places of the district, or any property or rights of way owned by the district, any work or improvement for supplying or distributing an irrigation, domestic, or other water supply or for fire protection or any work or improvement for controlling flood and storm waters within the district, or for providing, supplying and transporting water for recreational purposes, any work or improvement in draining and protecting lands and other property within the district from the effects of water, and provide that the cost thereof shall be assessed upon the lots and lands fronting on the streets or public places, or upon any improvement district to be assessed therefor, which improvement district need not be composed of lands contiguous to each other.

SEC. 552. The Improvement Act of 1911, the Improvement Bond Act of 1915, the Municipal Improvement Act of 1913 and the Street Opening Act of 1903, as now or hereafter provided, shall apply.

SEC. 553. In the application of the assessment acts referred to herein, the terms used in those acts shall have the following meanings:

- (a) "City" refers to the district.
- (b) "City council" or "legislative body" refers to the board.
- (c) "Mayor" refers to the chairman of the board.
- (d) "Clerk" refers to the secretary of the board.
- (e) "Council chambers" refers to the place designated by the board for holding its regular meetings.
- (f) "Treasurer" refers to the treasurer of the district.
- (g) "Auditor" refers to the auditor of the district.
- (h) "Tax collector" means the tax collector of the district.
- (i) "Superintendent of streets" or "street superintendent" and "city engineer" refer to the engineer of the district.
- (j) "Right of way" refers to any parcel of land to which a right of way has been granted to the district.

(k) All words relating to municipal officers and matters refer to the corresponding officers of the district.

SEC. 554. The board may appoint an officer, other than the engineer, without compensation as the officer to perform any or all of the duties conferred upon the street superintendent or city engineer in any assessment law.

SEC. 555. The board may appoint an engineer of work, in which event the duties to be performed by the city engineer as set forth in any assessment law shall be performed by the engineer of work whose compensation and expenses shall constitute an incidental expense in the cost of the work.

SEC. 556. No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of said assessment and the diagram thereto attached shall be recorded in the office of the county surveyor if the improvement district or any part thereof is in unincorporated territory and with the superintendent of streets of the city or cities if the improvement district or any part thereof is in incorporated territory.

#### CHAPTER 9. MEMBER UNITS

SEC. 571. "Member unit" means any city, or any public or municipal corporation or district, or political subdivision or agency of the State empowered by law to appropriate and to deliver water, the territory of which lies entirely within the exterior boundaries of the county but is not included in a zone.

SEC. 572. A member unit may enter into a contract with the district for:

- (a) The repayment in whole or in part to the district or any other person, corporation, public district, State of California, or the United States, of any or all of the costs of acquisition, construction and financing of any works by or on behalf of the district; or for
- (b) The underwriting in whole or in part of any or all of such costs; or for
- (c) The repayment in whole or in part to the district or any other person, corporation, public district, State of California or the United States of any or all of the cost of furnishing water or a water supply to the district; or for
- (d) The underwriting in whole or in part of such cost; and for
- (e) The payment in whole or in part for water furnished or sold to such member unit by the district or the State of California or the United States.

SEC. 573. The district shall have the power, as to member units, to sell, lease or otherwise dispose of water or any rights to the use of the works of the district for the conservation, control or transportation of water, and shall have the power to fix rates and charges for such purposes.

SEC. 574. The district shall have the power to appropriate water or to acquire water rights to whatever extent and for whatever purposes any member unit or any agency of the State of California or of the United States of America having an interest therein or affected thereby shall have agreed to in writing.

SEC. 575. The liability of each member unit, as distinguished from the liability of its taxpayers and property therein for taxes levied by the district for district purposes, shall be limited to that portion of the total cost for water or water supply or to that portion of the total cost of acquisition and construction and the costs of operation and maintenance of works acquired or constructed by or on behalf of the district or member unit which such member unit agrees to bear.

SEC. 576. The liability of each member unit shall be set forth fully in a written contract which shall be legally approved by such member unit in accordance with the laws governing such member unit. No such contract shall be altered or modified without the consent of the district and the legal approval of such member unit.

SEC. 577. Each such contract may provide among other things:

- (a) The total capital obligation which the member unit agrees to bear;
- (b) The minimum annual payments which the member unit shall make in amortization of its capital obligation;

(c) The quantity or pro rata portion of water which shall be delivered to or held in storage for the member unit;

(d) The basis of allocation of operation and maintenance costs to be borne by the member unit; and

(e) The quantity or other measure of water supply or water agreed to be acquired by or furnished or sold to such member unit and the cost thereof to such member unit.

SEC. 578. Such contract shall be fair and equitable to each contracting party, and no member unit shall receive any undue advantage over any other member unit having proper regard for all factors and conditions involved.

SEC. 579. In the event of any reduction in the principal of any debt of the district underwritten by one or more member units, other than by payment thereof, the amounts to be paid the district by each member unit in amortization of its remaining portion of such debt shall be reduced proportionately so that the relative obligations of each such unit shall be unchanged.

SEC. 580. In the event of any reduction in the rate of interest being paid on any part of a debt of the district for which one or more member units are responsible, the amounts to be paid the district by each such member unit shall be reduced proportionately so that the relative obligation of each such unit remains unchanged in respect to its obligation to pay any remaining interest.

SEC. 581. Any member unit may reduce its obligation under its contract with the district by assignment to another member unit of any part of its right to receive water under its contract; provided, that such assignment is legally approved, in accordance with the laws governing such member unit, by each member unit which is a party to such assignment; provided further, that the total of all payments to be made by such member units to the district shall not be reduced by virtue of such assignments; and provided further, that the assignor member unit may be required by the district to guarantee the payments assumed by the assignee member unit.

SEC. 582. Any member unit may elect that any water to which it is entitled be held in storage in the district's reservoirs so long as there is unfilled capacity in the reservoirs from which such water would otherwise be withdrawn for delivery to it; provided, that if two or more member units desire simultaneously to store water as aforementioned and there is not sufficient capacity to accommodate such member units, the storage capacity shall be apportioned between them in accordance with the amount of capital cost of such reservoir they have respectively underwritten, or in accordance with the amount of water they have respectively contracted to purchase during the period of such storage.

SEC. 583. Any member unit may release for the use of any other member unit any amount of water which may then be held temporarily in storage for its account, and in such event the district shall deliver such water to such other member unit; but such delivery shall be deemed to be for the account of the member unit releasing such water.

SEC. 584. If any capital asset of the district is sold or otherwise disposed of, the net proceeds therefrom shall be distributed to the member units, or applied against any liability of such member units to the district as by such contract may be provided, in the proportion that the amount contributed by each such member unit to the cost of such capital asset is to the total cost of such capital asset.

SEC. 585. If any liability on the part of the district and/or its member units for the original cost or any subsequent improvement or refinancing of such capital asset is not completely extinguished at or before the time of the sale or other disposal of property, the district shall have the power to apply as much of the proceeds of such sale toward the extinguishment of such liability as may be necessary. In extinguishing such liability, the proceeds of such sale shall be applied only as the interests and liabilities of the district and its member units shall appear.

SEC. 586. Each contract providing for repayment of the cost of any works, or for the payment of any water or water supply, which is entered into with the United States pursuant to this act, shall be authorized at an election, unless by a resolution adopted by a four-fifths vote of the members of the board, said board shall determine that all liabilities of the district thereby incurred can be repaid and liquidated both as to principal and interest from revenue derived from taxes levied at a rate not to exceed twenty-five cents (\$0.25) on the one hundred dollars (\$100) assessed valuation of property in the zone or zones for which it is made, and from payments to be made to the district by member units pursuant to written contracts providing for the payment currently of whatever amounts may be necessary to amortize the portion of said cost underwritten by said member units or providing for the payment currently of whatever amounts may be necessary to pay the portion of the cost of any water or water supply to be furnished or sold to such member units.

SEC. 587. Upon the adoption of such resolution, the board shall have the power, on behalf of the district, without the necessity of an election, to enter into such a repayment contract or into such a contract for the purchase of water or a water supply with the United States, subject to all provisions of this act applicable to such contracts, except provisions requiring an election to authorize such contracts.

SEC. 588. Except as otherwise in this act provided, proceedings at the election shall be had insofar as applicable in the manner provided in the case of the issuance



of district bonds; provided, that all qualified voters of the zone or zones involved shall be entitled to vote.

SEC. 589. Notice of the election shall contain, in addition to the information required in the case of bond elections, a statement of the maximum amount of money to be payable to the United States for construction purposes and cost of water supply and acquisition of property, exclusive of penalties and interest, and a general statement of the property, if any, to be conveyed by the district pursuant to the contract.

SEC. 590. The ballots at the election shall contain a brief statement of the general purpose of the contract substantially as stated in the notice of election and the extent of the obligation to be assumed, with the words "Contract—Yes" and "Contract—No" or "Contract and Bonds—Yes" and "Contract and bonds—No", whichever may be applicable. A majority of the votes cast at such election shall be necessary to authorize the execution of the contract and/or issuance of the bonds.

SEC. 591. All payments to the United States under any contract between the district and the United States, including payments of interest and principal on bonds deposited with or transferred to the United States, shall be paid so far as possible from revenue other than that derived from zone taxes, unless otherwise provided by the contract, and the balance, if any, of such payments shall be paid from revenue derived from annual taxes upon all taxable property within the zone or zones involved and the taxable property shall be and remain liable to be taxed for the payments.

SEC. 592. All money collected in pursuance of the contract with the United States shall be paid into the county treasury to the credit of the district and held in a fund to be known as the United States Contract Fund for such contract and be used for payments due to the United States under the contract.

SEC. 593. The district shall have the power, in its discretion, to suspend delivery of water conserved by the district or obtained by or on behalf of the district or a member unit to any member unit during the period that said member unit is delinquent in its payments for or obligations due in respect of such water under any contract entered into by it with the district.

SEC. 594. The district shall have the power to levy a special ad valorem tax on all the taxable property in any member unit whenever any such member unit is delinquent in any payment due the district by such member unit under any contract entered into by it.

SEC. 595. Such tax shall be levied only at a rate sufficient to raise an amount equal to the amount delinquent.

SEC. 596. Such tax shall be levied and collected at the same time and in the same manner as general district taxes, and shall be paid into the county treasury to the account of the district and shall be used only to reduce the liability of such delinquent member unit.

SEC. 597. No property in any portion of the district, other than that in the delinquent member unit, shall be liable for or taxed to pay for such delinquency."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1840

Senator Burns moved that Senate Bill No. 1840 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1840**—An act to add Section 1189.2 to the Code of Civil Procedure, relating to notice requisite to filing and enforcing a mechanic's lien.

Bill read second time.

#### Motion to Amend

Senator Burns moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "1189.2", and insert "1181.1".



**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 1181.1 is added to the Code of Civil Procedure, to read: 1181.1. Any person, other than an original contractor, furnishing materials to be used or consumed in, or furnishing appliances, teams or power contributing to any work of improvement referred to in said Sections 1181, 1182 and 1184.1, shall, not later than 10 days after the date such person commenced furnishing materials, appliances, teams or power, serve upon the owner a notice stating that such person has commenced to furnish materials, appliances, teams or power to be used or consumed in or contributing to such work of improvement and that a lien may be claimed for the value of such materials furnished or for the value of the use of such appliances, teams or power.

The word "owner" as used in this section is defined to mean the owner who caused the work of improvement to be made (or his successor in interest at the date of the commencement of furnishing the materials, appliances, teams or power for which a lien is claimed) whether the interest or estate of such owner be in fee, as vendee under a contract of purchase, as lessee, or other interest or estate less than the fee; and where such interest or estate less than the fee; and where such interest or estate is held by two or more persons the notice may be served on any one thereof.

Where the work of improvement is made pursuant to one original contract, the notice provided for in this section shall be served on such original contractor in addition to the owner and within the same period of time for service on the owners.

The notice shall state: (a) The name and address of the person giving the notice and asserting the right to claim a lien; (b) a description of the materials, appliances, teams or power being furnished; (c) the name of the contractor, subcontractor or other person ordering such materials, appliances, teams or power; and (d) that a lien may be claimed for the value of such materials furnished or for the value of the use of such appliances, teams or power.

Service of such notice may be by personal service or by registered mail; if the postal address for either the owner or the original contractor to be served is not known, then such notice shall be mailed by registered mail addressed to such person at the address shown for the work of improvement on the building permit issued therefor.

Any person who fails to serve such notice shall thereby deprive himself of the right to claim or enforce a lien under this chapter for the value of the materials furnished, or for the value of the use of the appliances, teams or power furnished; provided, however, the provisions of this section shall not affect the right of any person performing labor upon or bestowing personal skill or services on such work of improvement to claim the benefit of this chapter to the extent of the value of such labor or personal skills or services."

**Amendment No. 3**

On page 1, strike out lines 2 to 27, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1592**

Senator Short moved that Senate Bill No. 1592 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1592**—An act to amend Section 830.1 of the Agricultural Code, relating to standards for agricultural products.

Bill read second time.

**Motion to Amend**

Senator Short moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 830.1 of", and insert "Sections 830.3 and 830.5 of, and to add Section 830.35 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 22, inclusive, and insert

"SECTION 1. Section 830.3 of the Agricultural Code is amended to read:

830.3. Any commissioner may issue to any person residing in his county or maintaining a principal place of business therein a permit to [transport or deliver] *sell, buy, receive, transport, deliver, or cause to be transported* fruits, nuts, or vegetables exempt from the standards established in this chapter, for any one or more of the purposes set forth in Section 830; but no permit shall be issued for the purpose set forth in subparagraph (a) of Section 830 unless and until the commissioner has found and determined that the packing plant from which the fruits, nuts, or vegetables are to be transported or delivered has not proper and adequate facilities for processing, grading, packing, or reconditioning the particular lot of fruits, nuts, or vegetables, and that the packing plant to which the fruits, nuts, or vegetables are to be transported has such facilities. Such permits may be issued for a period not exceeding 12 months.

No permit issued hereunder, *except to the seller and the receiver*, shall be valid except in the county where issued unless the permit, or a rider securely attached thereto, carries the endorsement of the commissioner of the county (1) to which the fruits, nuts, or vegetables are to be transported or delivered and (2) from which such products are to be transported or delivered.

Any commissioner may refuse to issue or to endorse a permit if in his judgment the permittee does not have available proper and adequate facilities with which to pack, process or otherwise dispose of such commodities in accordance with the provisions of this chapter and the terms of the permit. A permittee shall, upon request of any commissioner, furnish such affidavits, receipts and other evidence as such commissioner reasonably may require as proof that the commodities have been disposed of in accordance with the provisions of this chapter and the terms of the permit.

[Any commissioner, after notice and hearing, may revoke or suspend any permit or endorsement issued by him, and shall refuse to issue or to endorse any permit, if the facts established at such hearing reveal that the permittee or applicant has violated any of the provisions of this chapter or the terms of any permit issued hereunder, or has failed or refused to furnish the evidence required by the commissioner as hereinabove provided.]

[Notice of hearing when mailed to the permittee or applicant at the address given in his application shall give the commissioner jurisdiction to act in the matter.]

SEC. 2. Section 830.35 is added to said code, to read:

830.35. Any commissioner may refuse to issue or to endorse a permit described in Section 830.3 of this code, if after investigation and in his judgment the applicant for permit does not have available proper and adequate facilities with which to pack, process or otherwise dispose of the commodities described in Section 830 of this code, and in accordance with the provisions of this chapter. Any applicant for such permit, after initial refusal of the commissioner to issue or endorse a permit, may request, in writing, a hearing before said commissioner; said commissioner, after notice and hearing, may refuse to issue or to endorse any permit if the facts established at such hearing reveal that (1) the applicant for permit has previously violated any of the provisions of this chapter, (2) or the terms of any permit issued hereunder, (3) or has failed or refused to furnish the evidence required by the commissioner, as hereinabove provided in said Section 830.3.

Any commissioner, after notice and hearing, may revoke or suspend any permit or endorsement issued by him, if the facts established at such hearing reveal that the permittee or applicant has violated any of the provisions of this chapter, or the terms of any permit issued hereunder, or has failed or refused to furnish the evidence required by the commissioner, as hereinabove provided in said Section 830.3.

Notice of time and place of any hearing provided in this section shall be mailed to the applicant or permittee, at the address given in his application, not less than five days before said hearing, unless notice of time and place of hearing or the period prescribed for said notice shall be changed by stipulation, agreement or request by the applicant or permittee. If a hearing is requested by an applicant for permit, the agricultural commissioner shall call and hold said hearing not later than 10 days from the date of receipt of said application or petition for hearing.

Nothing herein contained shall be construed to allow an applicant or petitioner for permit to operate pending the disposition of his application or petition. Nothing herein contained shall be construed to prevent the commissioner from suspending or revoking a permit forthwith, and without notice or hearing; provided, however, that such peremptory action must be supported by previous investigation, the results of which reasonably indicate to said commissioner that to allow an existing permit

to remain in use pending a hearing would encourage, allow or permit additional or other violations of the provisions of this chapter.

Any petitioner, applicant, or permit holder may appeal to the director, within 10 days, for a hearing upon an order of the commissioner refusing to issue a permit, or suspending or revoking the same.

SEC. 3. Section 830.5 of said code is amended to read:

§30.5. It is unlawful for any person who does not hold a valid permit issued under the provisions of Section §30.3 to [transport, or cause to be transported,] ~~sell, buy, receive, transport, deliver, or cause to be transported,~~ any fruits, nuts, or vegetables, which are exempt from the standards established in this chapter, and which do not conform to such standards.

*It is unlawful to transport any substandard fruits, nuts, or vegetables unless a valid permit accompanies the vehicle in which such substandard produce is being transported, and such permit shall be submitted for inspection upon demand of any enforcing officer.*

This section shall not apply to:

(1) A common carrier operating over a regular route or between fixed termini and transporting any such fruits, nuts, or vegetables, in good faith and in accordance with its duties as a common carrier.

(2) Any person transporting fruits, nuts, or vegetables from the orchard or field where they were produced to a packing plant within the State for first processing, grading, or packing.

(3) Any person transporting fruits, nuts, or vegetables in accordance with the terms of a disposal order duly issued under the provisions of Section §30.1."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 790

Senator Gibson moved that Senate Bill No. 790 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 790**—An act to amend Section 2700 of the Business and Professions Code, relating to nursing.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "2700", and insert "2815".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 2815 of the Business and Professions Code is amended to read:

2815. The amount of the fees prescribed by this chapter in connection with the issuance of licenses under its provisions is that fixed by the following schedule:

(a) The fee to be paid upon the filing of an application for license by any person who is a graduate of an accredited school of nursing in the State of California, is five dollars (\$5).

(b) The fee to be paid upon the filing of an application for license by any other person is ten dollars (\$10).

(c) The fee to be paid upon the filing of an application for a temporary license is two dollars (\$2).

(d) The biennial fee to be paid upon the filing of an application for renewal [is two dollars (\$2)] *shall be set by the board at not more than four dollars (\$4) nor less than one dollar (\$1).*



(e) The penalty fee for failure to renew a license within the prescribed time is two dollars (\$2).

No further fee shall be required for a license or a renewal thereof other than as prescribed by this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1940

Senator Thompson moved that Senate Bill No. 1940 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1940**—An act to create the Santa Clara-Alameda-San Benito Water Authority, prescribing its boundaries, government, organization, operation, management, financing, powers and purposes, relating to the development and utilization of water.

Bill read second time.

##### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "create", and insert "provide for the creation of".

##### Amendment No. 2

In line 2 of the title, strike out "boundaries,".

##### Amendment No. 3

In line 3 of the title, strike out "operation, management,".

##### Amendment No. 4

Strike out line 4 of the title, and insert "poses, all relating to the acquisition, control, conservation, diversion, storage, and disposition of imported waters, declaring the urgency thereof to take effect immediately."

##### Amendment No. 5

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. This act shall be known and may be cited as the Santa Clara-Alameda-San Benito Water Authority Act.

#### PART 1. GENERAL PROVISIONS

SEC. 2. The following definitions shall govern the construction of this act unless the contrary is indicated:

(1) "Authority" means the Santa Clara-Alameda-San Benito Water Authority as organized and incorporated hereunder.

(2) "Public agency" means and includes any public corporation, public district, or agency of the State of California having the power to acquire and distribute water and located within the boundaries of any or all of the following counties: Alameda County, San Benito County, Santa Clara County.

(3) "Directors" means the board of directors of the authority.

(4) "Principal county" means the county in which lie the lands within the authority, as created and established, having the greatest assessed valuation, according to the last equalized assessment roll applicable to such lands, such valuation being, for this purpose, based on land alone, exclusive of improvements.

#### PART 2. ORGANIZATION

SEC. 11. The Santa Clara-Alameda-San Benito Water Authority may be organized and incorporated hereunder by two or more public agencies in any or all of the following counties: Alameda County, San Benito County, Santa Clara County; which public agencies need not be contiguous, and when so incorporated the authority shall be a separate and independent political corporate entity and shall exercise the powers herein expressly granted, together with such implied powers as are



necessary to carry out the objects and purposes of the authority. A public agency, upon becoming a member agency, shall retain its separate identity and shall, without change, continue in existence.

SEC. 12. The procedure for organizing and incorporating the authority is as follows:

(1) Within 120 days of the effective date of this act resolutions may be passed by the legislative body of any public agency as herein defined, declaring that in its opinion public interest or necessity demands the creation and maintenance of the authority. A certified copy of the resolution shall be presented to the board of supervisors of the county within which the greater portion of the public agency is located, requesting said board to call an election without delay for determining whether such authority shall be created.

(2) Upon receipt of a resolution and petition the board of supervisors shall call an election within the territorial boundaries of each public agency which has adopted the resolution for the purpose of determining whether the proposed authority shall be created and established.

(3) The board of supervisors shall give notice of said election by publishing the same once a week for at least three weeks before the date of said election in a newspaper of general circulation, published within the public agency within which such election is called, or if no newspaper of general circulation is published within such public agency, then such publication shall be made in a newspaper of general circulation published within the county in which such public agency is located or within which the greater portion of the said public agency is located.

(4) Said notice shall state, among other things, the name of the proposed authority, and designate the respective election precincts and the polling places in each; the election officers and the time of the election, and the hours during which the polls will be kept open; provided, that the polls must be opened not later than 8 o'clock a.m. and kept open until 7 o'clock p.m.

(5) The ballot for said election shall contain such instructions as are required by law to be printed thereon, and in addition thereto there shall appear the following:

Shall \_\_\_\_\_ (naming the public agency) join in creating and establishing "Santa Clara-Alameda-San Benito Water Authority"?

Yes

No

(6) Said election and all matters pertaining thereto, shall be held and conducted and the results thereof ascertained, determined and declared prior to the twentieth day of January, 1956, and said election and all matters pertaining thereto, not otherwise provided for herein, shall be held and conducted and the results thereof ascertained, determined and declared in accordance with the general election laws of the State, as nearly as may be, and no person shall be entitled to vote at said election unless he or she be a qualified elector of the public agency in which the said election is held.

(7) The board of supervisors of each county in which such election or elections are held shall meet on Monday next succeeding the day of said election and canvass the votes cast thereat, canvassing the returns of each public agency separately. Said board shall thereupon declare the result of said canvass and shall certify the same to the Board of Supervisors of the County of Santa Clara. The Board of Supervisors of the County of Santa Clara shall order and declare the authority created and established consisting of the public agencies in which a majority of those who voted on the proposition voted in favor of the creation of said authority; provided, however, that the authority shall not be created if the total assessed valuation of the lands, exclusive of improvements, within such approving public agencies shall be less than one hundred million dollars (\$100,000,000).

SEC. 13. The Board of Supervisors of Santa Clara County shall cause a certified copy of said order declaring the result of said election to be filed in the Office of the Secretary of State, and with the legislative body of each of the public agencies in which said election was held. From and after the filing of said order in the Office of the Secretary of State the establishment of the authority shall be deemed complete.

SEC. 14. The board of supervisors calling each election shall make all provision for the holding thereof and the cost thereof shall be a proper charge against the county. In case a special election is held exclusively on the proposition of organizing such an authority, the expenditure therefor shall be reimbursed to the county by means of a special tax on all of the taxable property within the public agencies in which such election was held, which tax shall be assessed, levied, and collected together with and at the same time as the next county taxes by the proper officers of the county.

SEC. 15. No informality in any proceeding or in the conduct of said election not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the incorporation of the authority, and any proceedings attacking the

validity of said incorporation, shall be commenced within three months from the date of filing the aforesaid order with the Secretary of State, otherwise such incorporation and the legal existence of the authority shall be held to be valid and in every respect legal and incontestable.

### PART 3. POWERS

SEC. 21. The authority shall have the following powers, including those necessarily implied therefrom:

(1) To have perpetual succession.

(2) To sue and be sued in actions and proceedings and in all courts and tribunals of competent jurisdiction.

(3) To adopt a corporate seal and alter it at pleasure.

(4) To take by grant, purchase, bequest, devise or lease, and to hold, enjoy, lease, sell or otherwise dispose of any and all real and personal property of any kind within or without the authority and within and without the State necessary or convenient to the full exercise of its powers; also to acquire, construct or operate, control and use any and all works, facilities and means necessary or convenient to the exercise of its powers, both within and without the authority, and within and without the State, and to do and perform any and all things necessary or convenient to the full exercise of the powers herein granted.

(5) To have and exercise the power of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to the exercise of the powers herein granted.

(6) To levy and collect taxes for the purpose of carrying on the operations and paying the obligations of the authority; provided, however, that such taxes, exclusive of any tax levied to meet any obligation to the United States or to any board, department or agency thereof, shall not exceed ten cents (\$0.10) on each one hundred dollars (\$100) of assessed valuation of land, exclusive of improvements, within the authority.

(7) To enter into contracts with any person, firm, association, private corporation or public corporation, public district or public agency, including public agencies the area of which shall be a part of the authority, employ and retain personal services and employ laborers; to create, establish and maintain such offices and positions as shall be necessary and convenient for the transaction of the business of the authority, and to elect, appoint and employ such officers, attorneys, engineers, agents and employees therefor as shall be found by the board of directors to be necessary and convenient for the transaction of the business of the authority.

(8) To join with one or more other public corporations for the purpose of carrying out any of its powers, and for that purpose to contract with such other public corporation or corporations for the purpose of financing acquisitions, constructions and operations. Such contracts may provide for contributions to be made by each party thereto and for the division and apportionment of the expenses of such acquisitions and operations, and the division and apportionment of the benefits, the services and products therefrom. Such contracts may contain such other and further covenants and agreements as may be necessary and convenient to accomplish the purposes hereof. The term "public corporation" as used in this subdivision shall be deemed to mean and include the United States or any public agency thereof or this or any other State or any political district, subdivision or public agency thereof.

(9) To acquire water and water rights within or without the State, but not within the county or counties in which the authority is organized or located; to develop, store and transport such water; to provide, sell or deliver water at wholesale for municipal, domestic irrigation, and other beneficial uses and purposes; provided, each public agency, the area of which shall be a part of the authority shall have a preferential right to purchase from the authority for distribution by such public agency, or any public utility therein empowered by said public agency for the purpose, for domestic, municipal irrigation and other beneficial uses within such public agency, a portion of the water served by the authority which shall, from time to time, bear the same ratio to all of the water supply of the authority as the total accumulation of amounts paid by such public agency to the authority on tax assessments and otherwise, excepting purchase of water, toward the capital cost and operating expense of the authority's works shall bear to the total payments received by the authority on account of tax assessments and otherwise, excepting purchase of water, toward such capital cost and operating expense; also to provide, sell and deliver surplus water of the authority not needed or required for beneficial purposes by the public agencies, the corporate area of which is included in such authority, but giving preference to uses within the authority; provided, that the supplying of such surplus water shall, in every case, be subject to the paramount right of the authority to discontinue the same, in whole or in part, and to take and hold, or to provide, sell and deliver, such water for domestic, municipal irrigation, or other beneficial uses within the authority upon one year's written notice to the purchaser or user of such surplus water, such notice to be given by the board of directors of the authority whenever it shall be determined and declared by resolution adopted by said board of directors by a two-thirds vote thereof that such water is

needed or required by any public agency, the corporate area of which is included within said authority, for domestic, municipal irrigation or other beneficial uses therein; to fix the rates therefor, and to acquire, construct, operate and maintain any and all works, facilities, improvements and property necessary or convenient therefor; provided, further, that the authority shall not have the power to provide, sell or deliver water for any purpose within the area of any public agency, the area of which shall be a part of the authority, without the express authority of the legislative body of such public agency first had and obtained.

(10) To cooperate and contract with United States under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto, or any other act of Congress heretofore or hereafter enacted authorizing or permitting such cooperation, for the purposes of construction of works, necessary or proper for carrying out the purposes of said authority, or for the acquisition, purchase, extension, operation or maintenance of constructed works, or for a water supply, or for the assumption as principal or guarantor of indebtedness to the United States; also to borrow or procure money from the United States, or any agency thereof for the purpose of financing any of the operations of the authority.

(11) To invest any surplus money in the authority treasury, including such money in any sinking fund established for the purpose of providing for the payment of the principal or interest of any bonded or other indebtedness or for any other purpose, not required for the immediate necessities of the authority, in its own bonds, or in treasury notes, or bonds, of the United States, or of this State, and such investment may be made by direct purchase of any issue of such bonds or treasury notes, or part thereof, at the original sale of the same, or by the subsequent purchase of such bonds or treasury notes. Any bonds or treasury notes thus purchased and held may, from time to time, be sold and the proceeds re-invested in bonds or treasury notes as above provided. Sales of any bonds or treasury notes thus purchased and held shall, from time to time, be made in season so that the proceeds may be applied to the purposes for which the money, with which the bonds or treasury notes were originally purchased, was placed in the treasury of the authority.

(12) To have and exercise, to the extent not inconsistent with limitations specified in this act, all of the powers of irrigation districts as provided in Division 11 of the Water Code, with the further limitation that the authority shall not have the power to incur bonded indebtedness.

(13) To receive contributions from the United States, public districts, counties, public agencies or persons or corporations and to use such contributions for the purposes for which they are made. Any public district, county or public agency of the State is authorized to contribute money of such public district, county, or public agency to the authority.

### PART 3. BOARD OF DIRECTORS

SEC. 31. All powers, privileges and duties vested in or imposed upon the authority as incorporated hereunder shall be exercised and performed by and through a board of directors.

SEC. 32. The board of directors herein referred to shall consist of one representative from each public agency, the area of which shall lie within the authority.

SEC. 33. Members of the board of directors shall be designated and appointed as follows:

(1) At the first regular meeting of the legislative body of each member agency or at any special meeting called for the purpose, held after such agency has become a member of the authority, said legislative body shall prepare and transmit to the clerk of the board of supervisors of the county in which the lands, or the greater portion of the lands, of the member agency lies, a list comprising the names of two or more nominees of such member agency for the office of member of the board of directors of the authority.

(2) At the next regular meeting of the board of supervisors following receipt of such a list of nominees said board shall appoint one of the persons so nominated from each such list received to the office of director of the authority.

(3) The clerk of the board of supervisors shall thereupon certify each such appointment to the clerk of the board of supervisors of the principal county and to the member agency of the authority which had submitted such list of nominees.

SEC. 34. Members of the board of directors shall hold office for a term of four years, and until their successors are appointed and qualified; provided, that the terms of the members of the first board shall be determined by lot so that the term of not less than one half of the members shall be for two years and the terms of the remainder shall be four years; provided, further, that every member shall be subject to recall by the voters of the public agency from which such member is appointed, in accordance with the recall provisions of the law applicable to such public agency; and provided further, that any member may be recalled by the unanimous vote of the governing body of the public agency from which such member is appointed.

SEC. 35. As a member of the board of directors, each representative shall be entitled to vote on all questions, orders, resolutions and ordinances coming before



the board of directors, and shall be entitled to cast one vote for each five million dollars (\$5,000,000), or fractional part thereof, of assessed valuation of property taxable for authority purposes in the public agency represented by him as shown by the last equalized assessment roll of the county or counties within which such public agencies are located and evidenced by the certificate of the county auditor; provided, that each representative shall have at least one vote and no public agency shall have votes exceeding in number the total number of votes of all the other public agencies whose corporate areas are included in such authority. The affirmative votes of members representing more than fifty (50) percent of the total number of votes of all the members shall be necessary, and, except as otherwise herein provided, shall be sufficient to carry any order, resolution or ordinance coming before the board of directors; provided, however, any meeting may be adjourned or recessed from day to day or from time to time, by vote of the director or directors present, irrespective of the number of directors present or the number of votes represented at such meeting.

SEC. 36. Members of the first board of directors so constituted shall convene at the call of the clerk of the board of supervisors of the principal county in the meeting room of the board of supervisors at the county seat of said county, or at any other convenient place within the authority designated in such call, and immediately upon convening such board of directors shall elect from its membership a chairman and vice chairman who shall serve for a period of two years, or until their respective successors shall be elected and qualified, and said board of directors may appoint a secretary who shall serve at the pleasure of the board of directors. The terms of directors shall begin upon the day of the first meeting so convened.

#### PART 4. FINANCE

SEC. 41. The directors, on or before the last day of May of each year, shall estimate the amount of money required by the authority for all authority purposes. The directors shall add thereto a sum not to exceed 10 percent thereof for anticipated delinquencies.

The directors shall divide the total amount so found in proportion to the value of the land in the authority lying in each county. The value shall be determined from the last assessment rolls of the counties. On or before the first week in June of each year the directors shall furnish to each board of supervisors a written statement of the amount apportioned to the county.

SEC. 42. The boards of supervisors of each of the counties in which the authority is situated shall, upon receipt of the determination of amount provided for in Section 41, cause a sufficient tax to be levied on the land, exclusive of improvements, of each such county within the authority to raise the amount reported to them in the estimate of the directors apportioned to such county.

SEC. 53. The tax levied by the boards of supervisors for the purposes of the authority shall be known as the authority assessment and shall be assessed and levied, except as otherwise indicated, at the same time and in the same manner as prescribed by law for county taxes.

SEC. 54. The authority assessment in any one year shall not exceed ten cents (\$.10) on each one hundred dollars (\$100) of assessed valuation of the land, exclusive of improvements, within the authority according to the last equalized assessment roll.

SEC. 55. The authority assessment shall not be levied after the thirtieth day of June, 1962.

SEC. 56. The amounts collected from the authority assessment shall be paid into a special fund in the treasuries of each of the counties and monthly the treasurers thereof shall transmit the balance thereof to the treasurer of the principal county to the credit of the authority. The treasurer of the principal county shall be ex officio treasurer of the authority.

SEC. 57. The treasurer shall pay out money of the authority only upon warrants of the authority drawn upon order of the board of directors and signed by the chairman and attested by the secretary.

#### PART 5. INCLUSION AND ANNEXATION

SEC. 51. Territory may be included within or annexed to the authority by one of the following methods:

(1) By inclusion within, annexation to, or consolidation with the area or any member agency, such inclusion, annexation or consolidation to occur upon compliance with the provisions of law governing such inclusion, annexation or consolidation. Upon completion of such inclusion within, annexation to or consolidation with such member agency in compliance with the provisions of law applicable thereto, such territory shall become and be a part of the authority for all purposes.

(2) The governing body of any public agency, whether within or without the boundaries of the Counties of Alameda, San Benito or Santa Clara, may apply to the board of directors of the authority for consent to annex the corporate area of such public agency to the authority. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions of such proposed annexation. Such terms and conditions may provide, among other



things, for the levy by the authority of special taxes upon taxable property within such public agency in addition to the taxes elsewhere in this act authorized to be levied by the authority, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying public agency, and if such action shall grant consent to such annexation, such governing body may thereupon submit to the qualified electors of such public agency at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein provided. Notice of such election shall be given in the manner and for the time provided by law for notice of elections for the incurring of bonded indebtedness in such public agency. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for elections for the incurring of bonded indebtedness in such public agency. If such proposition shall receive the affirmative vote of a majority of electors of such public agency voting thereon at such election, the governing body of such public agency shall certify the result of such election on said proposition to the board of directors of the authority, together with a legal description of the boundaries of the corporate area of such public agency, accompanied by a map or plat indicating such boundaries. A certificate of proceedings hereunder shall be made by the secretary of the authority and filed with the Secretary of State. Upon the filing thereof in the Office of the Secretary of State, the corporate area of such public agency shall become, and be, an integral part of the authority, and the taxable property therein shall be subject to taxation thereafter for the purposes of the authority, and the board of directors of the authority shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within ten (10) days, issue his certificate, reciting the filing of said papers in his office and the annexation of the corporate area of such public agency to the authority. The Secretary of State shall transmit the original of his certificate to the secretary of the authority and shall forward a certified copy thereof to the county clerk of the counties in which the authority is situated.

SEC. 52. The original inclusion within or the later annexation to the authority of the corporate area of any public agency shall not destroy the identity or legal existence or impair the powers of such public agency notwithstanding the identity of purpose or substantial identity of purpose of the authority.

#### PART 6. EXCLUSION

SEC. 61. Territory may be excluded from the authority by the following method:

(1) The governing body of any member agency shall, by resolution adopted by not less than four-fifths vote, determine and declare that the public interest demands the withdrawal of said member agency from the authority.

(2) Said governing body shall thereupon submit to the qualified electors of such member agency at any general or special election held therein the proposition of such withdrawal. Notice of such election shall be given in the manner and for the time provided by law for notice of annexation elections in such member agency; provided, that said governing body may shorten the time of notice of such election to a period of 30 days. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for annexation elections in such member agency. If such proposition shall receive the affirmative vote of more than 60 percent of the registered and qualified electors of such member agency the governing body of such member agency shall certify the result of such election on said proposition to the board of directors of the authority. A certificate of proceedings hereunder shall be made by the secretary of the authority and filed with the Secretary of State. Upon the filing thereof in the Office of the Secretary of State the corporate area of such member agency shall cease to be a part of the authority; provided, that the corporate area of such former member agency shall be and remain liable for any authority assessment already levied pursuant hereto.

#### PART 7. DISSOLUTION

SEC. 71. The authority may be dissolved by the board of supervisors of the principal county as hereinafter provided:

(1) The board of directors of the authority shall by resolution adopted by not less than four-fifths vote, request the board of supervisors of the principal county for dissolution of the authority.

(2) The board of supervisors of the principal county shall thereupon submit to the qualified electors of the authority at any general or special election held therein, the proposition of such dissolution in accordance with the general election laws,

except as otherwise herein provided. Said election shall be noticed by publication once a week for three weeks in a newspaper of general circulation in each of the counties wherein any portion of the authority lies. The cost of publication of the notice shall be paid by the principal county and shall be a county charge. The notice shall appear on at least three different days prior to the date of election, and the first publication shall be at least 15 days prior to the election. The board of supervisors of the principal county shall meet on the first Monday following the election and canvass the votes.

(3) If the proposition for dissolution shall receive the affirmative votes of more than 60 percent of the electors voting at such election the board of supervisors shall make and declare an order declaring the authority dissolved and thereupon the authority is dissolved.

SEC. 72. The board of supervisors of the principal county shall wind up the affairs of the dissolved authority and may do anything necessary to accomplish that purpose.

SEC. 73. If, upon dissolution, there are any outstanding obligations of the authority the board of supervisors of the principal county shall determine the amount of the assessments required to be levied to pay such outstanding obligations and the boards of supervisors of each county in which any part of the authority lies shall levy assessments sufficient to pay their respective proportion of the outstanding obligations.

SEC. 74. Upon completion of the winding up of the affairs of the authority the real property of the authority shall become the property of the member agency of the authority in which such real property is situated. Real property of the authority situate outside the authority and the personal property of the authority shall be sold by the board of supervisors of the principal county and the proceeds of such sale and any other money of the authority remaining after the payment of all the obligations of the authority shall be paid to the general funds of the member agencies in the proportion which the assessed value of the land in such member agency bears to the total assessed value of land within the authority as determined by the last assessment rolls.

#### PART 8. OTHER PROVISIONS

SEC. 101. If any provisions of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 102. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The public agencies within the area of water shortage in the counties of Alameda, San Benito and Santa Clara must take immediate action to organize in order to be in a position to make and complete applications to appropriate unappropriated waters originating outside said area before the possibility of securing such appropriate rights is lost forever. The end of local supplies of water for irrigation and industrial use is in sight and a shortage in domestic supply may follow. An outside source of water is absolutely vital to the people of the affected areas of these three counties. To protect the underground basin and to insure an adequate supply of pure water and so preserve the public health and safety the immediate availability of this act is essential."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1941

Senator Thompson moved that Senate Bill No. 1941 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1941**—An act to repeal Chapter 1 of Part 6 of Division 2 of the Labor Code, relating to employment agencies.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "relating to employment agencies", and insert "and to add Chapter 20 to Division 3 of the Business and Professions Code, relating to employment agencies and placement".

**Amendment No. 2**

On page 1, after line 2, insert  
"Sec. 2. Chapter 20 is added to Division 3 of the Business and Professions Code, to read:

**CHAPTER 20. EMPLOYMENT PLACEMENT****Article 1. General Provisions**

9800. This chapter of the Business and Professions Code constitutes the chapter on employment placement, and may be cited as the Employment Placement Act.

9801. "Board," as used in this chapter, means the Board of Employment Placement Examiners of the State of California.

9802. "Advisory council," as used in this chapter, means the advisory council of the Board of Employment Placement Examiners of the State of California.

**Article 2. Administration**

9810. There is in the Department of Professional and Vocational Standards a Board of Employment Placement Examiners of the State of California, which consists of seven members appointed by the Governor.

9811. Each member of the board shall be a citizen of the United States and a resident of the State of California. Each member shall be an employment placement owner or manager under the provisions of this chapter, shall have had at least five years experience in the art of practicing personnel placement service, and shall have been actively engaged in the art of personnel placement within the past two years prior to his appointment. No person may serve as a member of the board for more than two consecutive terms.

9812. Members of the board shall be appointed for a term of four years. The terms of the members of the first board appointed under this chapter shall expire as follows: One member, September 7, 1956; two members, September 7, 1957; two members, September 7, 1958; two members, September 7, 1959. Vacancies occurring shall be filled by appointment for the unexpired term in the following manner:

The Governor shall exercise the right of appointment within 60 days from the date when a vacancy occurs or a member's term expires, and if he does not exercise such right, the members may appoint a person to fill the vacancy by a majority vote of the remaining members.

9813. The Governor may remove any member of the board from office for neglect of any duty required by law, incompetency, or unprofessional or dishonorable conduct.

9814. The board at its first meeting after appointment and annually thereafter at the first meeting of each year shall elect from its members a president, vice president, and such officers as shall be necessary. The officers of the board shall hold their respective offices during the pleasure of the board. The board shall select an executive secretary who shall perform such duties as are delegated by the board and who shall be responsible to the board for the accomplishment of such duties. After October 1, 1956, the person selected to be executive secretary of the board shall be a duly licensed person under the provisions of this chapter, and shall have had not less than seven years of active personnel practice of which not less than two years shall have been in an administrative capacity. The executive secretary shall not be a member of the board. With the approval of the Director of Finance the board shall fix the salary of the executive secretary. The executive secretary shall be entitled to traveling and other necessary expenses in the performance of his duties. He shall certify that the expenses have actually been incurred.

9815. The board for the purpose of transacting its business shall meet at least once every 60 days at such times and places as designated by the board of resolution. Special meetings may be held at such times as the board may elect, or on the call of the president of the board, or on the call of not less than four members thereof.

A written notice of the time, place and object of any special meeting shall be mailed by the executive secretary to all members of the board who are not parties to the call at least 15 days before the date of the meeting. Meetings may be held at any time and place by the written consent of all members of the board.

9816. Four members of the board shall constitute a quorum for the transaction of business at any meeting.

9817. The board shall keep a record of all its proceedings including a complete file of all applications for license under this chapter and the action of the board upon such applications. The office of the board shall be in the City of Sacramento. Branch offices may be established in Los Angeles and San Francisco and such



records as necessary may be transferred temporarily to the branch offices. Legal proceedings against the board may be instituted in any county in which any of the three offices is located.

9818. The board shall prosecute all persons guilty of violating the provisions of the chapter. A license under this chapter may be revoked by the board for good cause after hearing on notice. The proceedings shall be conducted in accordance with Chapter 5 of Part 1, Division 3, Title 2 of the Government Code, and the board shall have all the powers granted therein. It may employ inspectors, special agents, investigators and clerical assistance as it may deem necessary to carry in effect the provisions of this chapter. The board may fix the compensation to be paid for such services pursuant to law.

9819. The board shall have a seal bearing the name Board of Employment Placement Examiners of the State of California and may from time to time, adopt such rules and regulations as may be necessary to enable it to carry into effect the provisions of this chapter.

9820. Each member of the board shall be paid the sum of ten dollars (\$10) per diem for each and every day actually spent in the discharge of official duties and shall be further entitled to travel and other necessary expenses incurred in the performance of his duties. Each member of the board shall certify that the services have been actually performed, and the expenses actually incurred.

9821. On or before the first day of January of each year, the board shall transmit to the Governor a full and true report of all its proceedings together with a report of all its receipts and disbursements.

9822. An advisory council consisting of 11 persons to be known as the Advisory Council of the Board of Employment Placement Examiners of the State of California is hereby created. The advisory council shall be composed of:

- (a) Two persons representing heavy industry in this State;
- (b) One person representing the agricultural interests in this State;
- (c) One person representing the vocational training schools in this State;
- (d) One person representing professional training schools in this State;
- (e) Two persons representing business and investment interests in this State;
- (f) Two persons representing the public;
- (g) Two persons representing labor organizations in this State.

Such persons shall be appointed by the Governor to serve for a term of three years.

9823. The advisory council shall organize by the election of a president, vice president, and secretary. They shall meet at least twice each year and at such other times at the call of the president, or upon written demand of any five members of the council. It shall be the duty of the advisory council to advise with the board concerning any and all matters coming within the scope of this chapter and the enforcement thereof, which in the opinion of the board or the advisory council shall be deemed necessary or expedient.

9824. The members of the advisory council shall receive no compensation but shall receive the actual and necessary expenses incurred by them in the performance of their duties.

### Article 3. Application of Chapter

9830. The practice of employment placement within the meaning of this chapter is the performing of a service for which a fee is received, and in which service, it might be required that a technical skill and specific knowledge based on the accepted principles of good interviewing, the knowledge of available resources, and the performance of those duties which would result either directly or indirectly in the placement of an applicant for which compensation is to be received by the applicant. The placement skills may be acquired through the actual practice of employment placement over a period of time or through specified training in recognized schools, teaching the skills, procedures and interpretations of good employment placement practice and its administration. This chapter confers no authority to practice any form of counselling other than that which occurs within the scope of this section.

9831. This chapter does not prohibit gratuitous placement through nonprofit organizations within the State.

### Article 4. Licensing

9840. No person shall engage in a business or activity regulated by this chapter or represent himself to be a licensee unless he is licensed as prescribed under this chapter.

9841. An application for any license under this chapter shall be on a form prescribed by the board and accompanied by an application fee provided by this chapter.

9842. Before an application for any license under this chapter is granted, the applicant shall meet all of the following:

- (a) Be a citizen of the United States or have declared his intentions to become a citizen of the United States.
- (b) Have successfully completed an approved high school course of study.
- (c) Be of good moral character.



(d) Have at least three recommendations from persons in the community who are in the business of employment placement and know the applicant's background.

9843. Application shall be made to the board for the following types of licenses:

- (a) Owner-manager license.
- (b) Personnel counsellor license.
- (c) Counsellor apprentice license.

9844. The qualifications for an owner-manager license shall be determined by the board and published at a later date.

9845. The qualifications for a personnel counsellor license shall be determined by the board and published at a later date.

9846. Every person applying to the board for a counsellor apprentice license shall possess a minimum basic knowledge of employment placement principles.

9847. The proper type of license shall be granted to those applicants who indicate that at the present time they are engaged in either learning the counsellor placement business or are personnel counsellors or are owner-managers of a placement firm, licensed under the present authority. Any license issued shall be limited only to the person named in the license. No license shall confer authority to do any act specified in this chapter to any person other than the person to whom the license is issued.

9848. The counsellor apprentice license shall be renewable only once.

9849. When a license is issued to a corporation, if it desires any of its officers other than the officer designated by the license to act under its license, it shall procure an additional license to so employ each of such additional officers. When a license is granted to a co-partnership, if it desires any of its members other than the one through which it is already licensed to act, it shall procure an additional license so to employ each of such additional members.

9850. The owner manager, personnel counsellor, or apprentice counsellor shall be required to display prominently in the office where employed his current license. The personnel counsellor and the apprentice counsellor license shall remain in the possession of the owner-manager until cancelled or until the personnel counsellor or apprentice counsellor leaves the employ of the owner-manager in which case the owner-manager shall return the personnel counsellor's license or the apprentice counsellor's license to the board for cancellation.

9851. A license canceled but not suspended or revoked may be reinstated within the fiscal year upon the receipt of application therefor and the fee for the reinstatement of his license.

9852. Every licensed owner-manager shall have and maintain a definite place of business in this State which shall serve as his office for the transaction of business. No manager or owner license authorizes the licensee to do business except for the location stipulated in the license. Notice in writing shall be given to the board of a change of business location whereupon the board shall issue a new license for the unexpired period. The change or abandonment of a business location without notification to the board shall automatically cancel the license theretofore issued.

9853. If the applicant for an owner-manager license maintains more than one place of business within the State, he shall apply for and secure an additional license for each branch so maintained by him. Every such license application shall state the name of the person and the location of the place or places of business for which such branch license is desired.

#### Article 5. Bonds

9860. Every owner-manager shall file and maintain with the board a bond in the penal sum of five thousand dollars (\$5,000), issued by an admitted corporate surety insurer and running to the people of the State of California. The bond shall be conditioned that the licensee will comply with all of the provisions of this chapter relating to an owner-manager license and with all obligations assumed by him under such license. In addition to any other remedy he may have, every person sustaining any injury may sue the surety for the recovery of any damages sustained by him. The liability of the surety shall not exceed five thousand dollars (\$5,000) in the aggregate.

9861. Every personnel counsellor shall file and maintain with the board a bond in the penal sum of one thousand dollars (\$1,000) issued by an admitted corporate surety insurer and running to the people of the State of California.

9862. The bond shall be continuous in form and remain in full force and effect and shall run concurrently with the license period and for any renewals thereof as provided in Section 2852 of the Civil Code, unless terminated or canceled by action of the surety as provided by law or unless terminated and canceled as provided in this chapter.

9863. Upon the filing of notice with the board by any surety of its withdrawal as surety for any licensee pursuant to Section 2851 of the Civil Code, the board shall forthwith give notice to the licensee of the withdrawal, which notice shall be by registered mail with a request for return receipt and shall be addressed to the licensee at his main office, as shown by the records of the board. The license of any

licensee shall be suspended upon the termination of the bond of the surety as provided in Section 2851 unless prior to the termination a new bond has been filed with the board.

9864. A new bond may be filed at any time by the owner-manager licensee or by the personnel counsellor.

#### Article 6. Disciplinary Proceedings

9870. The board may suspend or revoke any license issued under this chapter if the licensee has committed any of the following acts:

- (a) Engages in unprofessional conduct.
- (b) Procures his license by fraud, misrepresentation or mistake.
- (c) Violates or attempts to violate, directly or indirectly, or assists in or abets the violation of, or conspires to violate any provision or term of this chapter.
- (d) Make or gives any false statement or information in connection with the application for issuance of a license.
- (e) Has been convicted of a felony or of any offense involving moral turpitude, in which event the record of the conviction shall be conclusive evidence thereof.
- (f) Has been declared insane, in which event the record of the adjudication, order or commitment of insanity shall be conclusive evidence thereof.
- (g) Impersonates any applicant or acts as proxy for an applicant in any examination, required under this chapter for the issuance of a license.
- (h) Makes any false promises, misrepresentations in advertisements, or engages in the practice of claiming or demanding a fee, compensation or commission for services not rendered, within the contract agreed.

(i) Engages in any other conduct, whether of the same or a different character than specified in this section which constitutes fraud or dishonest dealing.

9871. Whenever a final judgment is obtained in a civil action, upon grounds of fraud, misrepresentation or deceit, with reference to any transaction, at any time within three years subsequent to said judgment, a license may be revoked or suspended. Whenever any personnel counsellor or counsellor apprentice is discharged by an owner-manager for a violation of any of the provisions of this article prescribing the grounds for disciplinary action; a verified written statement of the fact with reference thereto shall be filed forthwith with the board by the owner-manager, and, if the owner-manager fails to notify the board as required by this section, the board may temporarily suspend or permanently revoke the license of the owner-manager in accordance within the provisions of this chapter relating to hearings.

9872. The board may deny, suspend, or revoke an owner-manager's license of a corporation as to any officer or agent acting under it or the license of a copartnership as to any member acting under its license without revoking the license of the entire corporation or copartnership.

9873. The proceedings for the suspension or revocation of licenses under this chapter shall be conducted in accordance with the provisions of Chapter 5 of Part 1, Division 3, Title 2 of the Government Code, and the board shall have all the powers granted therein.

#### Article 7. Offenses Against Chapter

9880. Any person who violates any of the provisions of this chapter, or the rules and regulations issued thereunder, is guilty of a misdemeanor.

#### Article 8. Revenue

9890. Any license issued under this chapter shall remain in effect until the thirtieth day of June following the date of issuance. Any license shall automatically expire on the thirtieth of June at midnight.

9891. The fee for any license shall at all times cover the period of the fiscal year, which shall be from the first day in July to the thirtieth of June of the following year and shall be payable in advance of issuing the license and at the time of filing the application. The fee for any license is not returnable for any reason.

9892. Any licensee under this chapter, who desires to continue the licensed activity beyond the thirtieth day of June following the date of issuance of his original license, shall on or before the thirtieth day of June of each year pay to the board an annual renewal fee fixed by this chapter, and for which a renewal license for the next fiscal year shall be issued.

9893. Any license which has expired for nonpayment of the annual renewal fee fixed by this chapter may be restored within one year from its expiration upon payment of double the amount of the annual renewal fees for such license.

9894. No person who fails to renew his license within one year of the expiration date may engage in any of the activities authorized by such a license unless he first files his application required for an original license, pays the original license fee, and otherwise complies with all of the provisions of this chapter pertaining to the issuance of an original license.

9895. The amount of fees prescribed by this chapter is that fixed by the following schedule:

- (a) The application fee for an owner-manager license is fifty dollars (\$50).
- (b) The application fee for a personnel counsellor's license is twenty-five dollars (\$25).

- (c) The application fee for a counsellor apprentice license is ten dollars (\$10).
- (d) The annual renewal fee for an owner-manager license is twenty-five dollars (\$25).
- (e) The annual renewal fee for a personnel counsellor license is ten dollars (\$10).
- (f) The annual renewal fee for a counsellor apprentice license is five dollars (\$5).
- (g) The fee for each branch office license is twenty-five dollars (\$25).
- (h) The reinstatement fee is one dollar (\$1).

9896. There is created in the State Treasury a Board of Employment Placement Examiners Fund. At least once in every calendar month, the board shall furnish the State Controller a detailed statement of all moneys collected by the board under the provisions of this chapter or from any other source, and at the same time shall pay the amount thereof to the State Treasurer. On order of the State Controller, the amount so paid shall be deposited in the State Treasury to the credit of the Board of Employment Placement Examiners Fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1951

Senator Thompson moved that Senate Bill No. 1951 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1951**—An act to amend Section 1625 of the Business and Professions Code, relating to dentistry.

Bill read second time.

##### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 9, of the printed bill, strike out "dependent", and insert "associated".

##### Amendment No. 2

On page 1, line 13, strike out "dependent", and insert "associated".

##### Amendment No. 3

On page 1, line 19, strike out "dependent", and insert "associated".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 613

Senator Richards moved that Senate Bill No. 613 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 613**—An act to add Section 2849 to the Elections Code, relating to the chartering of political organizations.

Bill read second time.

##### Motion to Amend

Senator Richards moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 5, of the printed bill, strike out "within the county".



**Amendment No. 2**

On page 1, lines 7 and 8, strike out "within a county or portion thereof".

**Amendment No. 3**

On page 1, line 8, after the second "name", insert ", or any variation of the name."

**Amendment No. 4**

On page 1, line 10, strike out "primary election", and insert "political campaign".

**Amendment No. 5**

On page 1, line 14, after "party", insert "or has the prior written consent of a county central committee or the state central committee of that party".

**Amendment No. 6**

On page 1, strike out lines 15 and 16, and insert "No club, association, or group of persons organized for the support of the candidacy of any person for partisan public office shall include in any part of its name the name or any variation of the name of any political party other than that in which the candidate so supported is registered."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1327**

Senator Cobey moved that Senate Bill No. 1327 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1327**—An act to amend Section 441 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 21, of the printed bill, strike out "any prior", and insert "the immediately preceding".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1520**

Senator Cobey moved that Senate Bill No. 1520 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1520**—An act to amend Section 1299.18 of the Agricultural Code, relating to the ginning of cotton.

Bill read second time.



**Motion to Amend**

Senator Cobey moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 10, 1955, strike out "amend Section 1299.18 of"; and strike out lines 2 and 3 of the title, and insert "add Section 12931 to the Business and Professions Code, relating to weighing of cotton seed."

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert  
"SECTION 1. Section 12931 is added to the Business and Professions Code, to read:

12931. In the ginning of cotton, all cotton seed shall be weighed after the cotton has been ginned and the seeds separated from the cotton."

**Amendment No. 3**

On page 1, strike out lines 3 to 25, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 921**

Senator Donnelly moved that Senate Bill No. 921 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 921**—An act to amend Sections 4226, 4230, 4247, 4259, 4270, 4273, 4274, 4280, 4292, 4294.5, 4296, 4351 and 4355 of, to add Sections 4223, 4231, and 4285 to, and to repeal Sections 4272 and 4291 of, the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 11, of the printed bill, as amended in the Senate March 28, 1955, strike out "nonfat or".

**Amendment No. 2**

On page 2, line 13, strike out "Sections 4223 and", and insert "Section".

**Amendment No. 3**

On page 2, line 16, after "plan", insert "for Class 3 usage".

**Amendment No. 4**

On page 2, strike out lines 18 to 33, inclusive, and insert  
"4231. In determining the minimum prices to be paid by distributors to producers or associations of producers for the several class usages for a marketing area, the director may establish prices for fluid milk, or fluid cream and fluid skim milk, or milk fat or fluid skim milk components of such fluid milk. Any such minimum prices established by the director shall be applicable to all fluid milk, or fluid cream and skim milk, or milk fat or fluid skim milk components of such fluid milk utilized in such marketing area, in accordance with the several class usages of such fluid milk or such components of such fluid milk regardless of the area of origin.

The stabilization and marketing plan may further provide for maximum charges for plant and transportation services on the fluid milk, fluid cream and fluid skim milk, or milk fat or fluid skim milk components which are transported from the country plant to the area where sold. The stabilization and marketing plan shall enumerate the applicable maximum plant charges by function, and shall establish individual charges for each function enumerated."

**Amendment No. 5**

On page 2, line 44, strike out "cream", and insert "milk for the marketing area involved from which the fluid cream and skim milk are derived,".

**Amendment No. 6**

On page 2, lines 45 and 46, strike out "and the price of fluid skim milk for the marketing area involved".

**Amendment No. 7**

On page 2, lines 48 and 49, strike out "fluid cream and in producing and marketing fluid skim milk", and insert "such fluid milk".

**Amendment No. 8**

On page 2, line 50, after "marketing", insert "such".

**Amendment No. 9**

On page 5, strike out lines 2 to 24, inclusive, and insert "monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers. Such contract shall include the following: (1) the amount of fluid milk to be purchased for any period; (2) the quantity of such milk to be paid for as Class 1. Such quantity shall be stated in pounds of milk or pounds of milk fat or gallons of milk; provided, that if the price to be paid for such Class 1 milk is established separately for the milk fat and skim milk contained in such milk, such quantity to be paid for as Class 1 shall be stated in pounds of milk or pounds of milk fat or gallons of milk or both in pounds of milk fat and pounds of skim milk separately, but in any marketing area where an equalization pool is a part of a stabilization and marketing plan, such contract need not specify the quantity of milk in any one class; (3) the price to be paid for all milk received; (4) the date and method of payment for such fluid milk, which shall be that payment shall be made for approximately one-half of the milk delivered in any calendar month not later than the first day of the next following month and the remainder not later than the fifteenth day of said month; (5) the charges for transportation if hauled by the distributor; and (6) a proviso to the effect that the producer shall not be obligated to deliver in any calendar month fluid milk to be paid for at or less than the minimum price for fluid milk that is used for Class 3, as said class is defined in Section 4228. The contract may contain such other provisions as are not in conflict with this chapter. A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution. The provisions of this sub-".

**Amendment No. 10**

On page 5, line 47, strike out "prohibitions", and insert "provisions".

**Amendment No. 11**

On page 6, line 8, after "cream," insert "or the milk fat or fluid skim milk-components of such fluid milk".

**Amendment No. 12**

On page 6, line 10, after "cream," insert "or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 13**

On page 6, line 15, after "cream," insert "or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 14**

On page 6, line 18, after "cream," insert "or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 15**

On page 6, line 20, after "cream," insert "or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 16**

On page 6, line 26, after "cream," insert "or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 17**

On page 6, line 29, after "cream," insert "of the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 18**

On page 6, line 32, after "cream," insert "or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 19**

On page 6, line 35, after "distributors", insert ", whose plants are located within such area,".

**Amendment No. 20**

On page 6, line 36, strike out "or fluid skim milk", and insert "or the milk fat or fluid skim milk components of such fluid milk, but in the event no plants are located within said area, then the price which shall be paid by the distributor to the producer thereof shall not be less than the average of prices paid by distributors to producers for fluid milk, fluid cream, or fluid skim milk, or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 21**

On page 6, line 38, after the second "cream," insert "or the milk fat or fluid skim milk components of such fluid milk".

**Amendment No. 22**

On page 7, line 5, strike out "4285", and insert "4284".

**Amendment No. 23**

On page 7, line 6, strike out "4285.", and insert "4284."

**Amendment No. 24**

On page 7, line 43, after "utors", insert "comprising not less than sixty-five (65) percent of the total number of distributors".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**ADJOURNMENT**

At 4.32 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 13, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

SIXTY-FOURTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 13, 1955

The Senate met at 1.30 p.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—39.

Quorum present.

## PRAYER

By invitation of the President, prayer was offered by Senator Nelson S. Dilworth of the Thirty-seventh Senatorial District.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul K. Nelson, Philip Allen Nelson, and Stanley D. Nelson, all of Orange.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bob Murphy, pitcher; Jim Marshall, first baseman; and Russ Rose, shortstop, all of the Oakland baseball team.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Jack Eisenlauer of Hanford.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Fred Gandiol, driver "Brick" Walls, teacher Gilbert McGuinness, and the following students from Crittenden School, Mountain View: Ernie



Anderson, Karl Angler, Terry Chiono, Manuel Gonzales, Steve Kallman, William Martinez, Jas. Mueller, Tony Rangel, Henry Sandigo, Bob Shippy, Adrienne Blas, Sandra Burgess, Alice Duran, Nancy Keck, Gerry Mansfield, Cathy Melior, Victoria Orozco, Barbara Rodriguez, Lorraine Solus, Donna Wagner, Kristin Wahlgren, James Way, Beverly Garvin, Ronald Colsen, Jonquil Ames, Ana Anderson, Tyronne Fabro, Judy Beidatsch, Joanne Cass, Clayton Fujii, Geraldine Chun, Ronald Hill, Mirta Lopez, Gary Hostetler, Janice McNielly, Paulette Miller, Jeanie Walker, Shirley Hawkins, Ray Sabastia, Gary Dennis, Warren Duke, Wm. Fogleman, Erik Klatt, Ray Llamas, Dennis Mateo, Joe Mello, John Spicer, Terry Thompson, Keith Turner, Fred Watanabe, Wanda Applegate, Lucile Boynton, Donna Dowen, Clarleen Fabbro, Jo Ellen Ferguson, Pat Houston, Nettle Zona, Stephanie Perry, Alice Salazar, Pam Wieher, Bonnie Palmer, Alfred Nava, Claude Northum, Ramirio Rodriguez, Jerry Scott, Jas. Seiler, Albert Soto, Bill Waite, Carl Voss, Bob Smith, Rachel Ramirez, Louise Turner, Sharon Winters, Dolores Santiago, Wm. Hair, and David Hockett.

On request of Senator Dale C. Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. D. McIntosh of Susanville, and Gerald G. Packwood of Bieber.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. J. McKibben of Whittier.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mary Dornbach of Hoopa.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Kramer of Crossroads and Tom Rush of Parker Dam.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lawrence A. Bur-nell and Bert A. Barr of Napa.

On request of Senator Richards and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Jessica Cavitt of Los Angeles.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Ber-neice Ellen, parents Mrs. Leon Scheifferly, Mrs. Don O'Neil, Mrs. V. C. Blakley, Mrs. Alfonso Angello, and the following students from Waverly School, Stockton: Ralph Batie, Everett Blakley, Ray Eddings, Walter Fenley, Rino Fanchetti, Clifford Fregon, Dennis Gulick, Raymond Hewitt, Earl Hicks, Frank Horton, Gene Hull, Patrick Kennedy, Robert Kuster, Clifton Moorman, Sam Nash, Joe Orlando, Wayne Owens, Ned Pruden, Gary Scott, Harvey Scott, Elwin Shannon, Rogers Trull, Carl Snow, Frances Angello, Lorraine Castomagna, Betty Gar-ri-son, Ethel Hempstead, Donna Hopkins, Joanne Incas, Peggy O'Neil, Jean Peralta, Lupe Perez, Carol Scheifferly, Nina Suetos, Shirley Trontham, Patricia Fields, and Sharon Smith.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. and Mrs. Lionel Jackson and Thomas E. Feeney, all of San Francisco.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Emmett Wilson of San Mateo County and Judge Ray Shore of San Rafael.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Glenn M. Fountain, Supervisor, Merced County.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Steven Varich, Mrs. Dick Parker, and the following senior students from Chowchilla Union High School, Chowchilla: Barbara Bell, Barbara Brown, Catherine Cornaggia, Kenneth Dandridge, Sharon Faust, Raymond Foster, Joyce Hurt, Darlene Johnson, Luetta Kilpatrick, Gerald McDougal, Irene McLaughlin, Bruce Moody, Pearl Robbins, Marian Simon, Manuel Thomas, Charlotte Walter, Loe Ressie Williams, Joyce Wisner, Marilyn Wright, Paul Rose, Larry Boies, Fred Brahams, Billy Collard, Gene Covey, Ted Depew, Walter Igo, Buddy Kirk, Ronald Harris, Janet Ladda, Paul Ledbetter, Muriel Maxwell, Peggy Moore, Sandra Murray, Kathleen Parker, Sue Smith, Sadie Sutton, Beverley Thompson, Dennis Hergenraeder, Esmeralda Drury, Pat Barton, Louise Scott, Doris Gentry, Joan Cook, Dolly Bankston, Mae Lew, Dale Westfall, Vina Shelton, and William Shores.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bud James and Scott Palmer of San Diego.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. William C. Blake of San Francisco.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Clifford E. Rishell of Oakland.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Auburn Republican Women's Club: Gladys H. Robinson, Doris Peterson, Lenore Calkins, Ann Irene Clayton, Ruth Snook, Anita Tobey, Alice Stoddard, Dorothy Dimmler, Ruth Ferraro, Minnie Kirkland, Lola Stephens, Emma Buck, Eloise Layn, Margaret Doolittle, Jean Couzens, Florence Savage, Edna Nagy, Jewel Griffith, Ruth Gleisberg, Olivia Oehler, Buelah Leavell, Gladys Austin, Laura Appel, Inez Robie, and Elizabeth Brittin.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George P. Miller, United States Representative from Alameda.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 224

Assembly Bill No. 229

Assembly Bill No. 443

Assembly Bill No. 1180

Assembly Bill No. 3515

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 17  
Senate Joint Resolution No. 19  
Senate Joint Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolutions ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 95  
Senate Bill No. 96  
Senate Bill No. 199  
Senate Bill No. 291  
Senate Bill No. 493  
Senate Bill No. 548  
Senate Bill No. 549  
Senate Bill No. 753  
Senate Bill No. 754  
Senate Bill No. 757  
Senate Bill No. 761

Senate Bill No. 767  
Senate Bill No. 768  
Senate Bill No. 885  
Senate Bill No. 1022  
Senate Bill No. 1024  
Senate Bill No. 1203  
Senate Bill No. 1292  
Senate Bill No. 1311  
Senate Bill No. 1312  
Senate Bill No. 1817

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 678

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

## SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 1104  
Senate Bill No. 1310  
Senate Bill No. 1699

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered to unfinished business file.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

## SACRAMENTO, CALIFORNIA, April 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 31, 1955 appointing

B. A. COBER, to the Board of Trustees, Mendocino State Hospital;  
Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**

**Motion to Confirm Appointment by the Governor**

Senator Burns moved that the Senate confirm and consent to the appointment of B. A. Cober as a member of the Board of Trustees, Mendocino State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of B. A. Cober as a member of the Board of Trustees, Mendocino State Hospital?"

The roll was called, with the following result:

AYES—Senators Berry, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Ward, Way, and Dale C. Williams—23.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of B. A. Cober as a member of the Board of Trustees, Mendocino State Hospital.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SACRAMENTO, CALIFORNIA, April 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated April 1, 1955, appointing

COLEMAN E. STEWART, to the Alcoholic Beverage Control Appeals Board;

DR. ARNOLD L. MORSE, to the California Unemployment Insurance Appeals Board and Member, California Employment Stabilization Commission;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**

**Motion to Confirm Appointment by the Governor**

Senator Burns moved that the Senate confirm and consent to the appointment of Coleman E. Stewart as a member of the Alcoholic Beverage Control Appeals Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Coleman E. Stewart as a member of the Alcoholic Beverage Control Appeals Board?"

The roll was called, with the following result:

AYES—Senators Berry, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Ward, Way, and Dale C. Williams—24.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Coleman E. Stewart as a member of the Alcoholic Beverage Control Appeals Board.

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**

**Motion to Confirm Appointment by the Governor**

Senator Burns moved that the Senate confirm and consent to the appointment of Dr. Arnold L. Morse as a member of the California Unemployment Insurance Appeals Board.



The President put the question, "Will the Senate confirm and consent to the appointment of Dr. Arnold L. Morse as a member of the California Unemployment Insurance Appeals Board?"

The roll was called, with the following result:

AYES—Senators Berry, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Ward, Way, and Dale C. Williams—24.

NOES—None.

#### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Dr. Arnold L. Morse as a member of the California Unemployment Insurance Appeals Board.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 22—Relative to the storage of surplus wheat in California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of April, 1955, at 5 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 223—An act to repeal Section 1096 of the Fish and Game Code, relating to commercial fishing reports;

Senate Bill No. 346—An act to amend Section 7394.1 of the Business and Professions Code, relating to cosmetology;

Senate Bill No. 347—An act to amend Section 7351 of the Business and Professions Code, relating to manicurists;

Senate Bill No. 350—An act to repeal Section 7329, and to amend Sections 7331, 7334, 7382, 7393, and 7412 of the Business and Professions Code, relating to cosmetology;

Senate Bill No. 401—An act to amend Section 624 of the Fish and Game Code, relating to shipment of trout from this State;

Senate Bill No. 686—An act to amend Section 669 of the Fish and Game Code, relating to the taking of salmon near salmon spawning stations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of April, 1955, at 5 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 10

Senate Bill No. 11

Senate Bill No. 296

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 104—An act to amend Section 348 of the Code of Civil Procedure, relating to limitation of action for deposit of money or other property;

Senate Bill No. 1200—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems;

Senate Bill No. 1598—An act to add Section 16603 to the Business and Professions Code, relating to tie-in sales of horror comic books;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1955, at 11.45 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 616

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 107

Senate Bill No. 651

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1971

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bill ordered to second reading.

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 1491

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

SUTTON, Chairman

Above reported bill ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; noes 1; absent 1.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 349

Senate Bill No. 1353

Senate Bill No. 1356

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1727

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1851

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

**Committee on Fish and Game**

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 23

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; noes 2; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 1673

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 476

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 1092

Assembly Bill No. 1976

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported resolution ordered to third reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Constitutional Amendment No. 29	Assembly Concurrent Resolution No. 77
Senate Concurrent Resolution No. 51	Assembly Concurrent Resolution No. 78
Senate Joint Resolution No. 23	Assembly Concurrent Resolution No. 81
Senate Joint Resolution No. 24	Assembly Concurrent Resolution No. 84

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Bill No. 104

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Constitutional Amendment No. 9

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 89

Has had the same under consideration, and reports the same back without recommendation and be re-referred to Committee on Transportation.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolution re-referred to Committee on Transportation.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 472

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 663	Assembly Bill No. 1905
Assembly Bill No. 890	Assembly Bill No. 3514

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

HULSE, Chairman

Above reported bills ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1044

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 127

Senate Bill No. 1238

Senate Bill No. 135

Senate Bill No. 1241

Senate Bill No. 220

Senate Bill No. 1246

Senate Bill No. 279

Senate Bill No. 1366

Senate Bill No. 499

Senate Bill No. 1374

Senate Bill No. 987

Senate Bill No. 1375

Senate Bill No. 1148

Senate Bill No. 1378

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

## Committee on Rules

## SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolution ordered to second reading.

## MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator McBride moved that Assembly Bill No. 1002 be taken from the inactive file and placed on the second reading file.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF  
SENATE RESOLUTION NO. 91

Senator Burns moved that Senate Resolution No. 91 be withdrawn from Committee on Rules, and re-referred to Committee on Water Resources.

Motion carried.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 1413**—An act to amend Sections 28003 and 28007 of the Health and Safety Code, relating to horse meat.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 133**—An act to amend Sections 10112 and 10200 of the Health and Safety Code, relating to vital statistics and birth certificates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 18, 1955, strike out "Sections 10112 and", and insert "Section".

**Amendment No. 1.5**

On page 1, strike out lines 1 to 10, inclusive.

**Amendment No. 2**

On page 1, line 11, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 3**

On page 1, strike out line 21.

**Amendment No. 4**

On page 1, line 22, strike out "(5)", and insert "(4)".

**Amendment No. 5**

On page 1, line 26, strike out "and fingerprints of mother".

**Amendment No. 6**

On page 2, line 1, strike out "(6)", and insert "(5)".

**Amendment No. 7**

On page 2, line 2, strike out "(7)", and insert "(6)".

**Amendment No. 8**

On page 2, line 4, strike out "(8)", and insert "(7)".

**Amendment No. 9**

On page 2, following line 13, insert

"Provided further, that the footprints of the child and the fingerprints of the mother shall be imprinted on the reverse side of the original certificate only."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1407**—An act to amend Sections 26209, 26327, 26328, 26336, and 26360 of the Health and Safety Code, relating to advertisement, inspection, samples, analysis, and quarantine of drugs and devices.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "oral representations,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1412**—An act to amend Sections 26470 and 26472 of the Health and Safety Code, relating to the adulteration of meat.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 3, line 16, of the printed bill, after "or", insert "breakfast".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1475**—An act to add Section 7303 to, and to amend Section 8101 of, the Health and Safety Code, relating to cemeteries.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 15, of the printed bill, after "wilfully", insert "or maliciously".

Amendment read, and adopted.

**Motion to Further Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate March 18, 1955, strike out "7303 to", and insert "7301 to, to repeal Sections 7300 and 7301 of".

**Amendment No. 2**

In line 3 of the title, after "to", insert "dead bodies and".

**Amendment No. 3**

On page 1, strike out line 2, and insert  
"SECTION 1. Sections 7300 and 7301 of the Health and Safety Code are repealed.  
SEC. 2. Section 7301 is added to the Health and".

**Amendment No. 4**

On page 1, line 4, strike out "7303", and insert "7301".

**Amendment No. 5**

On page 1, line 5, strike out "occurs as a", and insert "is reasonably suspected of being the".

**Amendment No. 6**

On page 1, line 6, after the second "or", insert "which occurred".

**Amendment No. 7**

On page 1, line 9, after "death", insert ", or when the cause of death is unknown. No embalmer shall embalm any such body until the consent of the coroner is obtained".

**Amendment No. 8**

On page 1, line 10, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1406**—An act to amend Sections 26200, 26202, 26210, 26211.5, 26213, 26214, 26233, 26252, 26273, 26287, 26288, 26290, 26292, and 26362 of, and to add Section 26255 to, the Health and Safety Code, relating to drugs and devices.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "26200,".

**Amendment No. 2**

On page 1, strike out lines 1 to 12, inclusive.

**Amendment No. 3**

On page 1, line 13, strike out "SEC. 2. Section 26202 of said code", and insert "SECTION 1. Section 26202 of the Health and Safety Code".

**Amendment No. 4**

On page 1, line 20, strike out "3", and insert "2".

**Amendment No. 5**

On page 2, line 1, strike out "4", and insert "3".

**Amendment No. 6**

On page 2, line 9, strike out "5", and insert "4".

**Amendment No. 7**

On page 2, line 17, strike out "6", and insert "5".

**Amendment No. 8**

On page 2, line 23, strike out "7", and insert "6".

**Amendment No. 9**

On page 2, line 27, strike out "8", and insert "7".

**Amendment No. 10**

On page 2, line 41, strike out "9", and insert "8".

**Amendment No. 11**

On page 3, line 49, strike out "10", and insert "9".

**Amendment No. 12**

On page 4, line 5, strike out "11", and insert "10".

**Amendment No. 13**

On page 4, line 12, strike out "12", and insert "11".

**Amendment No. 14**

On page 4, line 37, strike out "13", and insert "12".

**Amendment No. 15**

On page 4, line 45, strike out "14", and insert "13".

**Amendment No. 16**

On page 5, line 7, strike out "15", and insert "14".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 1408**—An act to add Section 26235.5 to the Health and Safety Code, relating to the destruction of drugs damaged by fire, heat, smoke, water, or other means.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "26235.5", and insert "26236".



**Amendment No. 2**

In line 2 of the title, strike out "the destruction of".

**Amendment No. 3**

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 26236 is added to the Health and Safety Code, to read: 26236. If any drug, antibiotic, toxin, antitoxin, serum, vaccine, hormone, vitamin, or chemical, intended for therapeutic use, or its container, has been damaged by fire, heat, smoke, or water, it shall be deemed to be adulterated".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 1410**—An act to add Sections 26280.5 and 26295.5 to, and to amend Section 26295 of, the Health and Safety Code, relating to the adulteration, misbranding, and advertising of drugs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "The diagnosing or treating of any person or per."; and strike out lines 4 and 5, and insert "It is unlawful for any person to diagnose or give a treatment with any device or drug which is adulterated, misbranded or falsely advertised."

**Amendment No. 2**

On page 1, line 21, strike out "Section 26286.5", and insert "Sections 26280.5 and 26286.5, if death ensues as a consequence of such violation,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 1411**—An act to amend Sections 26457, 26549, 26560, 26580 and 26581 of, and to add Section 26580.5 to the Health and Safety Code, relating to advertising, sampling, inspection, analysis, and quarantine of foods.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "26457, 26549, 26560, 26580, and 26581", and insert "26560, 26565, and 26580".

**Amendment No. 2**

On page 1, strike out lines 1 to 17, inclusive, and insert

"SECTION 1. Section 26560 of the Health and Safety Code is amended to read:".

**Amendment No. 3**

On page 1, line 22, strike out ", misbranded, or falsely advertised", and insert "or misbranded".

**Amendment No. 4**

On page 1, between lines 22 and 23, insert

"Sec. 2. Section 26565 of said code is amended to read:

26565. The hearings shall be held at such place as the board or the person conducting the hearing may designate. The hearings shall be private and confined to the consideration of fact. Parties interested may appear in person or by attorney

and may propound interrogatories and submit oral or written evidence to show any fault or error in the findings made by the state laboratory or by the Chief of the Bureau of Food and Drug Inspections."

**Amendment No. 5**

On page 1, line 23, strike out "4", and insert "3".

**Amendment No. 6**

On page 2, lines 2 and 3, strike out "misbranded, or falsely advertised", and insert "or so misbranded as to be dangerous or fraudulent".

**Amendment No. 7**

On page 2, line 8, strike out "SEC. 5", and insert "SEC. 4".

**Amendment No. 8**

On page 2, strike out lines 12 to 17, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 928**—An act to repeal Section 147.1 of, and to add Sections 147.1 and 147.5 to, the Welfare and Institutions Code, relating to the solicitation of charitable contributions.

Bill read second time.

**Motion to Retain Place on File**

Senator Abshire moved that Senate Bill No. 928 retain its place on second reading file pending preparation of amendments.

Motion carried.

**Senate Bill No. 1720**—An act to amend Section 108 of the Insurance Code, relating to the definition of liability insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 18, of the printed bill, as amended in Senate April 7, 1955, strike out the word "and".

**Amendment No. 2**

On page 1, line 20, strike out "to an insured of the whole or"; strike out all of line 21; and on line 22, strike out "sums in lieu thereof, for damages".

**Amendment No. 3**

On page 1, line 25, after the word "vehicle", insert ", trailer, or semitrailer".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1713**—An act to amend Section 421 of the Vehicle Code, relating to reinstatement of driving privileges.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1712**—An act to add Chapter 4 to Division 7 of the Vehicle Code, relating to motor vehicles involved in accidents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 2, line 24, of the printed bill, after "days", insert "after the date of the accident".

**Amendment No. 2**

On page 2, line 26, strike out "impoundment", and insert "exemption".

**Amendment No. 3**

On page 3, line 12, strike out "with respect", and insert "assigned".

**Amendment No. 4**

On page 3, line 23, strike out "424.4", and insert "424.5".

**Amendment No. 5**

On page 3, lines 37 and 38, strike out "422.3, subdivision (c), and", and insert "420, and during such time".

**Amendment No. 6**

On page 4, line 9, after "cost", insert ", if any,".

**Amendment No. 7**

On page 4, line 20, after "ment", insert "in the county jail".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1649**—An act to amend Section 238 of the Public Utilities Code, relating to the definition of "vessel."

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 10, after "code", insert "except those provisions relating to the regulation of rates".

**Amendment No. 2**

On page 1, line 20, after "code", insert "except those provisions relating to the regulation of rates".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 932**—An act to add Section 139.261 to the Vehicle Code, relating to rules and regulations of the California Highway Patrol.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 646**—An act to amend Section 27173.5 of, to amend and renumber Section 27174, as added by Chapter 1350 of the Statutes of 1949, to be Section 27174.1 of, and to amend and renumber Section 27174, as added by Chapter 895 of the Statutes of 1949, to be Section 27174.2 of, the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 7, 1955, strike out "Section 27173.5" and insert "Sections 27173.5 and 27176".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 2, after line 17, insert

"SEC. 4. Section 27176 of said code is amended to read:  
27176. Violation of any rules or regulations provided for in Section [27174]  
27174.1, notice of which has been given by a sign on the facility of travel constructed by the district is a misdemeanor."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 9**—An act to authorize the Department of Public Works to grant certain excess lands in Santa Clara County to the Santa Clara Valley Water Conservation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1547**—An act to amend Section 415.5 of the Vehicle Code, relating to restrictions on operator's or chauffeur's licenses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1548**—An act to amend Section 11624 of the Insurance Code, relating to assigned risk plans.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1550**—An act to amend Section 422.3 of the Vehicle Code, relating to persons subject to the security following accident law, and releases, judgments and settlement agreements thereunder.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 42**—An act to add Section 618.5 to, and to amend Section 635 of, the Vehicle Code, relating to parking lights.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out " , and to amend Section 635 of."

##### Amendment No. 2

On page 1, line 6, after "hereof", insert " , and except when the headlamps are also lighted at the same time".

##### Amendment No. 3

On page 1, strike out lines 10 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 325**—An act to amend Section 525.1 of the Vehicle Code, relating to driving upon highways in the right hand lane.

Bill read second time.



**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 3, line 11, of the printed bill, as amended in Senate April 6, 1955, strike out "The Department of Public Works may post signs"; and strike out lines 12 and 13.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1983**—An act to amend Section 9906 of the Government Code, relating to regulation of legislative advocates, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Legislative Representation:

**Amendment No. 1**

On page 2, line 27, of the printed bill, after "Senate", insert "and not previously published".

**Amendment No. 2**

On page 2, line 34, strike out "and", and insert "or".

**Amendment No. 3**

On page 2, line 35, strike out "and", and insert "or".

**Amendment No. 4**

On page 2, line 37, before the period, insert "", whichever is the earliest date after such filing".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1344**—An act to amend Section 1012 of the Military and Veterans Code, relating to the Veterans' Home.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1405**—An act to add Section 1623 to the Health and Safety Code, relating to biologics and blood transfusions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after the word "whatsoever", strike out the comma and insert a period.

**Amendment No. 2**

On page 1, strike out all of line 12.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2308**—An act to add Article 1.5 to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to the prevention of delinquency.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 16 of the printed bill, as amended in Assembly March 31, 1955, strike out "or participate in the work of".

**Amendment No. 2**

On page 1, line 17, strike out "; including im-"; and strike out all of lines 18 and 19, and insert "at their invitation."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 917**—An act to amend Section 6010 of the Public Utilities Code and to add Section 6010.1 to the Public Utilities Code, relating to the filing of a surety bond in connection with the award of franchises.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1731**—An act to amend Section 1904 of the Corporations Code, relating to reduction of stated capital.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1880**—An act to amend Section 12845 of the Public Utilities Code, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3249**—An act to amend Sections 30350, 30652, and 30654 of, and to add Sections 30608, 30654.5, and 30659 to, the Streets and Highways Code, relating to toll bridges and other toll highway crossings, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendment:

**Amendment No. 1**

On page 3, line 3, of the printed bill, as amended in Assembly March 29, 1955, after "23," insert "1955,".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3777**—An act to amend Section 8603 of the Revenue and Taxation Code, relating to definition of the term "motor vehicle."

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1922**—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 2, line 5, of the printed bill, restore the word "secondary", which is now stricken.

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1956**—An act to amend Section 158 of the Vehicle Code, relating to display of license plates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 16 to 19, inclusive.

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1609**—An act to amend Sections 6700 and 6703 of the Government Code, relating to Veterans Day.

Bill read second time, and ordered to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1518**—An act to amend Sections 11554 and 15623 of, and to add Section 11560.1 to, the Government Code, relating to the State Board of Equalization.

**Motion to Refer Bill to Inactive File**

Senator Burns moved that Senate Bill No. 1518 be placed on the inactive file.

Motion carried.

**Motion to Retain Place on File**

Senator Desmond moved that Senate Bill No. 1474 be passed on file and retain its place on file.

Motion carried.

**Senate Bill No. 1841**—An act to amend Section 5439 of the Public Resources Code, relating to county recreation districts.

Bill read third time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendment:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate April 11, 1955 strike out "county", and insert "public".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 839**—An act to be known as Fresno Metropolitan Flood Control Act creating a district subject to the approval of the voters within the district, to be known as Fresno Metropolitan Flood

Control District, for the purpose of acquiring and constructing facilities for flood control and the drainage of flood, storm and waste waters and the conservation of any thereof, and providing for the government and powers of said district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1478**—An act to amend Section 55104 of the Water Code, relating to county water works districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 355**—An act to amend Sections 73872, 73873, and 73874 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of North Sacramento.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 616**—An act to amend Sections 74182, 74183, 74184, and 74185 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 296**—An act to add Section 1256 to the Water Code, relating to the reservation of water for fish and wild life.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—30.

**NOES**—None.

**Motion to Amend Title**

Senator J. Howard Williams moved the adoption of the following amendment to the title:

**Amendment No. 1**

In line 2 of the title of the printed measure, strike out "for fish and wildlife", and insert a period.

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 10**—An act to add Section 73.1 to the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to improvement district assessments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, lines 12 and 13, of the printed bill, as amended in the Senate March 15, 1955, strike out "parcel of land through which a right of way has been granted to", and insert "right of way owned or held by".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 11**—An act to amend Section 28 of the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to water district assessments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Dale C. Williams, and J. Howard Williams—32.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, Miller, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 107**—An act to amend Section 25102 of the Corporations Code, relating to transactions exempt from the Corporate Securities Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 651**—An act to amend Section 6048 of the Insurance Code, relating to county mutual insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1123**—An act to add Section 12701, 12702, and 12703 to the Water Code, relating to the project on San Lorenzo Creek in Alameda County for flood control and allied purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2554**—An act to add Section 2007.1 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

#### Motion to Amend

Senator Way moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, after line 14, of the printed bill, as amended in the Senate April 11, 1955, insert

"Nothing in this section shall prevent the county from proceeding with a demand for repayment of an overpayment of aid if the recipient fails to name a representative and fails to make arrangements with the county to discuss the matter of overpayment within 15 days after being notified in writing of his rights pursuant to this section."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 727**—An act to amend Section 11523 of the Government Code, relating to administrative hearings.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 761**—An act to amend Section 24431 of the Business and Professions Code, relating to alcoholic beverages, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendment:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Senate April 8, 1955, strike out lines 3 to 9, inclusive, and insert

"SEC. 2. This act shall become operative on July 1, 1955.

SEC. 3. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendment read and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2015**—An act to amend Sections 5252 and 5254 of the Welfare and Institutions Code, relating to feeble-minded persons and other incompetents not insane.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 740**—An act to amend Sections 560 and 675 of, and to repeal Section 675a of, the Code of Civil Procedure, and to repeal Section 2938 of the Civil Code, relating to the recordation of legal transactions.

Bill read third time, and presented by Senator Busch.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 86**—An act to amend Sections 8201, 8203.1, 8203.3, 8209, and 8211 of, and to add Section 8205.1 to, the Government Code, relating to notaries public.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—30.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Motion to Retain Place on File**

Senator Desmond moved that Assembly Bill No. 2285 be passed on file and retain its place on file.

Motion carried.

**Assembly Bill No. 3319**—An act to amend Section 24001 of the Government Code, relating to county officers.

Bill read third time, and presented by Senator Gibson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—32.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1517**—An act to add Sections 14159.5 and 14710 to the Health and Safety Code, relating to warrants of fire protection districts.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator John F. McCarthy moved a call of the Senate.

Motion carried.

Time, 3.05 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**MOTIONS TO RECONSIDER**

**Senate Bill No. 1473**—An act to amend Section 602 of the Code of Civil Procedure relating to the qualifications of jurors.



**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to have his motion to reconsider the vote whereby Senate Bill No. 1473 was refused passage continued to the next legislative day.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator McBride moved that Senate Bill No. 169 be taken from the inactive file and placed on the second reading file.

Motion carried.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator John F. McCarthy:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act providing for an investigation and study of the feasibility of financing and constructing a toll bridge, toll tube, or other toll highway crossing across San Francisco Bay from San Francisco to the Tiburon Peninsula in Marin County by way of Angel Island, and the inclusion of rapid transit facilities thereon, including necessary surveys, plans, estimates of costs, and preliminary engineering, and making an appropriation therefor.

Respectfully submitted,

SENATOR JOHN F. MCCARTHY

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 13, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Transportation.

WARD, Chairman

The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

**NOES**—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 1984:** By Senator John F. McCarthy (By Request of Senators Collier, Miller, and Way)—An act providing for an investigation and study of the feasibility of financing and constructing a toll bridge, toll tube, or other toll highway crossing across San Francisco Bay from San Francisco to the Tiburon Peninsula in Marin County by way of Angel Island, and the inclusion of rapid transit facilities thereon, including necessary surveys, plans, estimates of costs, and preliminary engineering, and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Concurrent Resolution No. 52:** By Senators Erhart, Gibson, Byrne, Robert I. McCarthy, Thompson, Kraft, Richards, Way, Dorsey,

Burns, Desmond, and Ward—Relative to accreditation of state colleges' engineering curricula.

Referred to Committee on Rules.

**Senate Joint Resolution No. 26:** By Senators Regan, Burns, Busch, Cobey, Coombs, Cunningham, Donnelly, Gibson, Harold T. Johnson, Kraft, Miller, Parkman, Richards, Short, Teale, Thompson, Dale C. Williams, J. Howard Williams, Berry, McBride, John F. McCarthy, and Desmond—Relative to the Trinity River-San Luis Reservoir Project.

Referred to Committee on Water Resources.

**Senate Joint Resolution No. 27:** By Senator Coombs—Relative to memorializing Congress to appropriate funds for the construction, modernization, additions and improvement of domiciliary or hospital buildings of state or territorial operated soldiers' homes.

Referred to Committee on Rules.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.15 p.m., on motion of Senator John F. McCarthy, further proceedings under the call of the Senate were dispensed with.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 36	Assembly Bill No. 1988
Assembly Bill No. 131	Assembly Bill No. 2037
Assembly Bill No. 154	Assembly Bill No. 2294
Assembly Bill No. 199	Assembly Bill No. 2361
Assembly Bill No. 202	Assembly Bill No. 2484
Assembly Bill No. 343	Assembly Bill No. 2704
Assembly Bill No. 592	Assembly Bill No. 2914
Assembly Bill No. 626	Assembly Bill No. 2915
Assembly Bill No. 733	Assembly Bill No. 2916
Assembly Bill No. 902	Assembly Bill No. 2917
Assembly Bill No. 932	Assembly Bill No. 2918
Assembly Bill No. 1037	Assembly Bill No. 2922
Assembly Bill No. 1139	Assembly Bill No. 2925
Assembly Bill No. 1177	Assembly Bill No. 2926
Assembly Bill No. 1465	Assembly Bill No. 2928
Assembly Bill No. 1610	Assembly Bill No. 2931
Assembly Bill No. 1814	Assembly Bill No. 3051
Assembly Bill No. 1823	Assembly Bill No. 3248
Assembly Bill No. 1827	Assembly Bill No. 3601
Assembly Bill No. 1930	Assembly Bill No. 3694

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 36**—An act to amend Section 18671 of the Education Code, relating to easements granted by school districts.

Referred to Committee on Education.

**Assembly Bill No. 131**—An act to add Sections 471.1 and 550.1 to, and to amend Section 550 of, the Vehicle Code, relating to traffic signs and signals.

Referred to Committee on Transportation.

**Assembly Bill No. 154**—An act making an appropriation to the University of California for air pollution research, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 199**—An act to amend Section 626 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 202**—An act to amend Section 618 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 343**—An act to add Section 34004 to the Government Code, relating to the duties of municipal officers.

Referred to Committee on Local Government.

**Assembly Bill No. 592**—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 626**—An act to amend Section 19578 of the Government Code, relating to civil service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 733**—An act to add Section 35146.1 and 35318.1 to the Government Code, relating to special districts in territory annexed by a city.

Referred to Committee on Local Government.

**Assembly Bill No. 902**—An act to amend Section 2852 of the Revenue and Taxation Code, relating to the collection of property taxes on the secured roll, to take effect immediately, urgency measure.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 932**—An act to amend Section 54382 of the Government Code, relating to the authorization revenue bonds under the Revenue Bond Law of 1941.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1037**—An act to add Chapter 9.5 to Part 4 of Division 14 of the Streets and Highways Code, relating to highway lighting districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1139**—An act to repeal Sections 302, 303, 304, 306, 310, 316.5, 322, and 375 of, to amend Sections 301, 305, 308, 309, 311, 312, 313, 315, 316, 317, 320, 1942, 1943, 3181 and 4191 of, to add

Sections 304, 306, and 316.1 to, the Education Code, relating to the powers, duties and authority of county boards of education.

Referred to Committee on Education.

**Assembly Bill No. 1177**—An act to repeal Chapter 10 of Division 3 of, and to amend Section 371.5 of, the Vehicle Code, relating to the caravanning and registration of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 1465**—An act to amend Section 19503 of the Government Code, relating to automatic resignation from the state civil service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1610**—An act to amend Section 6619 of the Streets and Highways Code, relating to notice regarding actions for recovery on bond.

Referred to Committee on Local Government.

**Assembly Bill No. 1814**—An act to amend Section 57 of the Labor Code, relating to the Department of Industrial Relations.

Referred to Committee on Labor.

**Assembly Bill No. 1823**—An act to amend Section 525, to repeal Section 525.2, and to add Section 525.2 to the Vehicle Code, relating to driving on the right side of roadways and obedience to distinctive roadway markings.

Referred to Committee on Transportation.

**Assembly Bill No. 1827**—An act to add Sections 26855.1, 26855.2, and 26855.3 to the Government Code, relating to fees of county clerks.

Referred to Committee on Local Government.

**Assembly Bill No. 1930**—An act to amend Section 34329 and to repeal Section 36504 of the Government Code, relating to members of city councils.

Referred to Committee on Local Government.

**Assembly Bill No. 1988**—An act to amend Section 16074 of the Education Code, relating to liability for school property.

Referred to Committee on Education.

**Assembly Bill No. 2037**—An act to add Section 750.3 to the Vehicle Code, relating to vehicles used in enforcing traffic laws.

Referred to Committee on Transportation.

**Assembly Bill No. 2294**—An act to add Section 3791.3 to the Revenue and Taxation Code, relating to property tax deeds to public agencies.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2361**—An act to add Section 6387 to the Revenue and Taxation Code, relating to the sales tax in connection with sales of property for delivery and use outside the State.

Referred to Committee on Revenue and Taxation.



**Assembly Bill No. 2484**—An act to amend Section 20459 of the Education Code, relating to the state colleges.

Referred to Committee on Education.

**Assembly Bill No. 2704**—An act to amend Section 694 of the Vehicle Code, relating to width of vehicles and loads.

Referred to Committee on Transportation.

**Assembly Bill No. 2914**—An act to amend Section 19431 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2915**—An act to amend Section 19434 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2916**—An act to amend Section 19460 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2917**—An act to amend Section 19461 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2918**—An act to add Section 19480.3 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2922**—An act to amend Section 19490 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2925**—An act to amend Section 19538 of, and to add Sections 19538.1. and 19538.2 to, the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2926**—An act to add Section 19540.5 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2928**—An act to add Section 19568 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2931**—An act to amend Section 19598 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3051**—An act to amend Section 13832 of the Education Code, relating to arrangements for paying certificated school personnel.

Referred to Committee on Education.

**Assembly Bill No. 3248**—An act to amend Section 637 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 3601**—An act to amend Section 372 of the Agricultural Code, relating to livestock killed or injured on railroads.

Referred to Committee on Agriculture.

**Assembly Bill No. 3694**—An act to amend Section 11908 of the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 927

Senator Desmond moved that Assembly Bill No. 927 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 927**—An act to amend Section 14103 of the Revenue and Taxation Code, relating to the payment of taxes imposed by the Inheritance Tax Law.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "relating to the payment of taxes imposed by the"; strike out line 3 of said title, and insert "and to add Section 13671.5 thereto, relating to inheritance taxation, including the taxability of joint tenancy and other jointly held property and the payment of inheritance taxes."

#### Amendment No. 2

On page 1, after line 13, insert

"SEC. 2. Section 13671.5 is added to said code, to read:

13671.5. Where husband and wife hold property in joint tenancy, or deposit property in a bank or similar depository in their joint names subject to payment to either or the survivor, and such property had its source in community property of the marriage of the husband and wife, then upon the death of either of them, such property shall be treated for inheritance tax purposes as if it were community property of the husband and wife."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1017

Senator Cunningham moved that Senate Bill No. 1017 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1017**—An act to add Section 694.9 to the Vehicle Code, relating to width of loads.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert "694.9. Width of Beehive Loads. Notwithstanding the provisions of Section 694, the total outside width of the load of any vehicle shall not exceed 100 inches when the load consists of beehives which were manufactured on or before December 1, 1955, and which were first sold by the manufacturer on or before December 1, 1955."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1440**

Senator Kraft moved that Senate Bill No. 1440 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1440**—An act to amend Sections 35104, 35108, 35251, 35257, 35258, 35402, 35404, 35406, 35411, 35412, 35413, 35418, 35423, 35428, 35560, 35565, 35568, and 35704 of the Streets and Highways Code, to repeal Section 35401 of said code, and to add Sections 35113, 35108.5, 35108.6, 35275, 35276, 35402.1, 35402.2, 35402.3, 35414.1, 35566, and 35706 to said code, relating to districts formed under the Parking District Law of 1951, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed amended bill following "35108," insert "35250,".

**Amendment No. 2**

In line 3 of the title strike out "35568,".

**Amendment No. 3**

In line 5 of the title strike out "35108.6,".

**Amendment No. 4**

On page 3 strike out lines 13 to 17, inclusive.

**Amendment No. 5**

On page 3, line 18, strike out "5", and insert "4".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 6**

On page 3, following line 20, insert

"SEC. 5. Section 35250 of said code is amended to read:

35250. Subject to the provisions of Sections 35414.1 and 35566, [T]he formation of a parking district may be proposed by petition signed by the owners of real property in the proposed district, as shown by the last equalized assessment roll, owning

real property of an assessed value of not less than thirty-five percent (35%) of the total assessed value of all taxable real property in the district, as shown by the assessment roll."

**Amendment No. 7**

On page 3, line 27, strike out "of the city or".

**Amendment No. 8**

On page 3, lines 39 and 40, strike out "one dollar (\$1)", and insert "seventy-five cents (\$.75)".

**Amendment No. 9**

On page 7, line 49, insert a comma following "rates".

**Amendment No. 10**

On page 8, line 10, following "thereto," insert "and if the petition is signed by the owners of real property in the proposed district, as shown by the last equalized assessment roll, owning real property of an assessed value of not less than forty-five percent (45%) of the total assessed value of all taxable real property in the district, as shown by said assessment roll, then".

**Amendment No. 11**

On page 9, line 19, following "thereto," insert "and if the petition is signed as specified in Section 35414.1, then".

**Amendment No. 12**

On page 9, strike out lines 29 to 48, inclusive.

**Amendment No. 13**

On page 10, line 1, strike out "29", and insert "28".

**Amendment No. 14**

On page 10, line 7, strike out "30" and insert "29".

**Amendment No. 15**

On page 10, strike out line 14 and "scribe," in line 15, and insert "following notice thereof published in one or more newspapers circulated in the city at least once not less than ten (10) days before said hearing,".

**Amendment No. 16**

On page 10, line 19, following "made", insert "may be used by the city for any public purpose or".

**Amendment No. 17**

On page 11, line 35, strike out "31", and insert "30".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1302**

Senator Erhart moved that Senate Bill No. 1302 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1302**—An act to amend Section 20354 of the Education Code, relating to the lease of state college property.

Bill read second time.

**Motion to Amend**

Senator Erhart moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 20354 of", and insert "add Section 20354.5 to, and to repeal Section 24412 of,".



**Amendment No. 2**

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 20354.5 is added to the Education Code, to read:

20354.5. The president of a state college, with the approval of the Director of Education and Director of Finance, may let any property of the state college for any purpose which will not interfere with the requirements of the state college. The Director of Education and the Director of Finance may each exempt from the requirement of his approval under this section certain types or classes of transactions and authorize the entering into of such transactions without submitting them for his approval.

Any rental received under this section shall be deposited in the State Treasury and credited to the support appropriation or appropriations of the college current during the period of occupancy.

SEC. 2. Section 24412 of said code is repealed."

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1279**

Senator Miller moved that Senate Bill No. 1279 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1279**—An act to amend Section 2181 of the Welfare and Institutions Code, relating to income of responsible relatives of applicants for or recipients of aid to the aged.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 25, of the printed bill, as amended in the Senate March 31, 1955, after the period, insert "Traveling expenses shall include only those expenses incurred while away from home in pursuit of a trade or business which are not reimbursed by the relative's employer."

**Amendment read, and adopted.**

Bill ordered printed, and re-referred to Committee on Social Welfare.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 2503**

Senator J. Howard Williams moved that Assembly Bill No. 2503 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 2503**—An act to amend Sections 51680 and 51692 of the Water Code, relating to reclamation districts.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in Assembly March 11, 1955, strike out "except", and insert ". Such oil, gas, and other mineral deposits may be leased".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**REPORTS OF STANDING COMMITTEES**

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 1349

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Natural Resources**

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 1913

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 424

Senate Bill No. 941

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 454

Assembly Bill No. 714

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1671

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; noes 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 675

Senate Bill No. 868

Senate Bill No. 676

Senate Bill No. 1350

Senate Bill No. 841

Senate Bill No. 1967

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 1524

Senate Bill No. 1525

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

**Committee on Business and Professions**

## SENATE CHAMBER, SACRAMENTO, April 12, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 12

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 3:20 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 2 p.m., Thursday, April 14, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY

SIXTY-FIFTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, April 14, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Regan, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Carlton Coveny of Los Angeles.

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. J. Gianelli of Murphys, W. W. Wells of Railroad Flat, and Joseph S. Hubertz of San Andreas.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Johnni Chang and Holland Fong of Sacramento.



On request of Senators Grunsky and Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following law students from the University of California: Ralph Alpert, David Mui, Sanford Langa, Paul R. Bowers, Hon Chew, Manuel E. Nestle, Albert M. Bendich, Wm. F. Stanton, Donald L. Edgar, Jere E. Hurley, Cole A. Blease, Frank F. Mankiewicz, Kenneth E. Hagen, Frank C. Newman, Darrell Glahn, John K. Mangum, Henry E. Butler, Jr., Norma Klaus, Seymour M. Rose, and Robert M. Harlick.

On request of Senators Richards and Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David J. Rodgers of Los Angeles.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tom Richardson of Fresno and Mr. and Mrs. M. R. Crabtree of Selma.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph C. DiGardi of Martinez.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Jack Marshall, Walter Kelly and the following students from Pleasant Grove, Sutter County: Sharon Burke, Ormenta Hallmark, Virginia Monroe, Roy Vixina, Cathy Coppin, Jerol James, Arvin Finley, Dean Johnson, Janice Foster, Lawrence Rodgers, Barbara Gillespie, Donnese Randall, Clayton Kelley, Carol Bowen, Joyce Davis, Daryl Johnson, and Lorna Foster.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul Young of Colton, and William Hauser and Hal Shawlee of San Bernardino.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Barney O. Ruben of Thousand Oaks.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. G. F. Dana, president, Sonoma County Federation of Women's Clubs of Geyserville; Mrs. David Davini, past president, and the following members: Mrs. L. Oliver, Sonoma; Darlene McKale, Cloverdale High School, Cloverdale; Darlys Greene, Analy High School, Sebastopol; Rosella Hoffman, Geyserville High School, Geyserville; Christy Condit, Santa Rosa High School, Santa Rosa; Jeanette Dick, Healdsburg High School, Healdsburg; Mary Alice Dunbar, Petaluma High School, Petaluma; Inamay Larkin, Ursuline High School, Santa Rosa; Margaret Wagner, Sonoma High School, Sonoma; Mrs. J. Ward Carnegie, Cloverdale; and Mrs. Homer Bosse, Sonoma.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Mrs. Erma Dillard, Rev. Seldon Nutt, Charles Bradford, Mrs. Jerry Glasgow, and the following students from Codora School and Union School: Charlene Prindle, Roselene Martens, Rita Weller, Patricia Stackhaus, Isabel Marin, Daryl Prindle, Dick Corneliusen, David Petty, Lloyd Barrett, Galen Hansen, Rebecca Barham, Sonia Ferreira, Marvin Bese, Wesley Friesen, Frank Torres, Judith Butler, Jerry Perry, Richard

Drennan, Elwood Weller, Judy Bultema, Elizabeth Lange, David Womble, Gerald Glassgow, Thomas Harrison, Timothy Harrison, Jack Beck, Earnest Dowden, and Charles Williams.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Marie Charles, instructor Mrs. LaFleur and 45 members of the Civics Club from All Saints School, Hayward.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister M. Augustina, Sister Virginia Marie, and the following senior girls from San Joaquin Memorial High: Mary Kathryn Bowles, Lucille Capelli, Lillian Carillo, Joanne Carothers, Donna Castelazo, Sue Cook, Elizabeth Costa, Coleen Creager, Anne Crookham, Eileen Cruz, Deanna Daigle, Lucretia De Benedetto, Velinda De Benedetto, Shirley De Feudis, Rose-Marie Deveze, Anne Diener, Margaret Dorn, Michaela Fessier, Marilyn Gage, Herlinda Gamez, Betty Anne Garcia, Dorothy Growdon, Sheryl Haskell, Gerry Haven, Barbara Homsy, Betty Hulst, Fay Anna Jay, Madeline Jones, Karen Keeler, Doris La Joie, Kathleen McGee, Beverly Mennucci, Patricia Miller, Concha Moncado, Lynne Murray, Patricia Navarlatz, Charlotte Nevius, Julia Olk, Emily Papageorge, Mary Pearne, June Piccolo, Phyllis Piper, Blanche Poitras, Irma Riviera, Dorothy Rubald, Eleanor Ruiz, Clare Mac Seaman, Marlita Semper, Maxine Showalter, Pat Smith, Patricia Sorauf, Marlene Stefano, Shirley Sterchi, Shirley Taylor, Peggy Vasquez, and Betty Ann Venditti.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Novel James and Carl Thornton of Santa Ana.

On request of Senator Burns and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sydney Cruff, member of Fresno County Board of Supervisors, and Robert Carnahan.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following children and adults of the Santa Clara Valley Society, Children of the American Revolution, San Jose: Mesdames Douglas MacNally, Fred Wool, Richard Whidden, Harry Work, Roger Vaggione, Jack Herriek, Miss Margaret Foster, and Mrs. Bruce Allen; Susan MacNally, Charles MacNally, Richard MacNally, Molly Wool, Catherine Whidden, Ruth Whidden, Kathy Riise, Ricky Vaggione, Joyce Herriek, Mary Brisco, Janice Liston, and Michael Vaggionne.

On request of Senators Burns and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Lydia Pieretti, general secretary, California League of City Employees Assn., of Fresno, and Mrs. Loretta Stevens of Sacramento.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to S. Rutherford, Mrs. Gladys K. Zumwalt, A. Ludditt, and the following students from Wade Thomas Elementary School, San Anselmo, Marin County: Alan Black, Christopher Black, David Brown, Barbara Bundschu, Ronald Candray, Judith Capel, Julia Chambliss, Thomas Christian, William Gande, Jr., John Grissim, Bonnie Hannigan, Walter

Haynes, Scott Johnson, Mary Langdon, Donald McBain, Barbara McCulley, Nena Milligan, Robert Minto, Earl Murman, Regan O'Brien, Joan Ricketts, James Risso, Frederick Rusk, George Skellenger, Dorman Smith, and Kenneth Wiggins.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Berkeley Women's Democratic Forum: Mesdames Winton McKibben, N. Harper, Jos. J. Rosedale, Fred Weinberg, Carl DeNocker, Lillian M. Durdall, Ralph H. Daniels, Jr., Theodore Kowalski, John T. Landis, Daniel Simon, Clifton Yip, Varden Fuller, Miss Mary A. Borden, Mrs. Virgil A. Pausch, Miss B. C. Chamberlain, Miss Alice de Carteret Roberts, Miss Marie C. Thornton, Mesdames W. R. Edley, John A. Dolan, Miss Genevieve Nicholson, Mesdames Mathilda D. Smith, Sam Blanford, Harry Lear, Jake Lawrence, Miss Alice S. Hamburg, Mrs. Henry E. Butler, Jr., Miss Olive Phillips Seppala, Miss Frana Ernst, Miss Ann H. McCourey, Miss Nell Skatetal, Mrs. J. B. King, Mrs. Stella Emerson, Miss Amy E. Carlson, Miss Maria C. Myers, Miss Alice M. Sanders, and Mrs. Freda Cripps.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 14, 1955

##### *To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

STANLEY PIERSON, a resident of Sacramento; veteran of World War I; has been in the state service since December 9, 1933, of which 17 years were in the Sales Tax Division; acted as Assistant Director of Civil Defense from November 1, 1950, and has held the office of Acting Director of Civil Defense since the death of General Walter Melville Robertson in November 1954;

to Director of Civil Defense, vice General Walter Melville Robertson, deceased, for the term at the pleasure of the Governor.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 8, 1955

##### *To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

REV. THOMAS GRICE, a resident of Camarillo; a retired minister; served as chaplain in France during World War I; is past department chaplain, and also past national chaplain of the American Legion; past grand chaplain of the Grand Lodge of Free and Accepted Masons; a member of the Board of Trustees, Camarillo State Hospital since March 18, 1947;

to the Board of Trustees, Camarillo State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the commission.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 144

Assembly Bill No. 1745

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 1558

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 9

Senate Bill No. 932

Senate Bill No. 1344

Senate Bill No. 1413

Senate Bill No. 1547

Senate Bill No. 1548

Senate Bill No. 1550

Senate Bill No. 1713

Senate Joint Resolution No. 15

Senate Joint Resolution No. 23

Senate Joint Resolution No. 24

Senate Concurrent Amendment No. 29

Senate Concurrent Resolution No. 51

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 10

Senate Bill No. 1841

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 42

Senate Bill No. 133

Senate Bill No. 325

Senate Bill No. 646

Senate Bill No. 1405

Senate Bill No. 1407

Senate Bill No. 1412

Senate Bill No. 1475

Senate Bill No. 1649

Senate Bill No. 1720

Senate Bill No. 1983

And reports the same correctly engrossed.

WARD, Chairman

## LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE  
April 12, 1955

*Hon. Harold J. Powers, President  
and Members of the Senate*

GENTLEMEN: The Joint Interim Committee on Impounded Funds from Tide and Submerged Lands, created by Assembly Concurrent Resolution No. 109, presents herewith its final report, complete with findings and recommendations.

Respectfully submitted by

SENATOR BEN HULSE  
SENATOR HARRY L. PARKMAN  
SENATOR CHARLES BROWN, Committee Chairman  
ASSEMBLYMAN BRUCE F. ALLEN  
ASSEMBLYMAN WALTER I. DAHL  
ASSEMBLYMAN EDWARD M. GAFFNEY

Letter of transmittal ordered printed in the Journal, and report ordered printed in the Appendix to the Journal.



**Motion to Print Report**

Senator Brown moved that 500 additional copies of the report submitted by the Joint Interim Committee on Impounded Funds from Tide and Submerged Lands be printed for distribution.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 53:** By Senators Ward, Hulse, Miller, Cobey, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, Dale C. Williams, and J. Howard Williams; by request of Assemblymen Clarke, Allen, Backstrand, Beaver, Bee, Belotti, Bonelli, Bradley, Brady, Brown, Burke, Caldecott, Casey, Chapel, Collier, Conrad, Coolidge, Cunningham, Dahl, Davis, Dickey, Dills, Dolwig, Donahoe, Donald D. Doyle, Thomas J. Doyle, Elliott, Erwin, Fleury, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hansen, Hawkins, Hegland, Henderson, Hobbie, Holmes, Johnson, Kelly, Kilpatrick, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, Marsh, Masterson, McCollister, McFall, McGee, McMillan, Meyers, Miller, Morris, Munnell, Nielsen, Nisbet, O'Connell, Pattee, Patterson, Porter, Rees, Rumford, Sankary, Schrader, Shell, Smith, Stanley, Stewart, Thomas, Unruh, Weinberger, and Wilson—Relative to the George J. Hatfield American Legion Post.

Without reference to committee.

**Request for Unanimous Consent**

Senator Ward asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 53, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 53**

**Senate Concurrent Resolution No. 53**—Relative to the George J. Hatfield American Legion Post.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read.

**Senate Concurrent Resolution No. 54:** By Senator Robert I. McCarthy—Relative to expressing appreciation to Mr. Richard Warcing, Mr. Richard Mears, and Metro-Goldwyn-Mayer Pictures.

**Request for Unanimous Consent**

Senator Robert I. McCarthy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 54, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 54**

**Senate Concurrent Resolution No. 54**—Relative to expressing appreciation to Mr. Richard Wareing, Mr. Richard Mears, and Metro-Goldwyn-Mayer Pictures.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 55**

Senator Grunsky moved that Senate Bill No. 55 be withdrawn from Committee on Water Resources for purpose of amendment, and referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 55**—An act to amend Section 1 of the San Benito County Water Conservation and Flood Control District Act, relating to the San Benito County Water Conservation and Flood Control District.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1", and insert "Sections 3, 7, 17, 21, and 22".

**Amendment No. 2**

On page 1, line 1, strike out the second "Section 1", and insert "Section 3".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, strike out lines 4 to 6, inclusive, and insert

"Sec. 3. As used in this act the following words shall have the respective meanings stated:

(a) "District" shall mean the San Benito County Water Conservation and Flood Control District.

(b) "Board" shall mean the board of directors of the district.

(c) "County" shall mean the County of San Benito, State of California.

(d) "United States" shall mean the United States of America and all bureaus, commissions, divisions, departments, boards, agencies and officers of the United States of America.

(e) "State of California" shall include the State of California and all bureaus, commissions, divisions, departments, boards, agencies and officers of the State of California.

(f) "Work or works" shall include the dams and damsites, reservoirs and reservoir sites, conduits and other facilities useful in the control, conservation, diversion and transmission of waters and all land, property, franchises, easements, rights of way and privileges necessary or useful to operate or maintain any of the foregoing.

(g) "Elector" shall mean any real property owner as shown by the last equalized assessment roll of the county, who [is also a registered voter for the district or] *owns land in the proposed district or in a zone or proposed zone affected or to be affected by any election held under this act.*

(h) "Flood and storm waters" shall mean waters in excess of the seasonal normal flow of the stream in which they occur that are not usable beneficially as part of the ordinary flow of such streams and which, if not intercepted, would escape from the County of San Benito.

(i) "May" is permissible, and "shall" is mandatory.

SEC. 2. Section 7 of said act is amended to read:

Sec. 7. The board shall have no power to levy any taxes on a district basis and all taxes shall be levied or imposed only on land, *except that in zones created for flood control taxes may be levied or imposed on land and the improvements thereon,* benefiting from district activities on a zone basis in zones created for specific benefits in accordance with the provisions of this act. In any zone said taxes shall in no event exceed an amount of twenty-five cents (\$0.25) per hundred dollars (\$100) of assessed valuation of land taxed; provided, however, that taxes for the service of bonds provided in Section 22 of this act may be in addition to said amount.

SEC. 3. Section 17 of said act is amended to read:

Sec. 17. The board shall have power, in any year:

To levy taxes upon all land in each or any of said zones, *or in the case of zones created for flood control, on all land and the improvements thereon,* according to benefits derived or to be derived therein to pay the cost and expenses of carrying out any of the objects or purposes of this act of benefit to such zones, including the administering, constructing, maintaining, operating, extending, repairing, or otherwise improving any or all works of improvement established or to be established within or on behalf of said respective zones. Said taxes shall be based upon the assessment rolls used by the county for general tax purposes.

In the event of project cooperation with any of the governmental bodies as authorized in subdivision 7 of Section 6 of this act, and the making of a contract with any such governmental body for the purposes set forth in said subdivision 7, by the terms of which work is agreed to be performed by any such governmental body in any specified zone or participating zones, for the particular benefit thereof, and by said contract it is agreed that the district is to pay to such governmental body, a sum of money in consideration or subvention for the performance of said work by such governmental body, the board may levy and collect a special tax upon the property in such zone or participating zones, whereby to raise funds to enable the district to make such payment.

Said taxes shall be levied and collected together with, and not separately from taxes for county purposes, and the revenues derived from said taxes shall be paid into the county treasury to the credit of said district, and the respective zones thereof, and the board shall have the power to control and order the expenditure thereof for said purposes; provided, however, that no revenues, or portions thereof, derived in any of the several zones from the taxes levied under the provisions of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements located in any other zone, except in the case of joint projects, or for projects authorized or established outside such zone, or zones, but for the benefit thereof. In cases of projects joint to two or more zones, such zones will become, and shall be referred to as, participating zones.

SEC. 4. Section 21 of said act is amended to read:

Sec. 21. Any bonds issued under the provisions of this act shall be a lien upon all land of the zone or zones of issuance, *except in zones created for flood control the bonds shall be a lien on all land and the improvements thereon in the zone,* and the lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds and the interest thereon shall be paid by revenue derived from an annual tax upon all land within said zone or participating zones and all land in said zone or participating zones shall be and remain liable to be taxed for such payments as hereinafter provided. No zone nor the property therein shall be liable for the share of bonded indebtedness of any other zone, nor shall any moneys derived from taxation in any of the several zones be used in payment of principal or interest or otherwise of the share of bonded indebtedness chargeable to any other zone.

Said bonds may be deposited and registered with the treasurer of the county, and it shall be an official duty of said treasurer to receive and register said bonds in the name of the holder and to keep a sufficient book of registry thereof setting forth a description of the bonds and the names and addresses of the respective holders,

and to give each holder of such bonds so registered a receipt therefor; said receipts shall be personal to the respective holders and not transferable. Such bonds shall be returned to such holders thereof or in case of death to the duly appointed personal representative of the holder's estate, upon the giving of receipt therefor, with or without return of the receipt given by the treasurer at the time of such deposit and registry. And the treasurer, at the request of such holder, or such personal representative, may detach and deliver to such holder or personal representative, mature coupons from time to time, first taking receipts therefor.

SEC. 5. Section 22 of said act is amended to read:

Sec. 22. The board shall levy a tax each year upon all land in the zone or zones of issuance, or in zones created for flood control, upon all land and the improvements thereon in the zone or zones of issuance, sufficient to pay the interest and such portion of the principal of said bonds as is due or to become due before the time for making the next general tax levy. Such taxes shall be levied and collected in the respective zones of issuance together with and not separately from taxes for county purposes, and when collected shall be paid into the county treasury of said San Benito County to the credit of the zone of payment, and be used for the payment of the principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the county treasurer of said San Benito County in the manner provided by law for the payment of principal and interest on bonds of said county."

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Local Government.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 928**—An act to repeal Section 147.1 of, and to add Sections 147.1 and 147.5 to, the Welfare and Institutions Code, relating to the solicitation of charitable contributions.

Bill read second time.

##### Motion to Amend

Senator Abshire moved the adoption of the following amendments:

##### Amendment No. 1

In line 2 of the title of the printed bill, strike out "147.1 and 147.5", and insert "147.1, 147.5 and 147.6".

##### Amendment No. 2

On page 2, line 7, strike out "make available", and insert "furnish without charge".

##### Amendment No. 3

On page 2, after line 8, insert

"SEC. 4. Section 147.6 is added to said code, to read:

147.6. The provisions of this chapter are not applicable to any person, nonprofit corporation or voluntary unincorporated association required by the provisions of any county, city and county, or city ordinance to file with local authorities an audits or statements substantially the same as the audit or statement required by Section 147.2, if such local ordinance also provides that the person, nonprofit corporation or voluntary unincorporated association shall also furnish free of charge a copy of such audits or statements to any person upon demand."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1971**—An act to add Sections 197.5 and 2107.5 to, and to amend Section 2108 of, the Streets and Highways Code, relating to the allocation and expenditure of funds for city street purposes.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation:

##### Amendment No. 1

On page 2, line 25, of the printed bill as amended, after "preceding", insert "decennial or special".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1491**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchase Act of 1943.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Sections 985.5," and insert "repeal Sections 985.4, and 985.5 of, and to amend Sections".

**Amendment No. 2**

On page 1, strike out lines 1 to 9, inclusive, and insert "SECTION 1. Sections 985.4 and 985.5 of the Military and Veterans Code are repealed."

**Amendment No. 3**

On page 1, line 27, strike out "----- (-----)", and insert "eight thousand five hundred dollars (\$8,500)".

**Amendment No. 4**

On page 2, strike out lines 27 and 28, and insert "fifteen thousand dollars (\$15,000) in the case of a home or twenty five thousand dollars (\$25,000) in the case of a farm."

**Amendment No. 5**

On page 2, line 35, strike out "----- (-----)", and insert "eight thousand five hundred dollars (\$8,500)".

**Amendment No. 6**

On page 2, line 43, strike out "----- (-----)", and insert "fifteen thousand dollars (\$15,000)".

**Amendment No. 7**

On page 3, lines 4 and 5, strike out "eighteen thousand five hundred dollars (\$18,500).", and insert "twenty-five thousand dollars (\$25,000)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1122**—An act to add Sections 10183, 10184, 10185, 10186, 10307, 10308, 10309, 10310, 10567, 10568, 10569, 10570 to the Business and Professions Code, relating to disciplinary powers of the Real Estate Commissioner.

Bill read second time.

**Motion to Amend**

Senator Breed moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 16, of the printed bill, strike out the first "1", and insert "3".

**Amendment No. 2**

On page 2, line 18, strike out the first "1", and insert "4".

**Amendment No. 3**

On page 2, line 46, strike out the first "1", and insert "7".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 349**—An act to amend Sections 7332 and 7420 of the Business and Professions Code, relating to cosmetology.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1353**—An act to amend Section 2193 of the Business and Professions Code, relating to the healing arts.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 8, of the printed bill, strike out "Chapter 5, Article 10 of the", and insert "Article 10 of Chapter 5 of Division 2 of this".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1356**—An act to amend Sections 2315, 2321 and 2322 of the Business and Professions Code, relating to the healing arts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1727**—An act to amend Sections 10450, 10452, 10453, and to add Section 10450.5 to the Business and Professions Code, relating to the Real Estate Fund and the Real Estate Education and Research Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Sections", insert "10106,".

**Amendment No. 2**

In line 1 of the title, after "10453", insert "of".

**Amendment No. 3**

In line 2 of the title, strike out "Section 10450.5 to", and insert "Sections 10450.5 and 10451.5 to,".

**Amendment No. 4**

Strike out lines 3 and 4 of the title, and insert "ing to real estate."

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 5**

On page 1, strike out lines 1 and 2, and insert "SECTION 1. Section 10106 of the Business and Professions Code is amended to read:

10106. Any party aggrieved by the decision of the commissioner may make a demand in writing for a certified transcript of all the papers on file in his office affecting or relating to such decision and all the evidence taken on the hearing.

The fee for a certified transcript is the fee specified in [Section 274 of the Code of Civil Procedure] Section 69950 of the Government Code as now or hereafter amended.

SEC. 2. Section 10450 of the Business and Professions Code is amended to read:"

**Amendment No. 6**

On page 1, line 5 strike out "week", and insert "month".

**Amendment No. 7**

On page 1, line 9, strike out "2", and insert "3".

**Amendment No. 8**

On page 1, between lines 14 and 15, insert  
"SEC. 4. Section 10451.5 is added to the Business and Professions Code, to read:  
10451.5. All money paid into the State Treasury and credited to the Real Estate  
Education and Research Fund is available for appropriation by the Legislature to be  
used by the commissioner in carrying out the provisions of this part and Chapter 1  
of Part 2 in the advancement of education and research in real estate through the  
facilities of the University of California."

**Amendment No. 9**

On page 1, line 15, strike out "4", and insert "5".

**Amendment No. 10**

On page 1, line 21, strike out "5", and insert "6".

**Amendment No. 11**

On page 1, strike out lines 25 and 26, and insert "except as otherwise provided in  
this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and  
Professions.

**Senate Bill No. 1851**—An act to amend Sections 2873.5, 2892, and  
2895 of, and to add Sections 2872.1 and 2878.6 to, the Business and Pro-  
fessions Code, relating to vocational nursing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Busi-  
ness and Professions:

**Amendment No. 1**

On page 2, line 21, after "is", strike out "ten dollars (\$10)", and insert "three  
dollars (\$3)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 476**—An act to add Section 803.2 to the Fish and  
Game Code, relating to clams.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1092**—An act to amend Section 330 of the Fish and  
Game Code, relating to wildlife management areas.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 472**—An act to amend Section 7098 of the Educa-  
tion Code and to repeal Section 16.6 of Chapter 1510 of the Statutes of  
1953, relating to apportionments, declaring the urgency thereof, to take  
effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fi-  
nance:

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in Senate March 17, 1955,  
strike out "The", and insert "For the 1955-1956 Fiscal Year, the".

**Amendment No. 2**

On page 1, line 6, after "adults", insert "during the 1954-1955 Fiscal Year,".

**Amendment No. 3**

On page 1, line 10, strike out "one-fifth", and insert "one-tenth".

**Amendment No. 4**

On page 2, strike out lines 8 and 9, and insert "farm for adults, it is necessary that this act".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1044**—An act to amend Section 3125 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in Senate April 6, 1955, after "equipment", insert "not to exceed six hundred thousand dollars (\$600,000)".

**Amendment No. 2**

On page 1, line 14, after "payments", insert "before and after amortization".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 127**—An act to add Article 9 to Chapter 2, Part 1, Division 1 of the Health and Safety Code, relating to air sanitation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 135**—An act to add Sections 62.2, 217, 218, 219, and Division 2B to, and to amend Sections 215 and 216 of, the Vehicle Code, relating to highway user taxes and fees, creating the Reciprocity Commission, and defining the powers thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 220**—An act to amend Sections 470, 471, and 472 of the Fish and Game Code, relating to the licensing of guides.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 279**—An act to add Section 11528.1 to the Business and Professions Code, relating to proposed subdivisions and real estate.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 499**—An act to amend Section 750.5 of the Vehicle Code, relating to damaged equipment of members of the California Highway Patrol.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 987**—An act to repeal Division 10 of, and to add Division 10, comprising Sections 24501 to 27509, inclusive, to, the Public Utilities Code, to amend Section 1241 of the Code of Civil Procedure, and to amend Section 1355.1 of the Financial Code, relating to transit districts.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1148**—An act to amend Sections 11011.5, 11019 and 11021 of the Business and Professions Code, relating to real estate subdivisions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1238**—An act to amend Section 19209 of, and to add Article 9.5, comprising Sections 19215 to 19215.8, inclusive, to Chapter 3 of Division 8 of the Business and Professions Code, relating to furniture and bedding.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1241**—An act to add Sections 19063, 19064, 19211, and 19212 to the Business and Professions Code, relating to furniture and bedding.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1246**—An act to add Chapter 4 to Division 3 of the Health and Safety Code, relating to pet birds and public health, and making an appropriation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1366**—An act to repeal Sections 4033.2, 4033.3, and 4084 of, and to add Sections 4033.2 and 4084 to, the Business and Professions Code, relating to pharmacy.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1374**—An act to add Sections 4052 and 4061 to the Business and Professions Code, relating to pharmacy.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1375**—An act to amend Sections 4096 and 4089 of the Business and Professions Code, relating to pharmacy.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1378**—An act to amend Sections 4251 and 4411 of the Business and Professions Code, relating to pharmacy.

Bill read second time, ordered engrossed, and to third reading.

**Senate Concurrent Resolution No. 42**—Relative to making funds available to the Joint Committee on Water Problems for the purpose of making a review of the proposed Feather River Project.

Resolution read.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

##### Amendment No. 1

On page 2, line 23, of the printed measure as amended in Senate April 7, 1955, strike out "the immediate employment of", and insert "an immediate contract with".

##### Amendment No. 2

On page 2, line 35, strike out "expenses", and insert "obligations".

##### Amendment No. 3

On page 2, line 37, after the first "of", insert "this resolution and".

**Amendment No. 4**

On page 2, line 39, strike out the period, and insert " ; and, be it further Resolved, That the final report of said consultants shall be made to the Joint Committee on Water Problems or any successor to that committee, or if there be none, then to the Legislature at its first session following December 31, 1955."

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 1913**—An act to add Section 3.6 to Chapter 1422 of the Statutes of 1945, relating to the acquisition of additional lands for a Colusa-Sacramento River State Park.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Natural Resources:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 11, inclusive, and insert "In addition to the sum available due to matching lands already deeded to the State for the purpose of establishing the Colusa-Sacramento State Park, notwithstanding the provisions of Section 4, the sum of forty thousand dollars (\$40,000), or so much thereof as the State Park Commission determines to be necessary for purposes of such park, may be expended for the acquisition of additional land for such park without matching the amounts thereof by like amounts in money, property or lands received from private or other sources."

Amendment read, and adopted.

Bill ordered printed, and to third reading. Re-referred to Committee on Finance.

**Senate Bill No. 424**—An act to repeal Sections 1813, 1819, 1820, 3129, 3130, 3131, 3132, 4124, 4125, 4126, and 4127 of, to amend Sections 1671, 1801, 1804, 1805, 1806, 1808, 1809, 1818, 1822, 1825, 1826, 1828, 1829, 6358, 7402, 7404, and 7407 of, to amend and renumber Sections 3133 and 4128 of, and to add Sections 1819 and 1820, of, the Education Code, relating to school district elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in Senate April 1, 1955, strike out " , 7402, 7404".

**Amendment No. 2**

On page 2, strike out line 37; and in line 38 strike out "registrar of voters shall".

**Amendment No. 3**

On page 4, line 45, after the period, insert "The officers of the election, before adjoining, shall post conspicuously on the outside of the polling place a copy of the result of the votes cast at the polling place."

**Amendment No. 4**

On page 7, strike out lines 4 to 51, inclusive.

**Amendment No. 5**

On page 8, in line 1, strike out "22", and insert "20".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 941**—An act to amend Section 441 of the Education Code, relating to the superintendent of schools of a county of the forty-first class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "-----", and insert "six thousand dollars (\$6,000)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 454**—An act to add Section 6109.1 to the Education Code, relating to the Public School System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1671**—An act to add Article 4 to Chapter 6 of Division 12 of the Education Code, relating to books and materials in the public schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 675**—An act to amend Sections 5154 and 7001 of the Education Code, relating to county school service funds and the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 4, line 21, of the printed bill, as amended in Senate March 24, 1955, following the word "attendance", insert "and in the elementary schools of unified school districts which during the next preceding fiscal year had less than 1,501 units of average daily attendance".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 676**—An act to repeal Sections 1501, 1572, 1819, 4728, 7206, 7207, 9607.2, 9607.3, 9807, 9807.2, 9808, 9809.1, 10324, 10324.5, 10506, 10506.5, 13322, 13323, and 19131, and Article 5 of Chapter 1 of Division 2 (Sections 1101-1107, inclusive), Article 7 of Chapter 8 of Division 4 (Sections 9481-9485, inclusive), Article 2 of Chapter 9 of Division 4 (Sections 9641-9646, inclusive), Article 4 of Chapter 3 of Division 8 (Sections 16461-16463, inclusive), Article 10 of Chapter 4 of Division 8 (Sections 16791-16794, inclusive), Article 5 of Chapter 6 of Division 9 (Sections 18941-18946, inclusive), Article 3.5 of Chapter 7 of Division 9 (Sections 19101-19105, inclusive), and Article 4.5 of Chapter 7 of Division 9 (Sections 19141-19143, inclusive) of the Education Code; to add Chapter 8.1 to Division 4 of, and Section 364.1 to said code; and to amend Sections 9801.1, 9801.2, 9804,

and 9807.1 of said code, relating to county school service funds and the Public School System.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

##### **Amendment No. 1**

On page 3, line 16, of the printed bill, as amended in Senate March 24, 1955, following the word "program", insert "which have among others the purposes of (1) enforcing minimum standards, (2) improving the educational program, and (3) promoting order and reasonable uniformity in the educational program".

##### **Amendment No. 2**

On page 4, line 4, following the period, insert "The regulation of the Superintendent of Public Instruction adopted pursuant to this section shall be adopted with the advice of an advisory committee to include county superintendents of schools, with the Superintendent of Public Instruction is herewith authorized to appoint."

##### **Amendment No. 3**

On page 5, lines 42 and 43, strike out "the elementary schools of".

##### **Amendment No. 4**

On page 7, line 50, strike out "in librarianship", and insert "authorizing services as a librarian".

##### **Amendment No. 5**

On page 9, line 47, strike out "1955-56", and insert "1956-57".

##### **Amendment No. 6**

On page 9, line 48, strike out "1956-57", and insert "1957-58".

##### **Amendment No. 7**

On page 9, line 48, strike out "1957-58", and insert "1958-59".

##### **Amendment No. 8**

On page 16, line 26, following the word "services", insert "in maintenance of school building and grounds, and".

##### **Amendment No. 9**

On page 16, line 44, following the word "adopt", insert "which among others shall include the establishment and appointment of a personnel advisory committee of five members, two of which shall be county superintendents of schools. Classification of positions shall be based on written position descriptions submitted by the county superintendent of schools. Compensation for each position shall be within the ranges provided by the master classification and compensation plan."

##### **Amendment No. 10**

On page 16, line 48, following the period, insert "The establishment and maintenance of comprehensive compensation plans shall be under the supervision of the Superintendent of Public Instruction and the personnel advisory committee. The Superintendent of Public Instruction may, after establishment of classification and compensation plans, provide for the administration of such plans by county personnel agencies in counties where such agencies exist. Selection of personnel for employment in county school service fund positions shall be at the discretion of the county superintendent of schools."

##### **Amendment No. 11**

On page 17, between lines 6 and 7, insert "9597. The county superintendent of schools may with the approval of the county board of education provide for the publication of materials that are necessary in connection with the curricular and special services that the superintendent of schools is authorized to perform in the county."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.



**Senate Bill No. 841**—An act to amend Section 20373, Education Code, to transfer to the State Personnel Board the responsibility for establishing and adjusting classification of state college employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 20, of the printed bill after "instructors", insert "and positions as instructors at California State Polytechnic College".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 868**—An act to add Section 10057 to the Education Code, relating to outdoor science and conservation education.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 10057 to", and insert "amend Section 406 of".

**Amendment No. 2**

Strike out line 2 of the title, and insert "to the compensation of the county superintendent of schools of a county of the sixth class."

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 406 of the Education Code is amended to read:

406. The annual salary of the county superintendent of schools of a county of the sixth class is [twelve thousand dollars (\$12,000)] *fifteen thousand dollars (\$15,000)*, and he shall possess a valid general administrative credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1350**—An act to add Section 7727.2 to the Education Code, relating to state building aid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "7727.2.", and insert "7738.1."

**Amendment No. 2**

In line 2 of the title, before the period, insert "declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 7738.1 is added to the Education Code, to read:

7738.1. Notwithstanding the provisions of Section 7738, whenever a conditional apportionment has been made to a district, and all the requirements of this chapter have been met within the period prescribed by Section 7738, except the requirements of Section 7720, which have not been met because the district did not have sufficient time after the election at which the voters of the district authorized the governing board of the district to accept, expend and repay such apportionment, to issue, sell, and deposit the proceeds of the district bonds, required under the conditional apportionment, and the amount of district bonds required to be so issued, does not exceed 50 thousand dollars (\$50,000), the apportionment to such district shall become final, and the conditional apportionment shall not be void, if such district complies with the requirements of Section 7720 within 30 days after the effective date of this section.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the construction of schools, as provided in Chapter 19, Division 3 of the Education Code, may be continued without delay or restriction to meet the due need of the children of this State for adequate and safe classrooms, it is essential that this act take effect immediately."

**Amendment No. 4**

On page 1, strike out lines 2 to 32, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1967**—An act to amend Sections 13529 and 13530 of, and to add Sections 13528.5, 13529.1, 13529.2, 13529.3, and 13529.4 to, the Education Code, relating to the dismissal of certificated employees of school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 13533.5 to the".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 13533.5 is added to said code, to read:

13533.5. Upon any such trial, the court shall receive and consider as evidence any written report setting forth findings upon the subject matter at issue prepared by a commission on personnel standards, or a panel thereof, maintained regularly by a statewide professional educational association, if the members of the commission, or of the panel which prepared the report, are available to be called by the court or any party to the proceeding to testify as expert witnesses as to the matters reported upon. Any such member so called shall be subject to examination and objection as to his competency and qualifications as an expert witness, and as to his bias. If any such witness is called and examined by the court, the rights of the parties shall be those provided by Section 1871 of the Code of Civil Procedure. The court may fix, and apportion and charge, the compensation and necessary expenses of any such expert or experts in the manner provided by said section. Any written report so received, and all testimony, statements and other proceedings before the commission, or the panel thereof, shall be deemed to be in connection with judicial proceedings within the meaning of Section 47 of the Civil Code."

**Amendment No. 3**

On page 1, strike out lines 2 to 26, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1524**—An act to amend Section 16601 of the Education Code, relating to the Public School System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1525**—An act to amend Section 1503 of the Education Code, relating to the Public School System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 12**—An act to add Section 2626.1 to, and to amend Sections 2665 and 2668 of, the Business and Professions Code, relating to physical therapists, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 2 of the printed bill, as amended in Senate March 23, 1955, strike out lines 4 to 6, inclusive, and insert "tered nurses when such practice is within the scope of their licenses;"

##### Amendment No. 2

On page 2, line 36, strike out "December 31, 1955", and insert "September 9, 1954".

##### Amendment No. 3

On page 2, lines 39 and 40, strike out "and commenced the practice of physical therapy in this State prior to December 31, 1955".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1349**—An act to add Section 1418 to the Fish and Game Code, relating to hunting and fishing rights of California Indians.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 4, of the printed bill, after "Indians", insert ", whose names are inscribed upon the tribal rolls,"

##### Amendment No. 2

On page 1, line 6, after "them", insert "immediately".

##### Amendment No. 3

On page 1, lines 7 and 8, strike out "enacted by the 1952 Session of the United States Congress", and insert ", Chapter 505, First Session, 1953, Eighty-third Congress of the United States".

##### Amendment No. 4

On page 1, line 10, after "to", insert "; provided, however, that nothing in this section shall prohibit or restrict the prosecution of any Indian for the violation of any provision of this code prohibiting the sale of any bird, mammal, fish, mollusk or crustacean".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 169**—An act to amend Section 7800 of the Education Code, relating to school district public works.

Bill read second time, and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 23**—An act to add Section 1340.8 to the Fish and Game Code, relating to bears.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, lines 7, 8 and 9, of the printed bill, as amended in Senate March 25, 1955, strike out "that poison shall not be used; and", and insert "by use of poison; provided, that".

**Amendment No. 2**

On page 1, line 10, strike out "except by use of poison", and insert ", including the use of poison,".

**Amendment No. 3**

On page 1, line 17, after "traps", insert "and of posting warning signs relating thereto".

Amendments read, and adopted.

Motion to Further Amend

Senator Ed. C. Johnson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate March 25, 1955, after line 18, insert

"This section shall remain in effect until the ninety-first day after the final adjournment of the 1957 Regular Session of the Legislature."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1673**—An act to amend Section 696 of the Fish and Game Code, relating to the canning or smoking of striped bass.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 23, of the printed bill, as amended in Assembly March 24, 1955, strike out "embossed", and insert "printed or stamped".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1976**—An act to repeal Sections 783, 784, 801.5 and 971 of, and to add Sections 783, 801.5, 970.5 and 971 to, the Fish and Game Code, relating to lobsters.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 104**—An act to amend Section 9702 of the Government Code, relating to the printing of bills.

Bill read second time, and ordered to third reading.

**Assembly Constitutional Amendment No. 9**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23a of Article IV thereof, relating to legislative help.

Resolution read.



**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

On page 1, line 9, of the printed measure, as amended in Assembly March 25, 1955, strike out "and so"; and strike out lines 10 and 11, and insert a period.

Amendment read, and adopted.

Resolution ordered printed, and to third reading.

**Assembly Bill No. 663**—An act to amend Section 2733.5 of the Business and Professions Code, relating to professional nurses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 890**—An act to amend Section 6534.6 of the Business and Professions Code, relating to barbers and barber colleges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1905**—An act to add Section 12648.1 to, and to amend Section 12657 of, the Water Code, relating to flood control, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3514**—An act to amend Section 1700 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 714**—An act to amend Section 1593 of the Education Code, relating to changes in status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1002**—An act to add Articles 3 and 4 to Chapter 7 of Division 5 of the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 1122, 476, and 1092 carry an appropriation or an implied appropriation.

The president ordered Senate Bills Nos. 1122, 476, and 1092 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 678**—An act to add Section 21151 to the Government Code, relating to appointments of retired members of the State Employees' Retirement System.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 678?

**Amendment No. 1**

On page 1 of the printed bill, following line 6, insert

"Appointment under the provisions of this section shall not be deemed employment within the meaning of Divisions 4 and 4½ of the Labor Code, and shall not provide a basis for the payment of workmen's compensation to a retired state employee or to his dependents".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 678 by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Thompson, Ward, and J. Howard Williams—26.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 1310**—An act to add Section 860 to the Financial Code, relating to bank deposits by public entities.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 1310?

#### Amendment No. 1

On page 1, line 8, of the printed bill, as amended in Assembly April 6, 1955, after the period, insert "Such member of a legislative body, or such officer or employee thereof, shall not be deemed "interested in any contract" as that phrase is used in Section 1090 of the Government Code, if his sole interest is the fact that he is an officer, employee, or stockholder of the bank selected to act as such depository, paying agent or fiscal agent."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1310 by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—28.

NOES—None.

Above bill ordered enrolled.

#### THIRD READING OF SENATE BILLS

##### Motion to Retain Place on File

Senator Desmond moved that Senate Bill No. 1474 be passed on file and retain its place on file until Monday, April 18, 1955.

Motion carried.

**Senate Bill No. 1841**—An act to amend Section 5439 of the Public Resources Code, relating to county recreation districts.

Bill read third time.

The bill was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 10**—An act to add Section 73.1 to the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to improvement district assessments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 1413**—An act to amend Sections 28003 and 28007 of the Health and Safety Code, relating to horse meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 133**—An act to amend Section 10200 of the Health and Safety Code, relating to vital statistics and birth certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 2.55 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**Senate Bill No. 1407**—An act to amend Sections 26209, 26327, 26328, 26336, and 26360 of the Health and Safety Code, relating to advertisement, inspection, samples, analysis, and quarantine of drugs and devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Short, Teale, Thompson, Way, and J. Howard Williams—22.

NOES—Senators Cobey, Donnelly, and Richards—3.

Bill ordered transmitted to the Assembly.

**President of the Senate Presiding**

At 3 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Senate Bill No. 1412**—An act to amend Sections 26470 and 26472 of the Health and Safety Code, relating to the adulteration of meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Motion to Retain Place on File**

Senator Desmond moved that Senate Bills Nos. 1475, 1720 and 1713 be passed on file and retain their places on file until Monday, April 18, 1955.

Motion carried.

**Senate Bill No. 1649**—An act to amend Section 238 of the Public Utilities Code, relating to the definition of "vessel."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 932**—An act to add Section 139.261 to the Vehicle Code, relating to rules and regulations of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—Senator Kraft—1.

Bill transmitted to the Assembly.

**Senate Bill No. 9**—An act to authorize the Department of Public Works to grant certain excess lands in Santa Clara County to the Santa Clara Valley Water Conservation District.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Cobey, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Motion to Retain Place on File

Senator Desmond moved that Senate Bills Nos. 1547, 1548 and 1550 be passed on file and retain places on file until Monday, April 18, 1955.

Motion carried.

**Senate Bill No. 42**—An act to add Section 618.5 to the Vehicle Code, relating to parking lights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Cobey, Collier, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Short, Sutton, Ward, Way, and J. Howard Williams—26.

NOES—Senators Donnelly and Richards—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 325**—An act to amend Section 525.1 of the Vehicle Code, relating to driving upon highways in the right hand lane.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Teale, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1983**—An act to amend Section 9906 of the Government Code, relating to regulation of legislative advocates, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—Senator Donnelly—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

**Senator Burns Presiding**

At 3.39 p.m., Senator Hugh M. Burns, Vice Chairman of the Committee on Rules, presiding.

**Senate Bill No. 1405**—An act to add Section 1623 to the Health and Safety Code, relating to biologics and blood transfusions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 51**—Relative to the establishment of a state college in the area of Napa and Solano Counties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Byrne, Cobey, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 23**—Relative to the protection of the public health and safety from the hazards of peacetime ionized radiation use.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 24**—Relative to memorializing Congress to study the problems involved in civil defense.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**President of the Senate Presiding**

At 3.50 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2554**—An act to add Section 2007.1 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time, and presented by Senator Way.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 761**—An act to amend Section 24431 of the Business and Professions Code, relating to alcoholic beverages, to take effect immediately.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3490**—An act to amend Section 1194.8 of the Insurance Code, relating to excess fund investments of insurers.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Dilworth, Donnelly, Erhart, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Richards, Sutton, Thompson, Ward, and Way—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.58 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 2308**—An act to add Article 1.5 to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to the prevention of delinquency.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 917**—An act to amend Section 6010 of the Public Utilities Code and to add Section 6010.1 to the Public Utilities Code, relating to the filing of a surety bond in connection with the award of franchises.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Richards, Sutton, Teale, Thompson, Ward, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1731**—An act to amend Section 1904 of the Corporations Code, relating to reduction of stated capital.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Erhart, Hulse, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Richards, Sutton, Teale, Thompson, Ward, and Way—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3249**—An act to amend Sections 30350, 30652, and 30654 of, and to add Sections 30608, 30654.5, and 30659 to, the Streets and Highways Code, relating to toll bridges and other toll highway crossings, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Collier moved a call of the Senate.

Motion carried. Time, 4.12 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE SENATE

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 3777**—An act to amend Section 8603 of the Revenue and Taxation Code, relating to definition of the term "motor vehicle."

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Donnelly, Erhart, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1922**—An act to amend Section 459 of the Vehicle Code, relating to powers of local authorities.

Bill read third time, and presented by Senator Richards.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Donnelly, Erhart, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—22.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.20 p.m., on motion of Senator Collier, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 3249 was adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Dilworth, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Desmond, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**President of the Senate Presiding**

At 4.22 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Assembly Bill No. 1956**—An act to amend Section 158 of the Vehicle Code, relating to display of license plates.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Desmond, Donnelly, Dorsey, Erhart, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1609**—An act to amend Sections 6700 and 6703 of the Government Code, relating to Veterans Day.

Bill read third time, and presented by Senator Thompson.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Collier, Desmond, Donnelly, Dorsey, Erhart, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 77**—Relative to commending Mrs. Hazel Miller, President of the Woman's Auxiliary to the California Medical Association.

Resolution read, and presented by Senator Cobey.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 78**—Relative to the California Teamsters.

Resolution read, and presented by Senator Breed.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 81**—Relative to the construction and dedication of the National Broadcasting Company's Color City.

Resolution read, and presented by Senator Richards.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Assembly Concurrent Resolution No. 84**—Relative to extending good wishes to Dr. Harry M. Howell in his illness.

Resolution read, and presented by Senator Brown.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MOTIONS TO RECONSIDER**

**Senate Bill No. 1473**—An act to amend Section 602 of the Code of Civil Procedure relating to the qualifications of jurors.

**Request for Unanimous Consent**

Senator Desmond asked for and was granted unanimous consent to have his motion to reconsider the vote whereby Senate Bill No. 1475 was refused passage continued until Tuesday, April 19, 1955.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 55:** By Senator Cobey—Relative to the centennial of Merced County.

**Request for Unanimous Consent**

Senator Cobey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 55, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 55**

**Senate Concurrent Resolution No. 55**—Relative to the centennial of Merced County.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 56:** By Senator Desmond—Relative to the passing of Fontaine Johnson.

Without reference to committee.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 56, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 56**

**Senate Concurrent Resolution No. 56**—Relative to the passing of Fontaine Johnson.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F.

McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Resolution ordered transmitted to the Assembly.

#### RESOLUTIONS

The following resolution was offered:

By Senator Teale:

##### Senate Resolution No. 92

Relative to preparing engrossed copies of Senate Concurrent Resolution No. 46

*Resolved*, That the Secretary of the Senate be directed to have prepared suitably engrossed copies of Senate Concurrent Resolution No. 46 with reference to the restoration of the Old Columbia Grammar School.

Resolution read, and on motion of Senator Teale, unanimously adopted.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1105

Senator Ed. C. Johnson moved that Senate Bill No. 1105 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1105**—An act to amend Section 19100 of the Health and Safety Code, relating to buildings exempted from earthquake protection laws.

Bill read second time.

##### Motion to Amend

Senator Ed. C. Johnson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "add".

##### Amendment No. 2

In line 1 of the title, strike out "19100 of", and insert "19124 to".

##### Amendment No. 3

In line 2 of the title strike out "buildings exempted from earthquake protection laws.", and insert "enforcement of provisions of the earthquake protection laws."

##### Amendment No. 4

On page 1, strike out lines 1 to 18 inclusive, and insert

"SECTION 1. Section 19124 is added to Part 3, Chapter 2 of the Health and Safety Code, to read:

19124. The Division of Housing in the Department of Industrial Relations may enforce any provision of this chapter which it finds has been or is being violated, after it has given the enforcement agency written notice of the violation and the enforcement agency has failed to secure correction of the violation. In such cases where the division processes applications for building permits the fees prescribed in this chapter shall be payable to the division."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1106**

Senator Ed. C. Johnson moved that Senate Bill No. 1106 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1106**—An act to amend Section 19100 of the Health and Safety Code, relating to buildings exempted from earthquake protection laws.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 17 and 18, and insert

"(c) Any building used for human habitation and of wood frame construction and not more than two stories in height, in which the span between bearing walls does not exceed twenty-four feet (24'), no room in which contains an area of more than one thousand square feet (1,000 sq. ft.), and which is located in a labor camp as defined in Section 2410 of the Labor Code."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 126**

Senator Brown moved that Senate Bill No. 126 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 126**—An act to add Division 11 to the Public Resources Code, relating to camping, providing for a program of campground sanitation, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "quarters or facilities", and insert "facilities maintained or used by one or more persons, jointly, for eating or sleeping or both".

**Amendment No. 2**

On page 1, strike out line 15, and insert "located".

**Amendment No. 3**

On page 1, line 24, after "duties", insert ", nor does 'camp' include a camp accommodating 10 or more persons which is maintained and operated by cities, counties, or public districts of the State or by churches, or by charitable or nonprofit organizations or associations".

**Amendment No. 4**

On page 2, lines 10 and 11, strike out ", construction, operations, or maintenance", and insert "or construction".

**Amendment No. 5**

On page 2, line 13, after the first "the", insert "National Forest or other".

**Amendment No. 6**

On page 2, line 15, after "State", insert "and the operation or maintenance of such facilities wherever situated in the State".

**Amendment No. 7**

On page 2, line 26, after "camp", insert "after April 1, 1956".

**Amendment No. 8**

On page 2, line 28, after "time", insert "under one license".

**Amendment No. 9**

On page 2, line 33, after "13022.", insert "The provisions of this division may be enforced by any peace officer of the State, by any employee of the United States Forest Service, by any employee of the Division of Forestry, Department of Natural Resources, or by any employee of the State Department of Fish and Game. 13023."

**Amendment No. 10**

On page 3, line 3, strike out "commission", and insert "department".

**Amendment No. 11**

On page 3, line 22, after "to", insert "additional".

**Amendment No. 12**

On page 3, line 25, after the comma, insert "at his own cost and".

**Amendment No. 13**

On page 3, line 44 and 45, strike out "commission", and insert "department".

**Amendment No. 14**

On page 4, line 16, strike out "Controller", and insert "Department of Finance".

**Amendment No. 15**

On page 4, strike out lines 18 to 23, inclusive, and insert "carrying out the provisions of this division."

**Amendment No. 16**

On page 4, line 40, after "department", insert "of Public Health".

**Amendment No. 17**

On page 5, line 32, after "Department", insert "of Public Health".

**Amendment No. 18**

On page 5, line 36, after "Department", insert "of Public Health".

**Amendment No. 19**

On page 5, line 41, after "Department", insert "of Public Health".

**Amendment No. 20**

On page 5, line 48, after "Department", insert "of Public Health".

**Amendment No. 21**

On page 6, between lines 21 and 22, insert "13081. Where an allocation is made to an agency for a project on National Forest or public lands of the United States, the board may require that the amount allocated be matched by a like amount of money from the Federal Government."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1778**

Senator Brown moved that Senate Bill No. 1778 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1778**—An act to create the California Commission for the study of Capital Punishment, prescribing its powers and duties, and making an appropriation therefor.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, after "consist of", strike out "the"; and strike out lines 4 and 5, and insert "a representative of the Department of Justice, the Department of Corrections and the Youth Authority, and 10 members to be appointed by the Governor. Of the gubernatorial appointees, two shall be members of the Senate, two shall be members of the Assembly, one shall be a judge of the superior court, one shall be a district attorney, one shall be a sheriff, and of the three remaining appointees, one shall be a woman and one a member of the clergy."

**Amendment No. 2**

On page 1, line 12, strike out "1956", and insert "1957".

**Amendment No. 3**

On page 1, line 20, following "report.", insert "The commission is authorized to employ an executive secretary at a compensation to be determined by the commission."

**Amendment No. 4**

On page 1, between lines 20 and 21, insert

"Sec. 4. In carrying out its duties and functions, the commission is authorized in its discretion to seek the assistance and to work cooperatively with any agency, public or private, which may desire or agree to contribute to the results of the commission's study and investigation; provided, however, that no expense to the State shall be thereby incurred."

**Amendment No. 5**

On page 1, line 21, strike out "4", and insert "5".

**Amendment No. 6**

On page 1, line 21, strike out "ten thousand dollars (\$10,000)", and insert "fifty thousand dollars (\$50,000)".

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 382**

Senator Gibson moved that Senate Bill No. 382 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 382**—An act to add Section 104.10 to the Streets and Highways Code, relating to property acquired for future state highway needs.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "shall", insert "not later than the first day of November next following the close of any fiscal year,".

**Amendment No. 2**

On page 1, lines 6 and 7, strike out "city, and districts".

**Amendment No. 3**

On page 1, strike out lines 8 to 16, inclusive, and insert "equivalent to 25 percent of the rents deposited in the fund during such preceding fiscal year."

**Amendment No. 4**

On page 1, between lines 16 and 17, insert

"The county shall distribute any payment received by it pursuant to this section to itself, to each revenue district for which the county assesses and collects real property taxes or assessments, and to every other taxing agency within the county in which the property is situated. The amount distributable to the county and each such revenue district or other taxing agency shall be proportionate to the ratio which the amount of the taxes and assessments of each on similar real property similarly situated within that part of the county embracing the smallest in area of the revenue districts or other taxing agencies other than the county, levied for the fiscal year next preceding bears to the combined amount of the taxes and assessments of all such districts and agencies, including the county, on such property levied for that year. The county auditor shall determine and certify the amounts distributable to the board of supervisors, which shall thereupon order the making of the distribution.

Any money distributed pursuant to this section to any county, revenue district or other taxing agency shall be deposited to the credit of the same fund as any taxes or assessments on any taxable similar real property similarly situated.

Where the department makes a payment pursuant to this section in an amount of ten dollars (\$10) or less in respect to any parcel of leased property, all of such payment shall be distributed to the county for deposit in the county general fund.

In making any payment under this section, the department shall describe or otherwise specify the leased property respecting which the payment is made.

As used in this section the terms "taxing agency" and "revenue district" have the same meanings given them in the Revenue and Taxation Code.

This section shall be operative in respect to rentals received during the Fiscal Year 1954-1955 and any fiscal year thereafter."

**Amendment No. 5**

On page 1, line 17, strike out "receivd", and insert "received".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1577**

Senator Kraft moved that Senate Bill No. 1577 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1577**—An act to amend Section 252 of the Vehicle Code, relating to drivers' licenses.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "21", and insert "18".

**Amendment No. 2**

On page 1, line 22, strike out "21", and insert "18".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1190**

Senator Byrne moved that Senate Bill No. 1190 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1190**—An act to amend Section 12701 of the Business and Professions Code, relating to weights and measures.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 22, 1955, strike out "Section 12701 of", and insert "Sections 12701 and 12707 of, and to add Section 12701.1 to,".

**Amendment No. 2**

In line 2 of the title, after "measures", insert ", and making an appropriation therefor".

**Amendment No. 3**

On page 3, between lines 4 and 5, insert

"SEC. 2. Section 12701.1 is added to said code, to read:

12701.1. All license fees collected under the provisions of this chapter shall be paid into the State Treasury and credited to the Department of Agriculture Fund, and shall be expended for the administration and enforcement of this chapter.

SEC. 3. Section 12707 of said code is amended to read:

12707. Any person is guilty of a misdemeanor who does any one of the following acts:

(a) Requests a public weighmaster, or any person employed by him, to weigh or measure or count any commodity falsely or incorrectly.

(b) Requests a false or incorrect state certificate of weights and measures.

(c) Issues a state certificate of weights and measures when he is not a public weighmaster or deputy public weighmaster.

(d) Possesses unfilled or unused state certificate of weights and measures forms if he is not a public weighmaster or a deputy public weighmaster. This subdivision does not apply to a person engaged in the business of printing state certificate of weights and measures forms nor to his representative."

**Amendment No. 4**

On page 3, line 5, strike out "2", and insert "4".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 903**

Senator Gibson moved that Senate Bill No. 903 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 903**—An act to amend Section 8900 of the Business and Professions Code, relating to yacht and ship brokers.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "8900", and insert "8970".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 5, inclusive, and insert:

"SECTION 1. Section 8970 of the Business and Professions Code is amended to read:

8970. The commissioner shall charge and collect the following fees:

1. One hundred dollars (\$100) for every original broker's license, regardless of class.

2. [Fifty dollars (\$50) for the] *An annual renewal fee for every [of an] original broker's license, regardless of class, which fee shall be set annually by the commissioner, with the approval of the director, at not more than sixty dollars (\$60) and not less than thirty-five dollars (\$35).*

3. Ten dollars (\$10) for every original salesman's license, regardless of class.

4. [Ten dollars (\$10) for] *An annual renewal fee for every [of a] salesman's license, regardless of class, which fee shall be set annually by the commissioner, with the approval of the director, at not more than fifteen dollars (\$15) and not less than five dollars (\$5).*

5. Fifteen dollars (\$15) for a broker's or salesman's examination. Fifteen dollars (\$15) for each examination to increase the scope of a B or C license.

6. One hundred dollars (\$100) for any licensee holding a B or C license, who wishes to convert such license to an A license.

7. Five dollars (\$5) for a salesman's temporary license.

8. [Ten dollars (\$10)] *A fee for every license obtained by a broker for a branch office, and a fee for every renewal thereof, which license fee and which renewal fee shall each be set annually by the commissioner, with the approval of the director, at not more than fifteen dollars (\$15) and not less than five dollars (\$5).*

9. One dollar (\$1) for changing the name or address of a licensee on the records of the department.

10. One dollar (\$1) for every transfer of a salesman's license for every change of employment.

11. One dollar (\$1) for a duplicate license.

12. Ten dollars (\$10) for the substitution of a name in the license of a corporation or copartnership, and an examination fee of fifteen dollars (\$15)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 915**

Senator Gibson moved that Senate Bill No. 915 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 915**—An act to amend Section 8000 of the Business and Professions Code, relating to shorthand reporters.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "8000", and insert "8031".

PRINTER'S NOTE—There being no 7-point knockout type available, the material which should appear in knockout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 8031 of the Business and Professions Code is amended to read:

8031. The amount of the fees required by this chapter is that fixed by the following schedule:

- (a) The fee for application for a certificate is twenty-five dollars (\$25).
- (b) The annual renewal fee [is twenty dollars (\$20) or such lesser amount as may] shall be fixed by the board annually at not more than twenty dollars (\$20) and not less than five dollars (\$5)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 460

Senator Abshire moved that Senate Bill No. 460 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 460**—An act to amend Sections 1058, 1252, 2552, and 11415 of the Water Code, and to amend Section 18202 of the Education Code, relating to regulations of state agencies.

Bill read second time.

#### Motion to Amend

Senator Abshire moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 12, of the printed bill, after "with", insert "rules and".

#### Amendment No. 2

On page 1, line 16, after "necessary", insert "rules and".

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 462

Senator Abshire moved that Senate Bill No. 462 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 462**—An act to amend Sections 5255, 8701, 12300, 15801, 17400, 18800, 22400, and 24400 of the Financial Code; to add Section 10084 to the Business and Professions Code; to amend Sections 10080 and 11001 of the Business and Professions Code; to amend Sections 25308, 27003, and 28200 of the Corporations Code; to add Section 42 to the Insurance Code; and to amend Sections 383.5, 843, 1691.3,

1812, 1851, 10292, 10498.6, 11515, and 11751.5 of the Insurance Code, relating to regulations of state agencies.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed bill, strike out "to add Section 10084 to the Business and Professions Code;"

**Amendment No. 2**

On page 2, strike out line 6, and insert

"10080. The commissioner may adopt, amend, or repeal such rules and regulations as are reasonably necessary for the enforcement of the provisions of this part and of Chapter 1 of Part 2. Such rules and regulations shall be adopted, amended, or repealed in accordance with the provisions of the Administrative Procedure Act. In addition to other notices required by law, the commissioner shall notify the State Real Estate Board of his intention to adopt rules and regulations at least 30 days prior to such adoption."

**Amendment No. 3**

On page 2, strike out lines 7 to 20, inclusive.

**Amendment No. 4**

On page 2, strike out line 22, and insert

"11001. The Real Estate Commissioner (hereafter referred to in this chapter as the commissioner) may adopt, amend, or repeal such rules and regulations as are reasonably necessary for the enforcement of this chapter. He may issue any order, permit, decision, demand or requirement to effect this purpose. Such rules, regulations,"

**Amendment No. 5**

On page 2, strike out lines 23 to 28, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 513**

Senator Abshire moved that Senate Bill No. 513 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 513**—An act to amend Sections 102, 208, 212, 271, 432.4, 435.2, 600, 1222, 1411, 1509, 1603, 1604, 1606, 1614, 1660, 1668, 21100, 24102, 26321, 26540, 26540.2, 26542, 28013, 28153, 28182, 28339, 28440, 28508, 28663.5, and 28709, and repeal Sections 26323 and 26544 of the Health and Safety Code, to amend Sections 1220 and 1221 of the Business and Professions Code, and to amend Section 1147 of the Agricultural Code, relating to rules and regulations pertaining to public health.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 6 and 7, and 8, of the printed bill, strike out "in accordance with the provisions of Chapter 4, Part 1, Division 3, Title 2 of the Government Code,"

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 514**

Senator Abshire moved that Senate Bill No. 514 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 514**—An act to add Section 103.1 to, and to amend Sections 103, 116, 118, 118.2, 119.5, 119.6, 1508, 1511.5, 1550, 1552.2, 1553, 1556, 1556.5, 1559, 1560, 1621, 2010, 2020, 2140, 2180, 2186, 2186.1, 2301, 2354, 3075, 3084, 3087, and 3087.3 to, the Welfare and Institutions Code, relating to administration procedure.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 8, line 5, of the printed bill, after "children," insert "Such rules and regulations shall be binding upon the institutions and counties."

**Amendment No. 2**

On page 8, line 6, strike out "board", and insert "department".

**Amendment No. 3**

On page 8, lines 9 and 10, strike out "Such rules and regulations shall be binding upon the institutions and counties."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 521**

Senator Abshire moved that Senate Bill No. 521 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 521**—An act to amend Section 6078 of the Water Code, relating to rules and regulations of the Department of Public Works.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "Code," insert "rules and".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1907**

Senator Collier moved that Senate Bill No. 1907 be withdrawn from Committee on Public Utilities for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1907**—An act to add Section 451.5 to the Public Utilities Code, relating to rates.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 451.5 to", and insert "repeal Section 533 of".

**Amendment No. 2**

In line 2 of the title, strike out "rates", and insert "free passage on common carriers".

**Amendment No. 3**

On page 1, strike out lines 1 to 5, inclusive, and insert "SECTION 1. Section 533 of the Public Utilities Code is repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Utilities.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 85

Assembly Concurrent Resolution No. 86

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolutions were read:

**Assembly Concurrent Resolution No. 85**—Relative to the establishment of a state college in the area of Napa and Solano Counties.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 86**—Commending the Grand Lodge of the State of California, Free and Accepted Masons, for their leadership in sponsoring the annual Public Schools Week.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 194  
Assembly Bill No. 594  
Assembly Bill No. 1572  
Assembly Bill No. 1780  
Assembly Bill No. 1805  
Assembly Bill No. 1924  
Assembly Bill No. 1925  
Assembly Bill No. 1926

Assembly Bill No. 1928  
Assembly Bill No. 1931  
Assembly Bill No. 1935  
Assembly Bill No. 1941  
Assembly Bill No. 2479  
Assembly Bill No. 2742  
Assembly Bill No. 3085

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 194**—An act to amend Section 686 of the Vehicle Code, relating to the transportation of workmen by truck.

Referred to Committee on Transportation.

**Assembly Bill No. 594**—An act to add Section 753.5 to the Vehicle Code, relating to the speed of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 1572**—An act to amend Section 18932 of the Government Code, relating to age limits for state civil service examinations.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1780**—An act to amend Section 476 of the Vehicle Code, relating to official traffic signals.

Referred to Committee on Transportation.

**Assembly Bill No. 1805**—An act to amend Section 451.1 of the Vehicle Code, relating to traffic regulations and signs.

Referred to Committee on Transportation.

**Assembly Bill No. 1924**—An act to amend Sections 34301, 34306, 34308, 34310, 35113, 35114, 35115, 35307, 35308 and 35314 of, to repeal Sections 34309 and 35309 of, and to add Sections 34302.5, 34302.6, 34303.1 and 34325.1 to, the Government Code, relating to the organization and boundaries of cities.

Referred to Committee on Local Government.

**Assembly Bill No. 1925**—An act to amend Sections 35116, 35122 and 35147 of the Government Code, relating to the annexation of inhabited territory to cities.

Referred to Committee on Local Government.

**Assembly Bill No. 1926**—An act to add Article 8 to Chapter 1, Part 1, Division 1, Title 5 of the Government Code, relating to the boundaries of cities and counties.

Referred to Committee on Local Government.

**Assembly Bill No. 1928**—An act to add Article 7 to Chapter 1, Part 2, Division 2, Title 4 of the Government Code, relating to the annexation of territory to cities.

Referred to Committee on Local Government.

**Assembly Bill No. 1931**—An act to add Sections 35104.5 and 35302.5 to the Government Code, relating to the annexation to a city of governmentally owned property.

Referred to Committee on Local Government.

**Assembly Bill No. 1935**—An act to amend Sections 34303.5, 35002, 58850, and 58857 of, and to add Sections 58850.1 and 58852.1 to, the Government Code, relating to county boundary commissions.

Referred to Committee on Local Government.

**Assembly Bill No. 1941**—An act to add Section 35011 to the Government Code, relating to the territory annexed to cities.

Referred to Committee on Local Government.

**Assembly Bill No. 2479**—An act to amend Section 471 of, and to add Section 471.5 to, the Vehicle Code, relating to stop signs.

Referred to Committee on Transportation.

**Assembly Bill No. 2742**—An act to amend Sections 70048 and 70057 of the Government Code, relating to the filing fees and salaries of court reporters in counties with a population of 500,000 and under 700,000.

Referred to Committee on Judiciary.

**Assembly Bill No. 3085**—An act to amend Section 19141 of the Government Code, relating to reinstatement of employees in the state civil service.

Referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 187  
Assembly Bill No. 190  
Assembly Bill No. 940  
Assembly Bill No. 1122  
Assembly Bill No. 1210  
Assembly Bill No. 1737  
Assembly Bill No. 1866  
Assembly Bill No. 1954

Assembly Bill No. 2356  
Assembly Bill No. 2824  
Assembly Bill No. 3063  
Assembly Bill No. 3082  
Assembly Bill No. 3083  
Assembly Bill No. 3122  
Assembly Bill No. 3126  
Assembly Bill No. 3216  
Assembly Bill No. 3316

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 187**—An act to add Section 3472.2 to the Welfare and Institutions Code, relating to aid to the blind, and to consider all money paid by recipients of aid as principal payments on capital investments as an expense.

Referred to Committee on Social Welfare.

**Assembly Bill No. 190**—An act to amend Section 3447 of the Welfare and Institutions Code, relating to property of recipients of aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 940**—An act to add Section 23.6 to the Fish and Game Code, relating to the expenditure of funds for the purchase of evidence.

Referred to Committee on Fish and Game.



**Assembly Bill No. 1122**—An act to add Sections 8200.1, 8205.1, and 8214.1 to, and to amend Sections 8201, 8203.1, 8203.3, 8209, and 8211 of, the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

**Assembly Bill No. 1210**—An act to add Sections 11513.1 and 11513.2 to the Insurance Code, relating to the provision of group hospital service coverage.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1737**—An act to amend Section 2025 of the Welfare and Institutions Code, relating to the aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1866**—An act to amend Sections 232, 450, 452, 456, 457, and 458 of the Military and Veterans Code, relating to the State Militia, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1954**—An act to amend Section 586 of the Vehicle Code, relating to the stopping, standing or parking of vehicles in specified places.

Referred to Committee on Transportation.

**Assembly Bill No. 2356**—An act to add Sections 10252.5, 10276.5, 10501.5, and 10516.5 to the Business and Professions Code, relating to nonresident licenses in the business opportunity and mineral, oil and gas business.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2824**—An act to amend Section 1080 of the Probate Code, relating to the proceedings for the determination of interests in estates.

Referred to Committee on Judiciary.

**Assembly Bill No. 3063**—An act to add Section 1194.95 to the Insurance Code, relating to investments in equipment by insurance companies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 3082**—An act to amend Section 25761a of the Revenue and Taxation Code, relating to jeopardy assessments of bank and corporation tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 3083**—An act to amend Sections 18645 and 18646 of the Revenue and Taxation Code, relating to jeopardy assessments of personal income tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 3122**—An act to repeal Article 4 of Chapter 7, Part 1, Division 2, Title 4 of, and to add Article 4 to Chapter 7, Part 1, Division 2, Title 4 of, the Government Code, relating to the election

of members of the legislative body of sixth class cities by or from districts.

Referred to Committee on Local Government.

**Assembly Bill No. 3216**—An act to amend Section 70053 of, and to add Sections 70041.5, 70045.7, and 70054.6 to, the Government Code, relating to official reporters.

Referred to Committee on Judiciary.

**Assembly Bill No. 3316**—An act to amend Section 25755 of the Business and Professions Code, relating to administration and enforcement of laws.

Referred to Committee on Judiciary.

## REPORTS OF STANDING COMMITTEES

### Committee on Elections

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Senate Bill No. 423

Assembly Bill No. 841

Assembly Bill No. 429

Assembly Bill No. 2155

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1955

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bill ordered to second reading.

### Committee on Labor

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 198

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 1681

Senate Bill No. 1682

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 1685

Assembly Bill No. 2007

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 118

Senate Bill No. 1268

Senate Bill No. 741

Assembly Bill No. 1120

Senate Bill No. 1143

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 243

Senate Bill No. 485

Senate Bill No. 1729

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 735

Senate Bill No. 759

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1748

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Local Government.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Local Government.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:  
Senate Constitutional Amendment No. 6  
Senate Constitutional Amendment No. 7  
Senate Concurrent Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:  
Senate Bill No. 483  
Senate Bill No. 778

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 429  
Senate Bill No. 501  
Senate Bill No. 769  
Senate Bill No. 1082

Senate Bill No. 1397  
Senate Bill No. 1539  
Assembly Bill No. 366

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

#### Committee on Education

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 500  
Senate Bill No. 1038  
Senate Bill No. 1116

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 1982

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; noes 1; absent 4.

DONNELLY, Chairman

Above reported bill ordered to second reading.



SENATE CHAMBER, SACRAMENTO, April 13, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1392

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; noes 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

#### Committee on Elections

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 285

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Assembly Bill No. 256

Assembly Bill No. 267

Assembly Bill No. 258

Assembly Bill No. 277

Assembly Bill No. 259

Assembly Bill No. 279

Assembly Bill No. 264

Assembly Bill No. 281

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

#### ADJOURNMENT

At 4.40 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 10 a.m., Friday, April 15, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY

SIXTY-SIXTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 15, 1955

The Senate met at 10 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Minute Clerk John F. Lea at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—33.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Busch, on motion of Senator Ward, due to legislative business.

Senator Parkman, on motion of Senator Ward, due to legislative business.

Senator Regan, on motion of Senator Ward, due to legislative business.

Senator Teale, on motion of Senator Ward, due to legislative business.

Senator Dale C. Williams, on motion of Senator Ward, due to illness.

Senator Collier, on motion of Senator Ward, due to legislative business.

### Call of the Senate

Senator Brown moved a call of the Senate.

Motion carried.

Time, 10.05 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**  
**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**  
**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Edward H. Gibbons from Los Angeles.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to vice principal Vernon Duke, Miss Jeanne Conte, Robert Constantine, Wayne Rose, Donald Zinkowski, Mr. and Mrs. Guy Langely, and the following students from Alta Union Elementary School, Reedly, and Caruthers Union High School: Bill Cox, Georgia Metcalf, Gladys Young, Richard Braun, Charles Evans, Frank Kubota, Richard Mitchell, Richard Sanwo, Joe Muniz, Joe Nicholas, Jerry Steele, Jim Grayson, Gerald Cummins, Charles Holt, Paul Garcia, Alex Diaz, Conrad Davis, John Preheim, Reola Bartel, Wanda Blake, Linda Cantrell, Wanda Corpus, Sharlet Hazel, Amy Naito, Anita Montanez, Antionette Shamoon, Susie Wall, Janet Hoffman, Margie Rios, Ruby Medina, Elvin Benson, Jo Nell Cox, Robert Dustin, Virginia Eggert, Pat Estes, Juanita Glass, Jim Glasgow, Juanema Goss, Norma Hagan, David Hawley, Carolyn Hull, Yvonne Johnson, Art Kizer, Harlond Lang, James Langley, Howard Lewis, Arlene Mann, Jessie Masterson, Nellie McNeely, Shirleen Miller, Mabel Mitchell, Laverne Puckett, Carol Quandt, Audrey Quist, Paul Replogle, Merida Reynolds, Eddie Saling, Janet Sinclair, Amy Swetnam, Elaine Uzzell, James Weaver, and Joyce Weaver.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Donald Theiler, E. D. Baldwin, and the following students from Lincoln Elementary School, Yuba City: David Anderson, Ralph Blackburn, Milton Broliar, Keith Clark, Fieldon Cook, Bill Humlick, Dalos Graf, James Greathouse, Wilbur Terry, Art Tsukuda, Robert Waters, Waylen Whitaker, Alvin Lewelling, Sharon Bellisario, Lois Boyles, Yvonne Bradford, Jean Bullock, Maxine Hood, Nancy Herr, Vonnie Lewis, Lou Ann Lunsford, Barbara Miller, Susan Miller, Sandra Ricketts, Juanita Sanders, Barbara Willson, Joan Williams, and Gerry Thompson.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Miss Catherine Davis, Mrs. Sal Pecararo, Mrs. Frank Pratt, Mrs. Manuel Silva, Mrs. Curtis Steward, Mrs. Ellard Vierra, and the following students from fourth grade class of West Sacramento Elementary School: Darlene Carney, Eileen DeSantis, Sharon Dirieto, Joan Flynn, Patricia Ferrell, M'Lisse Johnson, Marjorie Martin, Lani Metzger, Mary Nieto, Nancy Nakayama, Diana Pratt, Sharon Riso, Nancy Segadin, Lila Shifflet, Carol Ann Taylor, Colleen Terry, Clydine Wall, Shirley Watters, Vicki Yokoyama, Julian Archuleta, Ronnie Bloom, Steve Bogdanoff, Steven Botkin, Jerry Davey, Philip Glenn, Dick Henderson, James Herwick, James Justice, James Lopez, Sammy Madrigal, Lanny Matsuda, Joe Nieto, Frank Pecararo, Albert Silva, Carl Sinderman, Carlan Steward, Sam Turner, Edward Vierra, James Watkins, and Roger Wood.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructors Mrs. Marie Blanchard, Mrs. Iva Lay, Mr. Virgil Acton and the following adults and students from Tegner School, Turlock: Bernice Brindeiro, Patsy Cantwell, Dale Shelor, Arnold Faddis, Beverley Marchant, Janice Faddis, Ida Pacheco, John Phillips, Dale Turner, Joe Fagundes, Kenny Phillips, Richard Azevedo, Ronald Graves, Terry Dill, Earlene Oeth, JoAnn Silva, Dolores Mello, Elizabeth Marriott, Linda Bertholf, Jane McFarlane, Patsy Wood, Jim Johnson, Jim Alvarnez, Bobbie Cantwell, Mary Herring, Diane Iwanski, Patsy Coates, Kathy Fario, Paul Coats, Kathy Alvernez, Bernice Herring, Charlotte Clark, Vernon Silva, Terry Schendell, Sally Schendell, Douglas Johnson, Suzanne Fario, Wayne Eikenberry, Glen Brindeiro, Carolyn Clark, Carolyn Brindeiro, Ronald Rash, Gary Linhares, Dickie Wilkie, George Pacheco, Billie McFarlane, Lorraine Pacheco, Diulinda Fagundes, Marjorie Enos, Carol Lones, Karl Yocum, Ann Shelor, Michael Linhares, Bobby Strickler; adults Mrs. Linares, Mr. Strickler, Mrs. Fagundes, Mrs. Norwood, Mrs. E. Brindeiro, Mr. Main, Mesdames Schendel, Ed Alvarnez, B. Alvarnez, Marriott, H. Silva, Phillips, and Miss Faddis.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Rolf Jacobsen and Sandra Jacobsen of Shafter, and Bob Walker of Nebraska.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. Arthur Nisson, Jr. of Santa Ana, Harry Aston of Newport Beach, and Mrs. J. M. Stephens of Los Angeles.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mary Trantor of San Rafael.

On request of Senators Abshire and Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jos. Wahrhaftig of San Francisco.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Scotty Cassady of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructors Mrs. Phyllis M. Mlinarich, Edward Minasian, Roy Coon, and the following students from McClymonds High School, Oakland: Josephine Addison, Jessie Allen, Delores Alexander, Valoria Allston, Elinor Andrews, Andrew Arios, Billie Aubrey, Leonard Baggie, Ruth Ann Bailey, Juliette Banks, Moses Bass, Lucille Best, Marie Best, Kay Blade, Nelson Broome, Clara Burgin, Shirley Collins, Gwendolyn Curtis, Betty Ellsworth, William Evans, Sylvia Garcia, Dorothy Gilbert, Helen Graham, James Griffin, Dorothy Guion, Bonnie Harris, Walter Haynes, Fred Hodges, Faye Holloway, Alice Houston, Clarence Jackson, James Jackson, Everett Johnson, Herman Johnson, Rose Johnson, Dorothy Jones, Helene Jones, Frederick Lacy, Victor Lascano, Evelyn Lopez, Julia McClain, Dan McCormick, Marzele Mitchell, Wayne Meadows, Mary



Newsom, Mary Patterson, Henry Pierce, Lorraine Rhodes, Ruby Richardson, Evangeline Rivers, Jessie Ross, Haddie Rutledge, Pat Santistevan, Levi Seacer, Evelyn Smith, Irene Smith, Verla Stamps, Arno Stanley, Albert Stevenson, Edward Stokes, Murphy Taylor, Barbara Terry, William D. Thomas, Pearl Tucker, Cleveland Vivian, Dorothy Webb, Beverly Wheatfill, Melvin Williams, Willie Wright, and Dorothy Parrott.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 127	Senate Bill No. 1241
Senate Bill No. 220	Senate Bill No. 1246
Senate Bill No. 349	Senate Bill No. 1356
Senate Bill No. 454	Senate Bill No. 1524
Senate Bill No. 499	Senate Bill No. 1525
Senate Bill No. 987	Senate Bill No. 1671
Senate Bill No. 1238	

And reports the same correctly engrossed.

WARD, Chairman

#### Committee on Local Government

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 970	Assembly Bill No. 2077
Senate Bill No. 971	Assembly Bill No. 2078
Senate Bill No. 1202	Assembly Bill No. 2079
Assembly Bill No. 563	Assembly Bill No. 2080
Assembly Bill No. 1110	Assembly Bill No. 2081
Assembly Bill No. 1611	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership: 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 615  
Assembly Bill No. 365

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

GIBSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Constitutional Amendment No. 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:  
Senate Bill No. 593  
Senate Bill No. 1055  
Assembly Bill No. 1308

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:  
Senate Bill No. 972  
Assembly Bill No. 1525  
Senate Bill No. 972  
Assembly Bill No. 2596  
Assembly Bill No. 2597

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:  
Senate Bill No. 927  
Senate Bill No. 938  
Senate Bill No. 939  
Senate Bill No. 940  
Assembly Bill No. 2934  
Assembly Bill No. 2935

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 423**—An act to add Section 2842.5 to the Elections Code, relating to loyalty oaths.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1681**—An act to amend Sections 4750 and 4751 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 4750 and", and insert "Section".

**Amendment No. 2**

On page 1, strike out all of lines 1 through 26, inclusive.

**Amendment No. 3**

On page 1, after line 26, insert

"SECTION 1. Section 4751 of the Labor Code is amended to read:  
4751. If an employee who is permanently partially disabled by reason of the loss of, or loss of use of, a hand, an arm, a foot, a leg, or an eye receives a subsequent compensable injury resulting in additional permanent partial disability so that the degree of disability caused by the combination of both disabilities is greater than that which would have resulted from the subsequent injury alone, and the combined effect of the last injury and the previous disability or impairment is a permanent disability equal to 70 percent or more of total, he shall be paid in addition to the compensation due under this code for the permanent partial disability caused by the

last injury, compensation for the remainder of the combined permanent disability existing after the last injury as provided in this article."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1682**—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

##### Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 through 8, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 2

On page 1, after line 8, insert  
"4663. In case of aggravation of any condition, disease or coronary impairment existing prior to a compensable injury, compensation shall be allowed only for the proportion of the disability due to the [aggravation of such prior disease which is reasonably attributed to the] injury and not due to such condition, disease, or coronary impairment."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1684**—An act to add Section 3208.1 to the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3208.1", and insert "Sections 3208.1 and 3208.2".

##### Amendment No. 2

On page 1, strike out lines 6 to 12, inclusive, and insert "tion, process, or employment.

SEC. 2. Section 3208.2 is added to the Labor Code, to read:

3208.2. Physical deterioration, and ordinary diseases of life to which the general public is exposed outside of the employment, shall not be compensable, except where the preponderance of evidence shows the physical condition or disease had its origin in a risk connected with the employment and flowed from that source as a natural consequence."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1685**—An act to add Section 5100.5 to the Labor Code, relating to commutation of compensation in workmen's compensation proceedings.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 118**—An act to amend Section 14101 of the Government Code, relating to public works.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 741**—An act to add Section 13114 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1143**—An act to amend Sections 11380 and 11424 of the Government Code, relating to rules and regulations under the Administrative Procedure Act.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1268**—An act to add Section 13775.5 to the Government Code, relating to agreements for social security coverage of employees of public agencies.

Bill read second time.

#### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 7, strike out "reducing any of", and insert "impairing".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 735**—An act to add Sections 15507, 15508 and 15509 to the Government Code, relating to the allocation of funds to local agencies.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Government Efficiency:

#### Amendment No. 1

In line 6 of the title of the printed bill, as amended in Senate March 17, 1955, after "Agencies", insert ", and making an appropriation therefor".

#### Amendment No. 2

On page 2, between lines 11 and 12, insert

"In order to provide the State Allocation Board with further assistance in securing such reports, information, and recommendations, the board may receive and act upon the advice and recommendations of a committee to be known as the Local Planning Advisory Committee, to consist of seven members serving at the pleasure of those who appoint them, and to be appointed as follows: three members as representatives of counties, one of them a county supervisor, one a member of a county planning commission, and one a county planning director, all to be appointed by the president of the County Supervisors Association of California; three members as representatives of cities, to be appointed by the president of the League of California Cities, one of them a city councilman, one of them a city planning commission member, and one of them a city planning director; one member as a representative of schools, to be a county superintendent of schools, appointed by



the president of California School Trustees Association. The members of the committee shall not be deemed officers or employees of the State, and shall receive no compensation for their services, but shall be reimbursed, on order of the board, the actual amounts of their reasonable and necessary expenses in attending upon the board. The committee shall meet at the call of the chairman of the board."

#### Amendment No. 3

On page 2, strike out lines 18 to 23, inclusive, and insert

"15509. In the event the Federal Government makes available planning grants to state planning agencies for assistance to cities and other municipalities having a population of less than 25,000 or makes planning grants to the State for similar planning work in metropolitan and regional areas, such grants shall be allocated by the Director of Finance in accordance with requirements of the federal grants, except as provided in Section 15505 of this part.

SEC. 4. There is hereby appropriated to the Department of Finance, out of any moneys in the State Treasury not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, to be expended in carrying out the provisions and purposes of Sections 15507 to 15509 of the Government Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 759**—An act to amend Section 15104 of the Government Code, relating to the State's Teletype System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section", and insert "add Sections 11256, 11257, 11258, 11259, 11260, 11261, and 11262; to repeal Sections 11310, 11311, 11312, 11313, and 11314; and to amend Sections 11014 and".

#### Amendment No. 2

In line 2 of the title, strike out "the State's Teletype System", and insert "inter-agency services and transactions in the state government, declaring the urgency thereof, to take effect immediately".

#### Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Sections 11256, 11257, 11258, 11259, 11260, 11261, and 11262 are added to the Government Code, to read:

11256. Subject to approval of the Director of Finance, state agencies, including the Department of Finance, may furnish services, materials or equipment to, or perform work for, other state agencies upon such terms and conditions and for such considerations as they may determine, and, subject to such approval, may enter into agreements for such purpose. The state agency furnishing or performing said work, services, materials or equipment shall include in its charges therefor such direct and indirect costs to the state in furnishing or performing said work, services, materials or equipment as may be approved by the Director of Finance, and such state agency shall compute said charges in a manner approved by the Director of Finance.

The Director of Finance, upon such terms and conditions as he may prescribe, may except from his approval, or grant blanket approval for, the performance of any work, the furnishing of any services, materials or equipment, the entering into of any agreements, the computation of any charges, or the inclusion of any costs provided for herein.

11257. State agencies may provide for the advancing of funds as herein provided to defray the charges mentioned in Section 11256. Any state agency may, and upon order of the Director of Finance shall, authorize such advances from any fund or appropriation available to it for payment for work, services, materials, or equipment to the fund or appropriation of the state agency which is to perform such work or render such services or furnish any materials or equipment to it, an amount equal to the estimated charges therefor or in an amount determined by the Director of Finance, and the State Controller shall transfer any amounts so authorized or determined.

11258. Any state agency which expects to perform work for, or to furnish services, materials or equipment to, other state agencies pursuant to Section 11256 shall, at its request, be furnished by such other state agencies with a written estimate of the amount which such state agencies expect to expend for such work, services, materials or equipment during a designated period, not exceeding one year. The State Controller shall transfer the amount so estimated by each state agency, or such portion thereof as he may determine, provided that he shall transfer any amount ordered by the Director of Finance, from the fund or appropriation from which payment is expected to be made for such work, services, materials or equipment to the fund or appropriation of the state agency which is to perform such work, or render such services or furnish any materials or equipment."

11259. All money, except advances or transfers under Sections 11257 and 11258, received by any state agency other than the Regents of the University of California in payment of charges for work, services, materials or equipment shall be deposited in the State Treasury and credited by the State Controller to the fund or appropriation from which the cost of such work, services, materials or equipment was or will be paid.

All money received by the Regents of the University of California under this article shall be added to the other funds provided for the use of the University of California and used in the same manner.

11260. After work is performed, services are rendered or materials or equipment are furnished pursuant to advances or transfers made under Sections 11257 and 11258, the State Controller shall adjust his accounts relating to said advances or transfers in accordance with a system of accounting to be prescribed by the Department of Finance which system shall provide for the periodic crediting of funds or appropriations as set forth in Section 11259. Any agency receiving an advance or transfer under Sections 11257 or 11258 shall remain fully accountable therefor to the State Controller who shall audit claims presented to him and shall apply expenditures pursuant to such claims in reduction of the applicable advance or transfer.

11261. Amounts advanced or transferred in accordance with Sections 11257 and 11258 shall be available for expenditure for the same period and purpose as the appropriation from which the advance or transfer is made. All or any portion of the amounts so advanced or transferred may, with the approval of the Director of Finance, be returned by transfer by the State Controller to the fund or appropriation from which originally advanced or transferred under Sections 11257 and 11258, provided that upon final determination of the charges made or to be made under this article the unexpended balance of the amount advanced or transferred shall be returned to said fund or appropriation. The Director of Finance may except from his approval, or grant blanket approval for any transfers of funds authorized by this section.

11262. Whenever any payment heretofore or hereafter made by a state agency for work, services, materials or equipment performed or furnished under this article or any other law by another state agency was erroneous, in excess of the amount that should have been paid or was unearned, the State Controller shall, upon request of the state agency which received such payment, refund such erroneous, excess or unearned amount by transferring an amount equal thereto from the fund or appropriation credited with the overpayment to the fund or appropriation from which said payment was made."

#### Amendment No. 4

"SEC. 2. Section 11044 of the Government Code is amended to read:

11044. The cost of all legal services rendered by the Attorney General or his deputies or assistants for a state agency which is supported otherwise than by appropriations from the General Fund is a charge against, and shall be paid from funds available by law for the support of the agency, and shall be fixed and determined by the Attorney General. Such payments shall be paid into the State Treasury to the credit and in augmentation of the current appropriation for the support of the Attorney General's Office from which the cost of said services was or will be paid. Such costs may be prorated under a formula approved by the Department of Finance.

SEC. 3. Section 15104 of the Government Code is".

#### Amendment No. 5

On page 1, after line 7, insert

"SEC. 4. Sections 11310, 11311, 11312, 11313 and 11314 of the Government Code are hereby repealed."

#### Amendment No. 6

"SEC. 5. This act shall become operative on July 1, 1955.

SEC. 6. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The interagency transactions of the various agencies in the State Government represent a multimillion dollar volume of transactions annually which necessitates accounting procedures and controls flexible enough to maintain and reflect the current status of the separate appropriations and funds. Unless changes in such procedures become effective at the beginning of a fiscal year, a great many adjustments

in the various accounts of the state agencies must be made with a resultant increase in cost of government and possible delay in the performance of essential governmental services. It is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 483**—An act to add Section 15833 to the Government Code, authorizing the State Building Board to construct state office buildings, and making an appropriation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate April 8, 1955, after the comma, insert "and to finance by the issuance of either certificates or revenue bonds pursuant to said act,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 778**—An act to amend Section 18006 of the Government Code, relating to moving expenses of state officers and employees, declaring the urgency thereof to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 5 of the printed bill, as amended on April 8th, strike out "requested", and insert "required".

##### Amendment No. 2

On page 1, line 8, after "officer", insert a comma.

##### Amendment No. 3

On page 1, line 13, after "transporting", insert a comma.

##### Amendment No. 4

On page 1, line 14, after "lodging", insert a comma.

##### Amendment No. 5

On page 1, line 23, strike out "Such expenses shall".

##### Amendment No. 6

On page 1, strike out line 24.

##### Amendment No. 7

On page 2, line 1, strike out "new location not involving promotion."

##### Amendment No. 8

On page 2, line 2, after "covering", strike out the semicolon.

Amendments read, and adopted.

Bill ordered printed and re-referred to Committee on Finance.

**Senate Bill No. 429**—An act to amend Sections 14396, 14397, and 14399 of the Government Code, relating to performance of state contracts.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, lines 7 and 8, of the printed bill, strike out "in the place and stead of the contractor".

**Amendment No. 2**

On page 2, lines 5 and 6, strike out "in the place and stead of the contractor".

**Amendment No. 3**

On page 2, line 7, strike out "to the contractor's right".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 501**—An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the County of Santa Barbara which were heretofore transferred to and vested in said the Regents of the University of California by an act entitled "An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College, to transfer to the Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems" approved June 8, 1943, and also remising, releasing and quitclaiming to the Regents of the University of California all real property acquired by the State of California and transferred to the Regents of the University of California for the branch of the University of California at Santa Barbara pursuant to the provisions of an act entitled "An act making an appropriation for the acquisition of land for the branch of the University of California at Santa Barbara providing for the transfer thereof to the Regents of the University of California for such use, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 13, 1944.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 2, line 31, of the printed bill, strike out the words "letting, selling, leasing or any", and insert "sale or".

**Amendment No. 2**

On page 3, between lines 5 and 6, insert

"Sec. 4. In any deed conveying to any person or legal entity other than the State of California, all or any part of the real property by this act remised, released and quitclaimed, the Regents of the University of California shall reserve to the Regents of the University of California all deposits of minerals, including oil and gas, which may exist at or below a level 500 feet below the surface of the land conveyed; provided, that such deed may provide that any means by which such rights may or shall be exercised shall not interfere with or in anywise prevent enjoyment of surface use or use to a level 500 feet below the surface."



**Amendment No. 3**

On page 3, line 6, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered printer, engrossed, and to third reading.

**Senate Bill No. 769**—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Senate April 1, 1955, strike out "conducted".

**Amendment No. 2**

On page 1, line 7, after "grounds", insert "held".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1082**—An act to add Section 9414 to the Government Code, relating to witnesses before legislative committees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "felony", and insert "misdemeanor".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1397**—An act to amend Section 25450 of the Government Code, relating to contracts for construction, alteration and repair of buildings.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 25450", and insert "Sections 25450.4, 25450.5, and 25457.4".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 25450.4 of the Government Code is amended to read:  
25450.4. In counties containing a population of [2,000,000] 500,000 or over, the work referred to in Section 25450 need not be done by contract if the estimated cost thereof is less than four thousand five hundred dollars (\$4,500), exclusive of the estimated cost of materials or supplies to be furnished pursuant to Section 25457.

SEC. 2. Section 25450.5 of said code is amended to read:

25450.5. In any county containing a population of [900,000] 500,000 or over, it is unlawful to split or separate into smaller work orders or projects any public work project for the purpose of evading the provisions of this article requiring public work to be done by contract after competitive bidding. Every person who wilfully violates the provisions of this section is guilty of a misdemeanor.

SEC. 3. Section 25457.4 of said code is amended to read:

25457.4. In counties containing a population of [2,000,000] 500,000 or over and employing a purchasing agent, furnishings, materials and supplies to be used in the construction or repair of any of the works mentioned in Section 25450 and estimated as costing not more than three thousand five hundred dollars (\$3,500) may be purchased by the purchasing agent in accordance with Article 7 of this chapter without the formality of obtaining bids, letting contracts, preparing specifications, or the other things required by this article, and the estimated cost thereof shall not be considered or included in the estimate of the cost of construction for the purposes of Section 25450 and 25450.4."

**Amendments read, and adopted.**

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1539** -An act to amend Sections 302, 303, 308, 981, 1059, and 2604 of, and to renumber and amend Sections 352, 353, and 354 of, to add Section 355 to, and to repeal Sections 132, 304, 351, and 2058 of, and to repeal the heading of Article 2 of Chapter 2 of Part 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

##### **Amendment No. 1**

On page 4 of the printed bill, as amended in the Senate April 1, 1955, on line 25, after "examination," insert "Any appointment by the director of a person to the position of executive secretary provided by this section shall not be an exempt appointment to which the director is entitled under subdivision (a) (5) of Section 4, Article XXIV of the State Constitution."

**Amendment read, and adopted.**

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 500**- An act to amend Section 16272 of the Education Code, relating to school busses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1038** -An act to add Section 3151.1 to the Education Code, relating to the election of members of governing boards of county high school districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1116**-An act to amend Sections 5085 and 7778 of the Education Code, relating to the Public School System declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1392** -An act to amend Section 19601 of the Education Code, relating to child care centers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

#### Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 19601, 19601.5, 19601.6, 19601.7, 19604, 19607.1, 19607.2, 19607.4, 19607.6, 19608, 19610, 19611, and 19613 of, to add Sections 19608.1, 19611.3, and 19614.1 to, and to repeal Section 19620 of, the Education Code, relating".

#### Amendment No. 2

In line 2 of the title, before the period, insert ", making an appropriation, and declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 19601 of the Education Code is amended to read:

19601. The policy of the Legislature in enacting this chapter is to continue to provide [until June 30, 1955, a means for meeting an emergency, existing in certain communities in the State, created] *care and supervision necessitated* by the employment of women with children, [due to the increased drafting of men in the armed forces, and the extended operations increase industries, as a result of the troubled and unsettled world conditions,] without imposing additional taxes on property which the owners of such property cannot, because of the burden now imposed, be reasonably expected to bear.

SEC. 2. Section 19601.5 of said code is amended to read:

19601.5. The need of a parent and child for child care center service shall be determined upon the following conditions:

(a) That there is but one parent in the home who both supports and cares for the child, or

(b) That there are two parents in the home, both of whom are working, or one of whom is physically or mentally unable to either support the family or care for the child, or

(c) That either parent is a veteran attending school or receiving instruction under the Servicemen's Readjustment Act of 1944 or Veterans Readjustment Assistance Act of 1952 or under Article 2, Chapter 6, Division 4 of the Military and Veterans Code, and the other parent, if any, is gainfully employed, or

(d) That the services of the parent having care of the child are necessary as a qualified and acceptable teacher in a public school or as a qualified and acceptable worker to serve in the care and guidance of children in a child care center or a supervisor of a child care program, as shall be evidenced by a statement from the employing authority of the public school to the governing body of the child care center, or

(e) That the services of the parent having care of the child are necessary as a registered nurse, as shall be evidenced by a statement from the responsible employer to the governing body of the child care center, or

(f) That the services of the parent having care of the child are necessary as a worker in industry essential to the mobilization effort, as shall be evidenced by a statement from the employer in such industry as shall have been designated as essential to the mobilization effort by the Director of Employment, or

(g) That the services of the parent having care of the child are necessary to meet an emergency arising from the necessity of harvesting or processing crops, or as an agricultural worker where the employer shall have established facilities for use by the child care centers, or

(h) That the parent having care of the child is attending school or receiving instruction under the State Vocational Rehabilitation Program, as shall be evidenced by a statement from that agency.

The need for child care of a parent and child who come within (a) and (b) of this section shall take precedence over the need for child care of a parent, or parents, and child who come within (c) to [(g)] (h), inclusive, of this section.

SEC. 3. Section 19601.6 of said code is amended to read:

19601.6. Except as provided in Section 19601.7, no child shall be admitted to a child care center if the total monthly income from all sources of the child's immediate family:

(a) Where both parents are working, exceeds three hundred [thirty dollars (\$330)] *eighty-five dollars (\$385)* if there is one child in the family, [three hundred



eighty-five dollars (\$385)] *four hundred forty dollars (\$440)* if there are two children, four hundred [forty dollars (\$440)] *ninety-five dollars (\$495)* if there are three children, and an additional fifty-five dollars (\$55) for each child in excess of three.

(b) Where but one parent, who has both custody and care of the child, is the sole wage earner of the child's immediate family, exceeds two hundred seventy-five dollars (\$275) if there is one child in the family, three hundred thirty dollars (\$330) if there are two children, three hundred eight-five dollars (\$385) if there are three children, four hundred forty dollars (\$440) if there are four children, and an additional fifty-five dollars (\$55) for each child in excess of four.

Except as provided in Section 19601.7 the maximum "total monthly income" figure in either case may be exceeded in any month or months of the year if in the opinion of the board the total income from all sources, of the child's immediate family for the calendar year divided by 12 will not exceed such maximum. *In computing the maximum "total monthly income" of self-employed persons the gross income of such persons may be reduced by the legitimate business expenses incident to the self-employment.* In estimating earnings of any member of the child's immediate family the computation of weekly wages shall be on the basis of wages based on a five-day week if the employer of such person certifies to said governing board that the work week of such person is five days or more.

SEC. 4. Section 19601.7 of said code is amended to read:

19601.7. If either parent is a veteran coming within (c) of Section 19601.5 and is attending school or receiving instruction for not less than half-time, or if the parent or if either parent comes within (a), (d), (e), (f), [or] (g), or (h) of Section 19601.5, and if the income from all sources of the child's immediate family exceeds that fixed by Section 19601.6, *but is not greater than three times the amount fixed by Section 19601.6*, a child of such parent may be admitted to a child care center but the governing board of the school district maintaining the child care center shall, notwithstanding anything in Section 19607 to the contrary, charge and collect from the person having custody of the child, *except a parent coming within (a) of Section 19601.5*, a weekly fee which shall be in such amount as will reimburse the district for the cost of supervision, care, and the cost of all food furnished such child. *The governing board shall charge a parent coming within (a) of Section 19601.5 the fee required for the applicable maximum income as provided in Section 19601.6, plus, for each full \$10 of an additional \$55 of income, one-fifth of the difference between that fee and the amount which will reimburse the district for the cost of supervision, care, and all food furnished the child.*

As applied to the families of men on active duty with the United States armed forces, only that portion of the pay and allowances of such men shall be included in the "total monthly income" which is the amount legally required to be made available for the support of the family by rule or regulation.

SEC. 5. Section 19604 of said code is amended to read:

19604. The said governing board may permit the use of and furnish maintenance for buildings, grounds, and equipment, and the use of existing administrative personnel [and equipment] for the purposes of this chapter.

SEC. 6. Section 19607.1 of said code is amended to read:

19607.1. It is hereby declared to be the policy of the Legislature that, on a state-wide average, of the total amount of the cost for the maintenance and operation of child care centers [attributable to children less than five years and nine months of age] paid for by state funds apportioned to the districts and fees collected from parents [on account of such children], two-thirds of such total cost shall be paid from such state funds and one-third from such fees. Funds derived from district taxes levied under this chapter may be expended in addition to parent fees and state funds, and shall not operate to affect the operation of either the fee schedule or the formula for apportioning state funds provided for in this chapter.

SEC. 7. Section 19607.2 of said code is amended to read:

19607.2. The Superintendent of Public Instruction shall prepare a schedule of fees which shall be used by each school district for the charging of fees to parents. [The] *For parents who come within the provisions of Section 19601.6, the schedule shall be on a sliding scale, ranging from a lesser amount for parents within low income levels to a higher amount for higher income levels [for parents who come within the provisions of Section 19601.6]. The schedule shall [, together with the estimated income to be derived from fees collected from parents pursuant to Section 19601.7,] provide as nearly as possible an amount equal to [one-half of the state-wide average state support per hour for children less than five years nine months of age as provided in this code] thirteen cents (\$0.13) per hour per child.* The fee schedule shall be on an hourly basis, and shall be [the same for all children] *uniformly applied.*

SEC. 8. Section 19607.4 of said code is amended to read:

19607.4. The state-wide average state support per hour *per child* shall be twenty-six cents (\$0.26) [for children less than five years nine months of age and nineteen cents (\$0.19) for other children]. The Superintendent of Public Instruction shall apportion state funds to the districts using [said state-wide average state support as a maximum, except that if] *twenty-six cents (\$0.26) per hour per child. If the*



fees collected by any district shall for any month be [more or] less or more than [one-half of the state-wide average state support per hour for children less than five years nine months of age, the average state-wide state support amount] *thirteen cents (\$0.13) per hour per child, the amount of the apportionment shall be increased or decreased in an amount equal to the amount by which the fees [deviate from one-half of the average statewide state support; provided,] collected are less or more, respectively, than thirteen cents (\$0.13) per hour per child, except that in no event shall the [state] amount apportioned exceed thirty-one cents (\$0.31) [for children less than five years nine months of age or twenty three cents (\$0.23) for other children] per hour per child.*

SEC. 9. Section 19607.6 of said code is amended to read:

19607.6. Hours of attendance of children of, and fees collected from, parents [pursuant to Section 19601.7 of] *required by this chapter to pay the full cost of supervision, care, and all food of a child in a child care center shall not be used in [making the computations required by Section 19607.1] computing amounts under Section 19607.6.*

SEC. 10. Section 19608 of said code is amended to read:

19608. The said governing board shall establish in the county treasury a fund to be known as the "Child Care Center Fund" into which shall be paid all funds received by the district for, or from the operation of, child care centers, including, but not limited to, all funds derived under Sections 19613.7 and 19613.8. The costs incurred in the maintenance and operation of child care centers shall be paid from said fund, *except that any contributions authorized or required to be paid by the district on account of services of employees of a child care center to a retirement system shall be paid from the general fund of the district or from funds of the district derived from a special tax levied pursuant to Section 14725 or 14775 of the Education Code or Section 20532 of the Government Code.*

No other funds of a district derived from the receipts of district taxes, except a district tax levied under Sections 19613.6 and 19613.8, or derived from moneys apportioned to the district for the support of the schools thereof, except state moneys expressly appropriated from the General Fund for the support of child care centers, may be expended for, or in connection with, a child care center.

SEC. 11. Section 19608.1 is added to said code, to read:

19608.1. If during any fiscal year there is apportioned to the "Child Care Center Fund" more or less than the amount to which the fund was entitled, the Superintendent of Public Instruction during the next or any succeeding fiscal year shall withhold from, or add to, the apportionment during such next or succeeding year, the amount of such excess or deficiency.

SEC. 11.5. Section 19610 of said code is amended to read:

19610. The said governing board shall employ in [or for] *positions pertaining to the care and guidance of children or supervision of a child care [center] program only such persons who hold permits authorizing the service, issued by the Superintendent of Public Instruction. Other employees are not required to hold permits, except that employees handling food or working daily in direct contact with children, and who are not required by district regulation or public health requirements to have physical examinations, shall obtain valid permits of the appropriate type.* Each person employed by the governing board of a school district for a position requiring a permit shall, not later than 60 days after the date fixed by the governing board of the district for the commencement of his service, file with the county superintendent of schools a valid permit issued on or before said date, authorizing him to serve in the position for which he was employed, and must, not later than 60 days after the renewal thereof, file the renewal permit in the same manner.

SEC. 12. Section 19611 of said code is amended to read:

19611. [No] *Each person employed by a school district in a child care center under the provisions of this chapter shall be deemed for all purposes, including retirement, to be a person employed by [a] the school district in a position not requiring certification qualifications [or employed in a status requisite for membership in the State Teachers' Retirement System or district retirement system, or], except that he shall not be [an employee] subject to the provisions of Article 5 of Chapter 13 of Division 7 of this code.*

SEC. 13. Section 19611.3 is added to said code, to read:

19611.3. Each person employed by a school district on the date this section becomes operative who was theretofore excluded, solely by reason of the provisions of Section 19611 in effect prior to that date, from membership in any retirement system in which the district participates or to which it contributes for the purpose of providing retirement rights and benefits for employees of the district not employed in a status requisite for membership in the State Teachers' Retirement System, shall become a member of the retirement system from which he was so excluded, on the date this section becomes operative. Every such member shall be entitled to credit for service in child care centers previously rendered, in the same manner as if he had not theretofore been excluded from membership in the retirement system, except that he shall not be required to make any contributions to the retirement system in respect to such service rendered prior to his membership, and all contributions necessary to provide benefits on account of such service shall

be paid to the retirement system by the school district by which the member is employed.

Sec. 14. Section 19613 of said code is amended to read:

19613. The State Department of Education is hereby authorized to accept funds from the Government of the United States and to apportion them to the governing board of such school districts as conduct child care centers which are hereby authorized to accept such funds or funds from any other source for any of the purposes of this chapter and all such funds may be accepted subject to such conditions as will further the purposes of this chapter. [The State Department of Education shall report to the Legislature at the beginning of the 1952 Budget Session its estimate of the amount necessary for the continuance of this program to its terminal date June 30, 1953, and its recommendations for the expansion or modification of the child care program.]

Sec. 15. Section 19614.1 is added to said code, to read:

19614.1. Any unencumbered balance remaining in a district "Child Care Center Fund" may be deposited in the General Fund of the school district one year after the discontinuance of its child care center program pursuant to Section 19614 or Section 19618.

Sec. 16. Section 19620 of said code is repealed.

Sec. 17. The sum of four million five hundred thirty-five thousand eight hundred dollar (\$4,535,800) is hereby appropriated out of the General Fund in the State Treasury to the Department of Education to be used for support of child care centers until June 30, 1956, of which amount not more than twenty thousand dollars (\$20,000) shall be used for the cost to the department in administering this act.

The department shall make apportionments to school districts from the money appropriated for child care centers on or before July 1 of the year for which appropriated and on or before January 1, and April 1. The amount of any apportionment shall be based on estimates made by the department of the total number of hours of attendance of children in the centers for the period commencing on the date such apportionment is made until the date for the next apportionment, or in the case of the apportionment for April 1st, until June 30th. The amount of each apportionment for each school district maintaining child care centers shall be not more than the estimated amount of state support per hour based on the computation provided for in Section 19607.4 of the Education Code, and in accordance with the estimated fees to be collected under the fee schedule as provided in Section 19607.2. If the amount of the apportionments made to a school district exceeds the amount that would have been apportioned had such apportionment been based on actual rather than estimated attendance, the school district shall repay to the department the amount of such excess from any available funds of the district and such amount is a charge against such funds. Such repayment shall be made on or before the next July 15th, and the department may use such repayments to make payments to a school district in an amount not to exceed the amount by which the apportionments to such district were less than the amount which would have been apportioned to such district had such apportionment been based on actual rather than estimated attendance. Such payments shall be made on or before July 30th of the same year.

Sec. 18. This act shall become operative on July 1, 1955.

Sec. 19. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1955. A statement of the facts constituting such necessity is as follows:

To prevent the closing of established child care centers and the consequent disruption of the economic life of the State by the withdrawal from industry, essential during this troubled and unsettled time, of parents and others responsible for the care of minor children, it is necessary that public funds be made available for financial assistance to child care centers where a demonstrated need for such centers can be shown so that parents who are engaged or hereafter engage in work may have assurance of proper care for their minor children during the hours of their employment or for the proper care of children one of whose parents may be incapacitated by illness or other disability."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 429**—An act to amend Section 4538 of the Elections Code, relating to campaign statements.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 841**—An act to repeal an initiative act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved by the electors November 2, 1920, relating to rights of aliens, to provide for the submission of said act to the electors, in accordance with Section 1b of Article IV of the Constitution of California, at the general election on November 4, 1956.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2155**—An act to amend Section 2500 of the Elections Code, relating to primary elections, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 248**—An act to amend Section 1 of Chapter 12 of the 1950 Third Extraordinary Session, relating to war voter provisions of the Elections Code.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

##### Amendment No. 1

In line 3, of the title of the printed bill, as amended in Assembly March 10, 1955, after the comma insert "to repeal Section 2 of Chapter 291 of the Statutes of 1953, and to amend Section 48 of the Elections Code,".

##### Amendment No. 2

On page 1, after line 11, insert

"SEC. 2. Section 2 of Chapter 291 of the Statutes of 1953 is repealed.

SEC. 3. Section 48 of the Elections Code is amended to read:

48. "War voter" refers to an elector who comes within one of the following categories:

(a) Member of the armed forces of the United States or any auxiliary branch thereof.

(b) Employed by the United States and serving outside the territorial limits of the United States.

(c) Employed by the American Red Cross and serving outside the territorial limits of the United States.

(d) Employed as an officer or member of the crew of a merchant vessel documented under the laws of the United States and serving outside the territorial limits of the United States.

(e) *Members of religious groups or welfare agencies assisting members of the armed forces, who are officially attached to and serving with the armed forces.*

(f) *Spouses and dependents of the person enumerated herein.*

*Subsections (e) and (f) of this section shall become operative only upon the enactment of federal legislation designating the persons mentioned in such subsections as war voters."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**Assembly Bill No. 2007**—An act to amend Sections 3710, 3710.1, 3710.2, 3711, 3712, and 3715 to the Labor Code, relating to workmen's compensation insurance.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 1120**—An act to add Section 95 to the Agricultural Code, relating to State, district, and county fairs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 366**—An act adding Sections 31470.7, 31478, 31479, 31480, 31641.1, 31641.2, 31641.3, 31641.4, 41641.8, and 31641.9 to, and amending Section 31641 of, the Government Code, relating to county retirement systems.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 3, line 5, of the printed bill, as amended in Assembly March 18, 1955, strike out "the", and insert "if such member so requests, the".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1982**—An act to amend Sections 16430 and 16431 of the Education Code, relating to supervision and control of school safety patrols.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 285**—An act to amend Section 9760 of the Elections Code, relating to time for filing papers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

##### Amendment No. 1

On page 1, line 7, of the printed bill, as amended in Assembly March 17, 1955, strike out "fortieth", and insert "twenty fifth".

##### Amendment No. 2

On page 1, line 8, strike out "If a regular municipal election is to occur not", strike out lines 9 to 15, inclusive; and on line 16, strike out "bent".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**Assembly Bill No. 256**—An act to amend Section 656 of the Elections Code, relating to the qualifications for precinct officers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 656", and insert "Sections 656 and 657".

##### Amendment No. 2

On page 1, following line 7, insert

"SEC. 2. Section 657 of said code is amended to read:

657. In consolidated election precincts the election officers appointed therefor and who act therein shall be voters of one of the precincts of which the consolidated precinct is composed or voters of precincts situated in the same general area of the



*municipality or judicial district as the consolidated precinct for which they are appointed and in which they act."*

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 258**—An act to amend Section 665 of the Elections Code, relating to appointment of election officers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

##### Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "or city council of any municipality, or the board of directors of any district", and insert "as defined in Section 44 of this code".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 259**—An act to amend Section 675 of the Elections Code, relating to notice to inspectors showing polling place and persons appointed.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

##### Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "county clerk or the city clerk or the secretary of any district", and insert "clerk, as defined in Section 18".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 264**—An act to amend Section 3819 of the Elections Code, relating to designation of office held by or occupation of candidates.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

##### Amendment No. 1

On page 2, line 44, of the printed bill, as amended in Assembly March 17, 1955, after "didate," insert "Notwithstanding any other provision of law,".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 267**—An act to amend Section 5902 of the Elections Code, relating to comparison of signature and address of applicant for absent voter's ballot.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 5902 of", and insert "amend Sections 5902 and 7801 of, and to add Sections 5902.1 and 7841.5 to,".

**Amendment No. 2**

Strike out line 2 of the title, and insert "to".

**Amendment No. 3**

On page 1, after line 15, insert

"SEC. 2. Section 5902.1 is added to said code, to read:

5902.1. The city clerk of any municipality, or the secretary or any other officer in charge of an election in a district, upon receipt of an application for an absent voter's ballot within the proper time shall file it and then deliver to the applicant personally or by mail at the mailing address given in the application, an official ballot of the precinct of the applicant, an identification envelope and a return envelope. On or before the day of election, the city clerk, or secretary, or other officer in charge of an election in a district, shall compare the signature on the application with the signature upon the original affidavit of registration and the place of residence as given in the application with that in the affidavit of registration. If it appears that the signature on the application is that of the person who signed the original affidavit of registration and that the place of residence as shown thereon is in the same precinct as appears on the affidavit, he shall so certify to the election board at the beginning of the canvass of the ballots.

SEC. 3. Section 7801 of said code is amended to read:

7801. As soon as all absent voter ballots issued have been received or returned and accounted for *each election board may*, and in no case later than seven days after any election each election board shall, count and canvass all of the ballots.

SEC. 4. Section 7841.5 is added to said code, to read:

7841.5. In beginning the canvass for an election in any municipality or in any district, the election board shall take up the identification envelopes containing the ballots separately in the presence of a majority of the members of the board, and of the public who may be present, and compare the signature of the voter on each of these envelopes with that on the application of the voter which has previously been compared with the signature on the registration affidavit of the voter by the city clerk of the municipality or the secretary or other officer having charge of the election in any district."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 277**—An act to amend Section 9750 of the Elections Code, relating to time for notice.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly March 4, 1955, strike out "Section 9750", and insert "Sections 9750 and 9751".

**Amendment No. 2**

In line 2 of the title strike out "time for".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, after line 16, insert

"SEC. 2. Section 9751 of said code is amended to read:

9751. The notice of the municipal election shall be substantially in the following form:

**Notice of Election**

Notice is hereby given that a ----- ([regular] general or special) municipal election will be held in the ----- of -----, on -----, the ----- day of -----, 19-----, for the following officers: (name them). [(In case there are any measures to be submitted, insert the following clause.) The following measures will be submitted at the election: (give brief synopsis of same).]

There will be ----- voting precincts for the purpose of holding the election, consisting of either the regular election precincts established for holding State or county elections or a consolidation of some or all of such precincts, as follows: Voting precinct "A," comprising state and county precinct number (or numbers) -----, and -----, and the polling place shall be at (stating place); voting precinct "B," comprising state and county precinct number (or numbers) -----, and -----, and the polling place shall be at (stating place).]

The polls will be open between the hours of ----m. and ----m.

Dated, -----,"

City clerk

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 279**—An act to amend Section 9752 of the Elections Code, relating to sample ballots.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9752", and insert "Sections 9752 and 9753".

##### Amendment No. 2

In line 2 of the title, strike out "sample ballots", and insert "election supplies".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 3

On page 1, after line 8, insert

"SEC. 2. Section 9753 of said code is amended to read:

9753. Polling place cards [need not be printed or distributed for a municipal election, unless it is intended, for the holding of that election, to consolidate some of the regular election precincts last established for State or county election purposes, in which event the city clerk shall prepare polling place cards and mail them to the voters in the same manner as at general elections.] *shall be printed and mailed to each registered voter for any municipal election in accordance with the time provided by Section 3711 of this code.*

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 281** An act to amend Section 9754 of the Elections Code, relating to list of nominees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

##### Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Sections 9754.1 and 9755.1 to,".

##### Amendment No. 2

In line 2 of the title, strike out "list of nominees", and insert "elections".

**Amendment No. 3**

On page 1, after line 24, insert

"SEC. 2. Section 9754.1 is added to said code, to read:

9754.1. Not later than 40 days prior to any municipal election, the city clerk shall publish a notice, which notice shall be headed "Election Officers and Polling Places" in conspicuous type and shall be substantially in the following form:

ELECTION OFFICERS AND POLLING PLACES

There will be ----- voting precincts for the purpose of holding the election, consisting of either regular election precincts established for holding state or county elections or a consolidation of some or all of such precincts as follows:

Voting Precinct 1, comprising state and county precinct number (or numbers)

The polling places shall be at ----- (state place)

Inspector (name)

Judge (name)

Clerk (name)

Clerk (name)

The polls will be opened between the hours of ----- m. and ----- m.

-----  
City Clerk

City of -----

SEC. 3. Section 9755.1 is added to said code, to read:

9755.1. Not later than 40 days prior to any municipal election, the city clerk shall publish a notice, which notice shall be headed "Election Officers and Polling Places" in conspicuous type and shall be substantially in the following form:

ELECTION OFFICERS AND POLLING PLACES

There will be ----- voting precincts for the purpose of holding the election, consisting of either regular election precincts established for holding state or county elections or a consolidation of some or all of such precincts as follows:

Voting Precinct 1, comprising state and county precinct number (or numbers)

The polling places shall be at ----- (state place)

Inspector (name)

Judge (name)

Clerk (name)

Clerk (name)

The polls will be opened between the hours of ----- m. and ----- m.

-----  
City Clerk

City of -----

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 741, 1851, 12 and Assembly Bill No. 23 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 741, 1851, 12 and Assembly Bill No. 23 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1344**—An act to amend Section 1012 of the Military and Veterans Code, relating to the Veterans' Home.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Cobey, Coombs, Cunningham, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Constitutional Amendment No. 29**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 31b of Article IV thereof, adopted November 8, 1932, which relates to the acquisition and holding of stock of mutual water companies by the City of Escondido, by repealing Section 31c of Article IV thereof, adopted November 3, 1942, by repealing Section 31d of Article IV thereof, and by amending Section 13 of Article XII thereof, relating to the ownership of capital stock in water companies.

Resolution read.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed measure, strike out "by repealing", and insert "as follows:  
First. That".

**Amendment No. 2**

On page 1, line 10, strike out "by repealing", and insert "and".

**Amendment No. 3**

On page 1, line 10, strike out "31d", and insert "31c".

**Amendment No. 4**

On page 1, line 11, strike out "by repealing", and insert "and".

**Amendment No. 5**

On page 1, strike out lines 12 and 13, and insert "IV thereof be repealed. Second. That Section 13 of Article XII thereof be amended to read:".

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 1971**—An act to add Sections 197.5 and 2107.5 to, and to amend Section 2108 of, the Streets and Highways Code, relating to the allocation and expenditure of funds for city street purposes.

**Motion to Re-refer Senate Bill No. 1971**

Senator J. Howard Williams moved that Senate Bill No. 1971 be referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1851**—An act to amend Sections 2873.5, 2892, and 2895 of, and to add Sections 2872.1 and 2878.6 to, the Business and Professions Code, relating to vocational nursing.

**Senate Bill No. 220**—An act to amend Sections 470, 471, and 472 of the Fish and Game Code, relating to the licensing of guides.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Donnelly, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1238**—An act to amend Section 19209 of, and to add Article 9.5, comprising Sections 19215 to 19215.8, inclusive, to Chapter 3 of Division 8 of the Business and Professions Code, relating to furniture and bedding.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Donnelly, Grunsky, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1241**—An act to add Sections 19063, 19064, 19211, and 19212 to the Business and Professions Code, relating to furniture and bedding.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1524**—An act to amend Section 16601 of the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1525**—An act to amend Section 1503 of the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 12**—An act to add Section 2626.1 to, and to amend Sections 2665 and 2668 of, the Business and Professions Code, relating to physical therapists, declaring the urgency thereof, to take effect immediately.

## UNFINISHED BUSINESS

## Consideration of Assembly Amendments

**Senate Bill No. 1104**—An act to add Sections 1047, 1048, and 1049 to the Military and Veterans Code, relating to the Veterans' Home of California.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1104?

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Senate March 22, 1955, strike out "residents", and insert "members".

**Amendment No. 2**

On page 1, line 12, strike out "residents", and insert "members".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1104 by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Above bill ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 23**—An act to add Section 1340.8 to the Fish and Game Code, relating to bears.

**Assembly Bill No. 1673**—An act to amend Section 696 of the Fish and Game Code, relating to the canning or smoking of striped bass.

Bill read third time, and presented by Senator Ed. C. Johnson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Cobey, Coombs, Cunningham, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1976**—An act to repeal Sections 783, 784, 801.5 and 971 of, and to add Sections 783, 801.5, 970.5 and 971 to, the Fish and Game Code, relating to lobsters.

Bill read third time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 1, of the printed bill, after "971" insert "of the Fish and Game Code".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Assembly Bill No. 663**—An act to amend Section 2733.5 of the Business and Professions Code, relating to professional nurses.

Bill read third time, and presented by Senator John F. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3514**—An act to amend Section 1700 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 89

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 89**—Relative to the passing of Harvey S. Mudd.

#### Request for Unanimous Consent

Senator Brown asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 89, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 89

**Assembly Concurrent Resolution No. 89**—Relative to the passing of Harvey S. Mudd.

Resolution read, and, on a rising vote of the following Senators, unanimously adopted:

Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

Resolution ordered transmitted to the Assembly.



**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 3319

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 326**

Senator Sutton moved that Senate Bill No. 326 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 326**—An act to add Chapter 7A to Title 9 of Part 1 of the Penal Code, relating to crime comic books.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 14, 1955, strike out "Chapter 7A to Title 9 of Part 1 of the Penal", and insert "Sections 700.1 and 700.2 to the Welfare and Institutions".

**Amendment No. 2**

On page 1, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 700.1 is added to the Welfare and Institutions Code, to read:

700.1. As used in Section 700.2 the term "crime comic book" means any book or magazine in which is depicted, by means of drawings the".

**Amendment No. 3**

On page 1, in line 24, strike out "this code, or", and insert "the Penal Code, except when such commission or attempted commission is an actual historical occurrence or is an occurrence actually set forth in the sacred scriptures of any religion.

SEC. 2. Section 700.2 is added to said code, to read:

700.2. Whenever, in any proceeding under Section 700 to extend the jurisdiction of the juvenile court to a person under the age of 21 years, it appears from the evidence that the habitual reading of crime comic books by said minor is partially or wholly responsible for said minor being a person described in any of the subdivisions of Section 700, the court may compel the attendance of any person who sold said crime comic books to said minor and require such person to produce any crime comic books which he has available for sale, and may also require the district attorney or his deputy to be present and examine said person and said crime comic books together with crime comic books sold to, and found in the possession of, said minor, to determine whether sale of said books may constitute a violation of any provision of Section 311 of the Penal Code."

**Amendment No. 4**

On page 1, strike out lines 25 to 29, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 265**

Senator Dorsey moved that Senate Bill No. 265 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 265**—An act to add Chapter 15, comprising Sections 8290, 8291, and 8292, to Part 2 of Division 9 of the Streets and Highways Code, relating to the annexation of territory to separation of grade districts.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "add", insert "Sections 8134, 8161, 8192.5, and".

**Amendment No. 2**

In lines 1 and 2 of the title, strike out ", comprising Sections 8290, 8291, and 8292".

**Amendment No. 3**

In line 2 of the title, after the second "of", insert ", and to amend Sections 8101, 8191, and 8194 of".

**Amendment No. 4**

In line 3 of the title, strike out "the annexation of territory to".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 5**

On page 1, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 8101 of the Streets and Highway Code is amended to read: 8101. As used in this part:

(a) "Project" means an overpass, underpass, or tunnel, or any combination thereof, *at a single crossing*, the planning, construction and maintenance of which is authorized by this part.

(b) "District" means separation of grade district.

(c) "County" means the county in which the district or proposed district is situated.

(d) "Board" means board of supervisors of the county in which the district or proposed district is situated.

(e) "Commission" means the commission provided in Chapter 3 of this part.

SEC. 2. Section 8134 is added to said code, to read:

8134. Each commissioner shall receive ten dollars (\$10) for each meeting of the commission attended by him, not exceeding two meeting during any one calendar month, together with expenses necessarily incurred by him in traveling between his place of residence and the place of meeting, and while traveling in connection with the business of the commission, when previously authorized by the commission.

SEC. 3. Section 8161 is added to said code, to read:

8161. Notwithstanding the provisions of Section 8117, upon the completion of the surveys referred to in Section 8160 and upon recommendation of the engineer or engineers, in which recommendation shall be included the estimate of cost of each proposed improvement, the commission by resolution duly adopted and recorded in its minutes may approve any changes in the location or locations of the projects described by the board of supervisors in its resolution of intention to form the district, as to the commission may appear reasonable and proper under the circumstances. The said resolution shall set forth the reasons for such changes or additions and the cost of each project as recommended in the engineer's report.

SEC. 4. Section 8191 of said code is amended to read:

8191. The order shall fix the day of the election, *shall describe the exact location of each project for which bonds are to be issued*, shall specify the amount of the bond issue for each project, and shall state in general terms that the money raised from the sale of the bonds for each project shall be used *only* for the acquisition of rights of way for and the construction of, *the project for which bonds shall have been issued* [a project or projects in the district]. If the election is called for the payment of a contract entered into by the commission the order shall state the terms of the contract in such manner as will advise the electors of its contents. Any money raised by means of a bond issue which remains on hand after the acquisition of rights of way and construction have been completed, shall be expended

in the betterment and maintenance of the project *for which the bonds have been voted.*

SEC. 5. Section 8192.5 is added to said code, to read:

8192.5. On the ballot at the election each project shall be submitted as a separate proposition, together with a description of the exact location of the project and a statement of the amount of bonds to be issued for the project.

SEC. 6. Section 8194 of said code is amended to read:

8194. If at the election two-thirds, or more, of the votes cast *on a proposition* are in favor of the issuance of bonds *for the project described in the proposition for which bonds are proposed to be issued*, the commission is authorized to *and shall* issue and sell the bonds as proposed in the order calling the election *for such project*. If the result of the election is against the issuance of bonds *for any or all projects*, no other election upon the same [question] *project or projects defeated in such election* shall be called or held for one year after such election.

SEC. 7. Chapter 15 is added to Part 2 of Division 9 of said code, to read:—

#### **Amendment No. 6**

On page 1, line 6, after “to”, insert “or included in”.

#### **Amendment No. 7**

On page 1, line 16, after “city”, insert “; except such portion or portions thereof which the city council has determined, in proceedings under this chapter, will not be benefited by inclusion in the district”.

#### **Amendment No. 8**

On page 1, between lines 16 and 17, insert

“8291. Prior to the completion of proceedings for the annexation or inclusion of unincorporated territories to or within a city which is a part of a separation of grade district the city council shall adopt a resolution containing the following:

(a) A description of the unincorporated territory involved in the annexation or inclusion proceedings.

(b) A statement that unless excluded by the city council all portions of such unincorporated territory shall upon annexation to or inclusion within the city be included within the district, and naming the district.

(c) A statement of the time and place at which objections to inclusion within the district will be heard, which time shall be not less than 30 days after the adoption of the resolution.

8292. The resolution shall be published at least once a week for two weeks in a newspaper of general circulation published in the territory proposed to be annexed or included. The first publication shall be made at least 20 days prior to the date of the hearing.

8293. The hearing may be continued from time to time and from place to place for not exceeding a total of 60 days by public declaration thereof, and no other notice of the fact of such continuance need be given.

8294. At the hearing, the city council shall hear all relevant and pertinent objections to inclusion of any portion or portions of the territory within the district and may, in its discretion, hear arguments against the objections urged.

8295. At the hearing, or within 20 days after the adjournment thereof, the city council shall by resolution determine what, if any, portion or portions of the territory should not be included within the district because not benefited by such inclusion.”

#### **Amendment No. 9**

On page 1, line 17, strike out “8291”, and insert “8296”.

#### **Amendment No. 10**

On page 1, line 23, after “city”, insert “and of the resolution determining what portion or portions of the territory should not be included in the district because not benefited by such inclusion.”

#### **Amendment No. 11**

On page 2, line 1, strike out “8292”, and insert “8297”.

#### **Amendment No. 12**

On page 2, line 2, after “ordinance”, insert “, and resolution,”.

#### **Amendment No. 13**

On page 2, line 2, strike out “8291”, and insert “8296”.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 928

Senate Bill No. 1851

Senate Bill No. 1353

Senate Bill No. 1971

And reports the same correctly engrossed.

WARD, Chairman

## Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 286

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

MURDY, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 1299

Senate Bill No. 874

Senate Bill No. 200

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 12; absent 1.

MURDY, Vice Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 3345

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; noes 1; absent 1.

MURDY, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 193

Assembly Bill No. 3

Senate Bill No. 1515

Assembly Bill No. 1969

Senate Bill No. 1537

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 12; absent 1.

MURDY, Vice Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 1082

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

MURDY, Vice Chairman

Above reported bill ordered to second reading.



**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred: Senate Bill No. 1114

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 5; absent 4.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred: Assembly Bill No. 3261

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred: Senate Bill No. 921

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

MURDY, Vice Chairman

Above reported bill ordered to second reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Ward, President pro Tempore of the Senate, asked for, and was granted, unanimous consent to have the record show that the following named members of the Revenue and Taxation Committee, consisting of Senators McBride, Breed, Burns, Dilworth, Gibson, Hulse and Kraft, were absent from the Senate Chamber on this legislative day due to a regularly scheduled meeting of the committee and therefore were not available to answer roll call.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 11.27 a.m., on motion of Senator Brown, further proceedings under the call of the Senate were dispensed with.

**ADJOURNMENT**

At 11.30 a.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Monday, April 18, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY  
SIXTY-NINTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Monday, April 18, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### PLEDGE OF ALLEGIANCE

Senator Breed led the Senate in pledging allegiance to the Flag.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator J. Howard Williams, on motion of Senator Hulse, due to personal business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Michael Golden and Charles Vogel of Pomona.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ronald Bartels of Fillmore and Bruce Young of New York City, both students at Pomona College.

On request of Senators Brown and Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Allen Anderson of Trona.

On request of Senators Dilworth and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Jack P. Lee and the following students from Livermore Joint Union High School District: Ray Bannuelos, Estelle Belanger, Jim Bledsoe, Evelyn Bothwell, Drew Burr, Phillip Butterfield, Larry Campiotti, Margaret Chaney, Diana Davidson, Bill Davis, John DePonte, Richard Dickinson, Bernice Etheridge, Arthur Firmes, Glenda Fox, Harry Frates, Carol Gates, Jim Grover, Donald Houser, Claire Howarth, Donald Hughes, Ruben Hurtado, Ron Kennedy, Larry Kimberling, Louis Madsen, Stanley Marciel, Ray Maestas, Ronald Maher, Lillis Mellor, Ken O'Brien, Bryan Paslay, Donald Pringle, Jim Rego, Annabeth Rehder, Robert Senft, Joan Sorensen, Karen Sorensen, Shirley Thomas, Jerry Wackerly, Colleen Walker, Bill Wagoner, Mary Wood, Pauline Hanky, Geraldine Ormsby, Bill Brewer, Sandi Van Ormer, and Jo Ann Livermore.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Albert Isen, Mayor of Torrance, and George W. Stevens, City Manager of Torrance; Richard Cartwright of Lakewood; and Mrs. Libbie Bobinsky of Los Angeles.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John Nisbet of Upland and Miss Sally Martin of New York.

On request of Senators Hulse and J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to supervisors Mrs. Erma Boatman, Mrs. Harvey Levine, Mrs. Donald E. Praster, Joseph S. Cutler, Arnie Nixon, E. Stanley Laird, Gerald Trost, and the following students from Cherry Avenue Senior Elementary School, Tulare: Richard Alvara, Melvin Avila, Robert Beck, Velma Boatman, Martin Bridges, Peggy Bruning, Mike Butler, Jimmy Davis, Sharon Davis, Ray Enriquez, Dean Glas, Reeve Hennon, Johnny Hollingshed, Patty Irwin, Douglass Jones, Denise Klapp, Linda Lancaster, Raymond Lawrence, Sandy Levine, John McDonald, Robert Martin, Rita Mascorro, Ronnie Neaville, Joan Neeley, Don Newsome, Mary Sue Nicholson, Philip Posson, Larry Praster, Jacqueline Schlady, John Shipley, Mary Shook, Arnie Simons, Neal Sterling, Jerry Tripp, Phyllis Wallis, Larry Weatherford, Sammy White, Alice Williams, Bruce Winters, and Sue Yeary.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. E. C. Purdy, Miss Gwendolyn Jackson, and Mr. and Mrs. Dale Purdy, all of Hemet.

On request of Senators Montgomery and Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Graham Mackey and children, Linda and Steven, all of Stockton.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Keiser of Pomona College and Drew Frohlich of Pomona.

On request of Senators Hulse and J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Gleason, Mrs. Elmer Hays, and the following students from Dinuba Union High School: Norma Baracca, Maxine Barnes, Irene Brewton, Carolyn Collins, Bobbie Cooksey, Beverly Devins, Charlotte Dobson, Carole Friesen, Glenda Franks, Sonia Flynn, June Haycraft, Grace Johnson, Mona Kile, Marie Kor, Henrietta Lussin, Bernadette La Casse, Ellen Maloon, Dixie Mathis, Joanne Munson, Bobby Noroian, Sharon Runge, Phyllis Smalley, Vernon Cline, Dave Depew, Pete Engstrom, Leland Huls, Don Jorgensen, Jim Keffe, Bernard La Casse, Don Maxwell, Clark McGoon, John Medina, Sheldon Moore, Ray Mulford, Tom Nickell, Ronald Pipkin, Robert Sloan, and Wilmur Warkinten.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Vern R. Curry, Mrs. Marion Mansfield, and Pat Curry, all of Sacramento.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ben Barnes, Platt O. Williams, Gladys Sapp, and Viola White, all of Santa Rosa.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stanley Remkus of Sacramento, R. J. Leverone and Fred Garrigues of San Francisco, W. Gill of Bakersfield, and Guy Strickland of Auburn.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Dyle M. Carter, William Solenberger, and the following adults and students from Greer School, Arden-Carmichael School District: Raymond Amioka, Sally Baker, Lewis Brinsfield, Byron Burnett, Carol Ann Dern, Lois Di Donato, Edward Flanders, John Hagerty, Ray Harrod, Ruth Hurff, Ray Klein, Karen Kling, Michael Lambert, Robyn Lewis, Richard Moore, Sally Norris, Clara Pfaunstiel, Dwight Pilz, Edward Reidell, Marvin Roberts, Janet Rogers, Gertrude Scheive, Charlette Schmidt, Paulette Schmidt, Ronnie Semoni, Ellen Standley, Micky Sullivan, Frank Taylor, Joan Ulrich, Joseph Afzal, Allen Beattie, Gary Cameron, Standley Christensen, John Duncan, Dennis Dunckhorst, Susumu Fujiwara, Kenneth Mackey, Donald Martin, Gary McNabb, David Miller, Randall Moss, Ray Nixon, Clifton O'Brien, David Rickey, Danny Vehlouw, Margaret Chavez, Joan Dasmann, Dana Dean, Marsha Dunning, Mary Ann Harding, Nancy Joyner, Merle Krieger, Linda Lewis, Joanne MacLaren, Michel McNamara, Carolyn McVean, Janice Padovan, Priscilla Pitzer; parents—Mesdames Walter Schmidt, George DiDonato, Frank Hagerty, James G. Standley, Jr., Vern Flanders, Haven H. Moss, Kenneth Rickey, Mr. Charles Beattie, and Mrs. Iris McVean.

On request of Senators Montgomery and Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John W. Mackey of Stockton.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Edward Roodberg of Beverly Hills.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Sister



Ignatius, Sister Bernadette, Mrs. J. Kummert, mothers Mesdames A. Tonelli, R. Bridgeman, William Tafuri, Hull, and the following students from St. Rose's School, Santa Rosa: Linda Anderson, Sandra Bacci, John Bertacco, Annette Bessone, Phyllis Bloom, Katherine Bogue, Mary Ann Bridgeman, Barry Bettis, Elizabeth Breazeale, Mark Calleri, Catherine Cassidy, Richard Daly, Robert Davis, Linda de Marcus, Marjorie Dunn, William Dunn, Janet Every, Sandra Filipini, Diane Fiuren, Robert Frati, Yvette Garayaldi, Judith Hull, Leslie Hull, Joseph Imwalle, Ronald Guidry, Darlene Jacobson, Michael James, Marshia James, Gerald Johnson, Daniel Kelly, Noreen Knox, Patricia Lavorini, Denis Maguire, Sally Martin, Edward Miramontez, David Melton, Lennie Muller, Karen Olson, Marie Marcoux, Judy Olmos, Francis Pangallo, Freddie Prydz, Julie Ritchie, Lana Santini, Judy Schnoeblen, Judith Smith, Patricia Sink, Richard Thomas, William Tafuri, and Corene Tonelli.

### COMMUNICATIONS

The following communication was received and read and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
April 18, 1955

*Hon. Harold J. Powers*  
*President of the Senate*

DEAR MR. PRESIDENT: This is the sixty-ninth calendar day. There are 50 calendar days remaining, but if we omit Saturdays and Sundays, we will have only 37 days in which to enact legislation.

On the conclusion of the sixty-eighth calendar day of last session, we had received from committee 205 more bills than we have received from committee this session, also we had passed 146 more bills than we have passed this session. It might be reasonable to construe this difference in the number of bills received from committee as indicating that we are not going to pass as many bills this session as we did last.

Last session we passed a total of 2,320 bills. Subtracting the number of bills we have passed this session, plus the difference between the number we have received from committee this session and the number we had received at the corresponding time of last session from the total number of bills we passed last session leaves a balance of 1,716 bills, or an average of 47 measures per day for the remaining 37 days upon which it is reasonable to expect that we will meet.

We must remember that June 8th will be the last day of this session.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 761  
Assembly Bill No. 1673  
Assembly Bill No. 1922  
Assembly Bill No. 1956

Assembly Bill No. 2015  
Assembly Bill No. 2308  
Assembly Bill No. 2554  
Assembly Bill No. 3490

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 361  
Senate Bill No. 530

Senate Bill No. 684  
Senate Bill No. 699

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Joint Resolution No. 18

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolution ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 763

Senate Bill No. 1228

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 760

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 703

Senate Bill No. 704

Senate Bill No. 707

Senate Bill No. 710

Senate Bill No. 784

Senate Bill No. 785

Senate Bill No. 786

Senate Bill No. 1316

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 53

Senate Bill No. 203

Senate Bill No. 204

Senate Bill No. 205

Senate Bill No. 206

Senate Bill No. 207

Senate Bill No. 302

Senate Bill No. 303

Senate Bill No. 717

Senate Bill No. 924

Senate Bill No. 1635

Senate Bill No. 1930

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 53

Senate Concurrent Resolution No. 55

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Above resolutions ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Legislative Representation**

SENATE CHAMBER, April 15, 1955

*Hon. Harold J. Powers*  
*President of the Senate*  
*Senate Chamber, State Capitol*  
*Sacramento, California*

DEAR SIR: I am submitting herewith Progress Report of the Special Senate Committee on Legislative Representation for consideration of the Members of the Senate.

Your committee requests that this progress report be appropriately inserted in the Senate Daily Journal.

Respectfully submitted,

JAMES E. CUNNINGHAM, Chairman  
 Special Senate Committee on Legislative Representation

**PROGRESS REPORT OF THE SPECIAL SENATE COMMITTEE  
 ON LEGISLATIVE REPRESENTATION**

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Senate and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and where necessary, has made investigation and your committee has found with respect to all of the persons named in this report that each is of good moral character, has complied with the provisions of Chapter 8, Part 1, Subdivision 2, Title 2, of the Government Code, and unless good cause to the contrary is shown, is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

- Albertoni, A. E., 4685 Geranium Place, Oakland 19
- Federated Fire Fighters of California
- Alloway, George O., 1220 Rowan Bldg., Los Angeles
- Hearst Publishing Co.
- Andersen, Wm. C., 25 Thorington Bldg., Merced
- Western Dairymen's Assn.
- Anderson, Alan G., 1625 Russ Bldg., San Francisco
- Municipal License Tax Assn.
- Private Truck Owners Bureau
- Andrews, Wm. S., 3099 Telegraph Ave., Berkeley
- San Diego Gas & Electric
- Ashbrook, Robert L., 3757 Wilshire Blvd., Los Angeles
- California Check Sellers & Cashiers' Assn.
- Antos, Chester, 328 Maple St., San Diego
- Complete Service Bureau
- Arnstein, Lawrence, 30 Hays St., San Francisco
- San Francisco Social Hygiene & Health Assn.
- Ballard, G. W., 844 Pacific Bldg., San Francisco 3
- Brotherhood of Railroad Trainmen
- Barnard, Edna C., 725 Parkview, Redding
- California State Division of American Assn. of University Women
- Barton, Wm. H., 693 Sutter St., San Francisco
- California Teachers Assn.

- Bayer, Charles P., 1151 S. Broadway, Los Angeles  
Los Angeles Chamber of Commerce
- Beard, Kennan H., P. O. Box 561, Modesto  
East Modesto Industrial Assn.
- Beckus, Robert J., 2404 W. Seventh St., Los Angeles  
Dairy Institute of California
- Behymer, Glen, 427 W. Fifth St., Los Angeles  
Building Material Dealers Credit Assn.
- Bell, Gordon, 3301 S. Grand Ave., Los Angeles 7  
California Motor Transport Assn.
- Benton, Roy L., 1545 N. Verdugo Rd., Glendale  
Pacific Union Conference of Seventh Day Adventists
- Betzenderfer, L. Barbara, 5921 W. Metropolitan Plaza, Los Angeles 36  
American Association of University Women
- Brady, Philip J., 604 City Hall, Long Beach  
City of Long Beach
- Brennan, Raymond Louis, Rm. 1028, 417 S. Hill St., Los Angeles  
Interment Assn. of California
- Breyer, Irving G., 135 Van Ness Ave., San Francisco  
San Francisco Board of Education
- Brooks, Clara B., 424 S. Beverly Dr., Beverly Hills  
California Institute of Social Welfare
- Brown, Edward A., 4459 Avocado St., Los Angeles  
California Trailer Park Assn.  
California Motel Assn.
- Burrow, Trev A., 1404 Franklin St., Oakland  
California Assn. of Insurance Agents
- Butler, Monroe, 417 S. Hill St., Los Angeles  
The Superior Oil Co.  
Artists Managers Guild
- Byrnes, Ralph E., 328 Maple St., San Diego  
Complete Service Bureau
- Callahan, Michael R., 324 E. Fourth St., Long Beach  
California State Council of Culinary Workers, Bartenders, and Hotel  
Service Employees
- Carry, Chas. R., Ferry Bldg., Terminal Island  
California Fish Cannery Assn.
- Case, Mason, Berth 73, San Pedro  
Fishermen's Cooperative Association
- Chandler, Laurence, 633 S. La Brea, Los Angeles  
California Loan and Finance Assn.
- Chase, Douglas S., 804 Central Bank Bldg., Oakland  
Citizens' Education Committee for Fluoridation  
Oakland Jr. Chamber of Commerce
- Clapp, Austin, 3780 W. Sixth St., Los Angeles  
Apartment, Hotel & Motel Assn. of California
- Clark, Webster V., 111 Sutter St., San Francisco  
Palm Springs Development Corporation  
Palm Springs Turf Club
- Cleary, Donald W., City Hall, San Francisco  
City and County of San Francisco



- Cleves, William B., 1408 W. Third St., Los Angeles  
Yellow Cab Co.
- Clews, Bruce, 4610 Crenshaw Blvd., Los Angeles  
Automobile Dealers Association of Southern California
- Clopton, Mort L., 639 S. Spring St., Los Angeles  
California Manufacturers Assn.  
California Conference of Industrial Assns.
- Collins, Daniel P., 1106 Broadway, Oakland  
Oakland Junior Chamber of Commerce
- Conner, Elbert S., 903 State St., Santa Barbara  
Society of California Accountants
- Connors, James M., 444 Market St., San Francisco  
Board of Trade of San Francisco
- Cooper, Vincent T., 500 Elks Bldg., Sacramento  
County Supervisors Assn.
- Daley, Anne B., 212 W. Vassar, Fresno  
California State Division of American Assn. of University Women
- Davis, Herbert C., Ferry Bldg., Terminal Island  
California Fish Cannery Assn.
- Desch, Fred, 735 Occidental Life Bldg., 1151 S. Broadway, Los Angeles  
Coastal Area Protective League of Laguna Beach  
Trailer Coach Association
- Devereaux, E. A., 3401 Riverside Blvd., Sacramento  
California Association of Chiropodists, Inc.
- Dick, John P., 255 S. Spring St., Los Angeles, 12  
Los Angeles Fire and Police Protective League
- Dudley, Arthur S., 531 Southgate Rd., Sacramento  
Western Tax Council, Inc.
- Eaves, A. T., Jr., Courthouse, Santa Barbara  
County Auditors' Assn.
- Edington, Channing C., 921 Westwood Blvd., Westwood  
California State Parking Assn.
- Ellis, Marjorie H., 1827 28th St., Sacramento  
League for Practical Street and Highway Planning
- Feldman, Edw. S., 2155 E. Seventh St., Los Angeles  
Furniture Manufacturers' Association
- Finks, Harry, 2525 Stockton Blvd., Sacramento  
California State Federation of Labor
- Finnie, Robert J., 821 Market St., San Francisco  
California Federated Institute, Inc.
- Forbes, E. F., 604 Mission St., San Francisco  
Western Meat Packers' Assn.
- Gardiner, Robert A., 700 Ninth St., Sacramento  
California Water Assn.
- Garrod, Richard R., 4680 Wilshire Blvd., Los Angeles  
Farmers Underwriters Assn.
- Garriott, Joseph F., 49 Geary St., San Francisco  
Western Union
- Gavurin, Saul, 1269 Queen Anne Pl., Los Angeles  
California Assn. of Dairy and Milk Sanitarians

- Gilechrist, John P., 1120 12th St., Sacramento  
California Collateral Loan Broker's Assn.  
Northern California Seafood Institute
- Goggin, Edw. A., 503 City Hall, Oakland  
City of Oakland
- Goodfellow, H. Scott, 111 Sutter, San Francisco  
Palm Springs Development Corporation  
Palm Springs Turf Club
- Gripp, Robert E., 257 S. Spring St., Los Angeles  
Los Angeles Fire & Police Protective League
- Haggerty, Gerald, 525 Market St., San Francisco  
California Grocers Assn.
- Hannegan, John J., 4680 Wilshire Blvd., Los Angeles  
Farmers Insurance Group
- Hastings, James H., Courthouse, Sacramento  
County Auditors Assn.
- Hawkins, Frederick, 225 Bush St., San Francisco  
Life Insurance Assn. of California  
Canners League of America  
Tubbs Cordage Co.  
Premium Advertising Assn. of America
- Jefferson, James M., P. O. Box 7131, Los Angeles 37  
Electrical Contractors Assn. of America
- Jenner, Kenneth E., 452 Medford Ave., Hayward  
California Landscape Contractors Assn.
- Klaus, Arnold J., San Diego Chamber of Commerce, San Diego  
San Diego Chamber of Commerce
- Lanham, Stanley M., 1060 S. Broadway, Los Angeles  
Los Angeles Transit Lines
- Little, Walter J., 530 W. Sixth St., Los Angeles  
California Railroad Assn.
- Luke, Fred P., Jr., 759 20th Ave., San Francisco  
California Parents Assn. for Child Care
- Maffit, Norman K., 604 Mission St., San Francisco  
Western States Meat Packers Assn.
- Mahler, Theresa S., 135 Van Ness Ave., San Francisco  
Association for Nursery Education
- Markey, James S., P. O. Box 1003, Santa Monica  
Judges, Marshals and Constables Assn.
- Mathews, Hazen Lee, Room 400, City Hall, Los Angeles  
City of Los Angeles
- Merz, Elmer J., 304 Mitau Bldg., Sacramento  
California Assn. of Nurserymen
- Miller, Howard E., 821 S. Pacific Ave., San Pedro  
San Pedro Fisheries Institute
- Moore, C. B., 606 S. Hill St., Los Angeles  
Western Growers Assn.
- Morgan, LeRoy H., 317 S. New Avenue, Monterey Park  
I. B. Boilermakers and Blacksmiths  
Sheetmetal Workers

- Morris, J. H., 1217 Taft Bldg., Hollywood  
Santa Monica Sea Food Company  
State Fish Company, Inc.
- McGuire, Winona, 5921 W. Metropolitan Plaza, Los Angeles 36  
American Assn. of University Women
- Necochea, Ruby, 131 Locust Ave., Long Beach  
Citizens Cooperative Assn.
- Neyhart, Stanley H., 1035 Russ Bldg., San Francisco  
Carmens Union, Div. No. 192
- Nelson, H. G., 1500 El Camino Real, Belmont  
Peninsula Builders Exchange  
California Council of Insurance Buyers
- Nisbet, Robert E., City Hall, Oakland  
City of Oakland
- O'Connor, John, 607 S. Hobart, Los Angeles  
Trailer Coaches Assn.
- Oliver, David V., 28 Geary, San Francisco  
Association of California Insurance Companies
- Peabody, Patrick, 275 N. First St., San Jose  
Pacific City Lines, Oakland
- Phillips, Lloyd A., Senator Hotel, Sacramento  
California Railroad Assn.
- Prusa, Norman H., 2131 University Ave., Berkeley  
Corporation Unemployment Tax Service
- Purvine, Glenn F., 131 Locust, Long Beach  
California State Parking Assn.
- Reeves, L. A., 609 S. Grand Ave., Los Angeles  
Los Angeles Transit Lines
- Robinson, Wm. C., 621 S. Hope St., Los Angeles  
California State Hotel Assn.
- Rogers, Leslie C., 111 Sutter, San Francisco  
Palm Springs Development Corporation  
Palm Springs Turf Club
- Rose, Vernon L., 3716 J St., Sacramento  
Associated Master Barbers of California
- Ross, Kenneth A., Jr., 816 W. Fifth St., Los Angeles  
Associated General Contractors, Southern Chapter
- Russ, Wilbur, 315 Montgomery St., San Francisco  
California Physical Therapists Assn.
- Selig, Gail V., 650 S. Grand Ave., Los Angeles  
Old Fashion Products
- Sheedy, Paul, 132 W. First St., Los Angeles  
Property Owners Assn. of California
- Stout, Dewey, 1827 28th St., Sacramento  
Citizens League for Practical Street & Highway Planning
- Strawbridge, Nancy M., 1830 Sutter, San Francisco  
Friends Committee
- Stuart, C. A., 711 E. Market St., Stockton  
Board of Supervisors of San Joaquin County  
County Supervisors Assn. of California
- Taylor, Waller II, 523 W. Sixth St., Los Angeles  
American Express Co.

Thomas, Trevor K., 1830 Sutter St., San Francisco

Friends Committee

Vaughan, J. R., 411 W. Fifth St., Los Angeles

Knudsen Creamery Co.

White, Muriel M., 420 Lawson Way, Sacramento

California State Division of American Associations of University Women

Wilkins, Philip C., 818 19th St., Sacramento

California Association of State Auditors

Native Sons of Golden West

American Legion

City of Long Beach

Wooley, Magnus R., 621 S. Hope St., Los Angeles

Pacific Finance Corporation

Zeller, Richard H., 3301 S. Grand Ave., Los Angeles

California Motor Transport Association

# Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 424

Senate Concurrent Resolution No. 26

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 118

Senate Bill No. 1116

Senate Bill No. 423

Senate Bill No. 1143

Senate Bill No. 500

Senate Bill No. 1685

Senate Bill No. 941

Senate Constitutional Amendment No. 6

Senate Bill No. 1038

Senate Constitutional Amendment No. 7

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1349

Senate Concurrent Resolution No. 42

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1044

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 17—Relative to the inclusion of U. S. Highway 101 (from Los Angeles to the Oregon state line) and U. S. Highway 199 (from Crescent City to the Oregon state line) in the National System of Interstate Highways;

Senate Joint Resolution No. 19—Relative to requesting the United States to pass legislation granting to the State of California and to the other western states all of the lands and minerals within their respective borders with the exception of lands within national parks, national monuments, national forests, and lands utilized for national defense and for the promotion of aviation and agriculture;

Senate Joint Resolution No. 20—Relative to payments in lieu of taxes by the Federal Government;

And reports that the same have been correctly enrolled, and presented to the governor on the fifteenth day of April, 1955, at 9 a.m.

WARD, Chairman



## SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 493**—An act to add Section 36933.1 to the Government Code, relating to city ordinance codes;

**Senate Bill No. 548**—An act to amend Section 14075 of the Health and Safety Code, relating to ambulances of fire protection districts in unincorporated areas;

**Senate Bill No. 768**—An act to amend Section 13109 of the Government Code, relating to the renting of state-owned property;

**Senate Bill No. 885**—An act to amend Sections 1525, 1526, 1529, 1532, 1541, and 1542 of, and to add Sections 1529.1, 1532.1, 1532.2, 1542.1, and Article 2.1 to Chapter 8 of Part 2 of Division 2 of the Water Code, and to amend Section 6103.1 of the Government Code, relating to appropriation of water;

**Senate Bill No. 1817**—An act to amend Section 28109 of the Government Code, relating to compensation for public service in a county of the ninth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1955, at 9 a.m.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 95**—An act to amend Section 17405 of, and to add Section 17405.1 to, the Financial Code, relating to examinations of escrow agents and the payment of the cost thereof;

**Senate Bill No. 199**—An act to amend Section 13 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to district taxes and assessments;

**Senate Bill No. 291**—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations;

**Senate Bill No. 549**—An act to amend Sections 14300 and 14314 of the Health and Safety Code, relating to fire protection districts;

**Senate Bill No. 753**—An act to add Section 13450.1 to the Government Code, relating to investment of state funds;

**Senate Bill No. 754**—An act to amend Section 6218 of the Public Resources Code, relating to fees of the State Lands Commission;

**Senate Bill No. 757**—An act to amend Section 11334 of the Government Code, relating to moneys collected for the sale of products by state institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1955, at 9 a.m.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 761**—An act to repeal Section 13074 of the Government Code, relating to recovery of taxes and excess freight payments;

**Senate Bill No. 767**—An act to amend Section 20751 of the Government Code, relating to appropriations to the Retirement Fund;

**Senate Bill No. 1022**—An act to amend Sections 4102, 4149 and 4671 of the Revenue and Taxation Code, relating to tax-sold and tax-deeded lands;

**Senate Bill No. 1024**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 362 of the Statutes of 1953, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 1203**—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class;

**Senate Bill No. 1292**—An act to amend Section 44.8 of the Vehicle Code, relating to emergency vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1955, at 9 a.m.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Constitutional Amendment No. 29**

And reports the same correctly re-engrossed.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 429

Senate Bill No. 1268

Senate Bill No. 501

Senate Bill No. 1397

Senate Bill No. 769

Senate Bill No. 1539

Senate Bill No. 1082

Senate Bill No. 1684

And reports the same correctly engrossed.

WARD, Chairman

## Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 1491

Assembly Bill No. 2870

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

SUTTON, Chairman

Above reported bill ordered to second reading.

## Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1592

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

MCBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 1471

Assembly Bill No. 2108

Assembly Bill No. 2102

Assembly Bill No. 2109

Assembly Bill No. 2103

Assembly Bill No. 2293

Assembly Bill No. 2104

Assembly Bill No. 2294

Assembly Bill No. 2105

Assembly Bill No. 2163

Assembly Bill No. 2106

Assembly Bill No. 562

Assembly Bill No. 2107

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

MCBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 256

Senate Bill No. 259

Assembly Bill No. 2598

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

MCBRIDE, Chairman

Above reported bills ordered to second reading.

**MOTION TO APPROVE JOURNALS**

Senator Ward moved that the Journals for Monday, April 11, 1955; Tuesday, April 12, 1955; Wednesday, April 13, 1955; Thursday, April 14, 1955; and Friday, April 15, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Brown moved that Assembly Bill No. 314 be taken from the inactive file and placed on the second reading file.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 932**

Senator Parkman moved that Assembly Bill No. 932 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Local Government.

Motion carried.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Hulse moved that Assembly Bill No. 2125 be taken from the inactive file and placed on the second reading file.

Motion carried.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

**Senate Bill No. 970**—An act to amend Section 4748 of Chapter 3, Part 3, Division 5 of, the Health and Safety Code and to add Article 5.6 consisting of Sections 4806, 4807, 4808, 4809, 4809.1, 4809.2, and 4809.3 to said code, relating to an alternative method of issuing bonds of county sanitation districts.

Bill read second time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendment:

**Amendment No. 1**

Strike out the title of the printed bill, as amended in Senate March 28, 1955, and insert

"An act to amend Section 4748 of, and to add Article 5.6 to Chapter 3, Part 3, Division 5 of, the Health and Safety Code, relating to an alternative method of issuing bonds of county sanitation districts."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 971**—An act to add Article 2.5, consisting of Sections 4720 to 4728, inclusive, to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to consolidation of two or more county sanitation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1202**—An act to add Section 5416.5 to, and to amend Section 5659 of, the Public Resources Code, relating to public districts organized to provide parks, recreation facilities and parkways.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 615**—An act to amend Section 28108 of the Government Code, relating to the salaries of officers in counties of the eighth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On line 1 of the title of the printed bill, strike out "amend Section 28108 of", and insert "add Section 28108.8 to".

**Amendment No. 2**

On page 1 strike out lines 1 to 28, inclusive; and on page 2 strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 28108.8 is added to the Government Code, to read:

28108.8. In a county of the eighth class the officers, deputies and clerks in the classified service who are properly examined and certified by the civil service commission and appointed under such certification shall receive as compensation for services required of them by law or by virtue of their offices, the salaries fixed pursuant to the charter of the county, except that if no eligible list is certified to the appointing authority within six months after a temporary appointment, the appointing authority may declare the appointment permanent and the appointee thereafter is entitled to the salary fixed pursuant to the charter of the county and to all the rights and privileges of one examined and certified by the civil service commission and appointed under such certification.

SEC. 2. This act shall remain in effect until the ninety-first day after the date of final adjournment of the 1955 Regular Session of the Legislature and thereafter shall have no further effect.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Because of technical deficiencies in the processing of personnel, a question has arisen regarding the validity of the appointment of several hundreds of employees in this county. In order that such employees may be retained in service pending corrective processing thereby avoiding a disastrous disruption of essential county services it is necessary that this bill take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 593**—An act to amend Sections 74502, 74503, 74504 and 74507 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Bill read second time.

**Motion to Amend**

Senator Robert I. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 5, line 33, of the printed bill as amended in Senate March 29, 1955, strike out "her", and insert "his".

**Amendment No. 2**

On page 5, line 33, strike out "74505", and insert "74504".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1055**—An act to amend Sections 14225, 14229, 14230, and 14237 of, and to add Section 14153.5 to, the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 972**—An act to amend Section 4793.1 of the Health and Safety Code, relating to the disposition of moneys remaining in the construction fund of a county sanitation district after completion of construction.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 21, strike out "four-fifths".

**Amendment No. 2**

On page 1, line 21, after "of", insert "two-thirds".

**Amendment No. 3**

On page 2, line 1, strike out "If said remaining moneys are the proceeds of bonds authorized at an election held prior to the effective date of this act said".

**Amendment No. 4**

On page 2, line 3, insert "Said" before "moneys may not be".

**Amendment No. 5**

On page 2, line 10, after the words "case may be", insert a period.

**Amendment No. 6**

On page 2, line 11, strike out "except that no engineer's report shall be required."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 927**—An act to amend Sections 9201, 9204, and 9206 of the Public Resources Code, relating to soil conservation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 2, line 11, of the printed bill, as amended in Senate April 5, 1955, after "and" insert "shall pay the expenses of the election except, where the board of supervisors determines that the district has sufficient funds to pay the expenses of the election".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 938**—An act to amend Section 28151 of the Government Code, relating to compensation for public service in a county of the fifty-first class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out the blanks, and insert "three thousand six hundred dollars (\$3,600)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 939**—An act to amend Section 28145 of the Government Code, relating to compensation for public service in a county of the forty-fifth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out the blanks, and insert "three thousand six hundred dollars (\$3,600)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 940**—An act to amend Section 28141 of the Government Code, relating to compensation for public service in a county of the forty-first class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out the blanks, and insert "three thousand six hundred dollars (\$3,600)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 286**—An act to amend Section 803.5 of the Agricultural Code, relating to nectarines.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 2, line 22, of the printed bill, after "12B," insert "12C,".

**Amendment No. 2**

On page 2, line 23, after "22B," insert "22D,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1299**—An act to amend Section 1266 of the Agricultural Code, relating to dealers in poultry or poultry products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "one thousand dollars (\$1,000)", and insert "five thousand dollars (\$5,000)".

**Amendment No. 2**

On page 1, line 7, strike out "except that", and insert a period.

**Amendment No. 3**

On page 1, strike out all of lines 8 and 9.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 874**—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 3, line 31, of the printed bill, strike out "11", and insert "9".

**Amendment No. 2**

On page 3, strike out lines 32 to 35, inclusive, and insert "No fair may be operated in this district outside a unified school district having at least an average daily attendance of 2,500, nor outside a judicial district of at least 1,700 square miles and 2,700 registered voters for the 1954 general election, and an agriculture production value reported by the Riverside County Agricultural Commissioner of not less than sixteen million dollars (\$16,000,000). No fair may be located in this district less than 90 miles by highway from any other state-supported fair.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 200**—An act to amend Section 1142 of the Agricultural Code, relating to eggs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1142", and insert "Sections 1142, 1142.1, 1142.2, and 1142.3".

**Amendment No. 2**

On page 1, line 3, strike out "firm, corporation, or any".

**Amendment No. 3**

On page 1, line 4, strike out "freezing," and insert "or".

**Amendment No. 4**

On page 1, line 5, strike out "or importing into the State of egg products", and insert "of egg products or to bring or cause to be brought into this State egg products from other states or from outside the United States for the purpose of resale as such products".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 5**

On page 1, after line 11, insert

"SEC. 2. Section 1142.1 of said code is amended to read:

1142.1. The State Department of Public Health shall issue to any [corporation, firm, or] person [a separate] an annual license [for each plant so engaged] on the receipt of one hundred dollars (\$100) for each such license and such evidence as

the department may require to show that the applicant is properly equipped to operate such an establishment at each location where the applicant conducts operations required to be licensed under Section 1142.

Annual license fees payable under this section shall become due and payable by each person approved by the Department of Public Health on or before January 1st in each year. Such fees shall be paid by the department into the General Fund in the State Treasury. [It is the intention of the Legislature that the costs of administering this act shall be substantially covered by the revenues collected hereunder.]

SEC. 3. Section 1142.2 of said code is amended to read:

1142.2. All egg breaking establishments shall consist of at least the following and distinctly separate rooms or areas:

(a) Candling Room. (1) Candling room must be separate from the breaking room, but may join the latter, if provided with a tightly fitted door or similar opening.

(2) There shall be provided ample receptacles to hold all rejected eggs.

(3) [For "leakers," there shall be provided metal trays.] "*Leakers*" shall be broken in a sanitary manner.

(4) All candled eggs shall be placed in clean and sanitary containers before sending them to the breaking room.

(5) All eggs must be candled with care using every precaution to keep those eggs classed as unfit for human food out of the breaking room.

(b) Breaking Room. (1) The breaking room shall have walls and ceiling of white enamel, tile, paint, or other waterproof covering.

(2) The floor must be impervious to water and supplied with ample drains.

(3) The intersections of the wall and the floor shall be finished in the so-called sanitary or cove finish.

(4) All windows and other exterior openings shall be adequately covered to keep out flies, dust and dirt.

(5) Tables shall be made of metal, porcelain or other impervious material, or covered with a similar material.

(6) All eggs shall be broken on detachable metal knives and the contents of the shell emptied into a glass, metal or other approved cup.

(7) A careful examination for appearance and odor shall be made of all eggs in such cup prior to pouring into the packing container.

(8) If any eggs in the cup are not of the classes permitted for human food, the cup and contents and knives shall be removed to the washing area and properly sterilized apparatus shall be substituted.

(9) Before the clean equipment is received, the hands of the egg breaker must be washed clean in a wash basin provided for that purpose in the breaking room, and must be properly dried on a fresh, clean towel or by some other sanitary device.

(10) The separating of yolks and whites "by hand" is strictly prohibited. Each separation must be effected by a sanitary mechanical device.

(11) All employees in the breaking room shall wear clean, white caps and outer garments of washable material.

(c) Washing and Sterilizing Area. (1) The washing and sterilizing area shall be separate and apart and shall be provided with a waterproof floor, ample daylight, hot and cold running water. The hot water to be not less than 160 degrees F.

(2) There shall be adequate facilities for the washing, rinsing, and sterilizing of all utensils, containers, et cetera.

(3) All vats, receptacles, implements, et cetera, shall be thoroughly washed and sterilized before using.

(4) All floors and tables shall be scrubbed at least once daily or oftener if needed.

(d) Chilling and Freezing Rooms. (1) Ample facilities shall be provided for the prompt cooling or freezing of liquid egg products. Liquid eggs intended for immediate sale or use shall be properly cooled and delivery made within 24 hours after cracking.

(2) The freezing room shall have a waterproof floor, adequately cleaned and with suitable drainage.

SEC. 4. Section 1142.3 of said code is amended to read:

1142.3. Egg products shall be prepared only from eggs that are fit for human consumption, under sanitary conditions that meet the approval of all state rules and regulations prescribed under authority of the California Pure Foods Act and Chapter 7 of Division 21 of the Health and Safety Code; egg products prepared outside of the State but within the United States[,] must bear a certificate of an authorized representative of any federal, state, county, or city department that is authorized to inspect food products which certifies that the egg products have been prepared only from eggs that are fit for human consumption and that they have been prepared under sanitary conditions."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.



**Senate Bill No. 193**—An act to amend Section 160.5 of the Agricultural Code, relating to the adoption of regulations governing the conduct of the business of pest control.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1515**—An act to amend Section 677 of the Agricultural Code, relating to milk and dairy products.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1537**—An act to amend Sections 812.4, 812.7, 814, 828.6, 829.35, and 829.4 and to repeal Sections 812.4a, 812.6, 814.1, and 828.7a of the Agricultural Code, relating to vegetables.

Bill read second time.

#### Motion to Amend

Senator Hulse moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of printed bill as amended in Senate April 6, 1955, after "828.6," insert "829.3".

#### Amendment No. 2

On page 3, line 33, strike out "20 $\frac{1}{2}$ " and insert "21 $\frac{1}{2}$ ".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 3, between lines 44 and 45, insert

"SEC. 9. Section 829.3 of said code is amended to read:

829.3. 13. Cantaloupes, numbers 39, 40, 41, 42, 43, [or] 44, or 44 $\frac{1}{4}$ . The following counts of cantaloupes when packed, are hereby established as standard packs for the respective standard containers as follows:

Standard pack counts	Container number	Standard container name
27, 36, or 45	39	Standard cantaloupe crate.
45 or 54	40	Pony cantaloupe crate.
18, 23, 27, 36, 41, or 45	41	Jumbo cantaloupe crate.
9, 12, or 15	42	Standard cantaloupe flat.
9, 12, or 15	43	Special cantaloupe flat.
8, 9, 11, or 12	44	Special cantaloupe flat."

#### Amendment No. 4

On page 3, line 45, after "SEC.", strike out "9", and insert "10".

#### Amendment No. 5

On page 3, line 49, after "SEC.", strike out "10", and insert "11".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1114**—An act to amend Sections 9, 14, and 15 and to repeal Section 25 of the Riverside County Flood Control and Water Conservation District Act, relating to the Riverside County Flood Control and Water Conservation District.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "14,".

**Amendment No. 2**

On page 5, line 40, strike out "Section 14 of said act is amended to read:"; strike out lines 41 to 52, inclusive; on page 6, strike out lines 1 to 29, inclusive; and in line 30, strike out "Sec. 3."

**Amendment No. 3**

On page 6, line 38, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**Senate Bill No. 921**—An act to amend Sections 4226, 4230, 4247, 4259, 4270, 4273, 4274, 4280, 4292, 4294.5, 4296, 4351, and 5355 of, to add Sections 4223, 4231, and 4285 to, and to repeal Sections 4272 and 4291 of, the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 3, line 8, of the printed bill, as amended in Senate April 12, 1955, after the second "and", insert "marketing".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 563**—An act to amend Section 43605 of the Government Code, relating to the incurring of bonded indebtedness of cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1110**—An act to amend Sections 2, 8, 10, and 11 of the Municipal Sewer District Act of 1939 (Chapter 24 of the Statutes of 1939), relating to the creation of sewer districts in municipalities, the calling of an election in said districts, and the issuance and sale of bonds of said districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1611**—An act to amend Sections 6446 and 6448 of the Streets and Highways Code, relating to lien of the assessments represented by bond and the payment and cancellation of bond.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2077**—An act to amend Sections 31664.4 and 31720.5 of, to add Section 31787 to, and to repeal Section 31787 of, the Government Code, relating to retirement for county employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2078**—An act to amend Sections 31652 and 31780 of the Government Code, relating to retirement for county employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2079**—An act to amend Sections 31468, 31527, 31553, 31554, 31648, 31651, 31760 of, and to repeal Sections 31469.5, 31553.5, Article 8.5 consisting of Sections 31690 to 31692, inclusive, of, the Government Code, relating to retirement for county employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2080**—An act to amend Section 31470.6 of, to add Section 31664.6 to, and to repeal Sections 31664.6 and 31678, of the Government Code, relating to retirement for county employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2081**—An act to add Section 31452.5 to the Government Code, relating to retirement for county employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 365**—An act amending Section 31204 of, and adding Section 31559 to, the Government Code, relating to public retirement systems.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

##### **Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amending Section 31204 of and adding", and insert "to add".

##### **Amendment No. 2**

On page 1 strike out lines 1 to 6, inclusive; and in line 7 thereof, strike out "SEC. 2", and insert "SECTION 1".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1308**—An act to amend Section 5642 of the Public Resources Code, relating to the election of trustees of park, recreation and parkway districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1525**—An act to add Section 9266 to the Public Resources Code, relating to general powers of soil conservation districts.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

##### **Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "in any one fiscal year shall not exceed one"; strike out line 11, and insert "shall not exceed the total balance remaining unexpended of money theretofore received by the district through donations, gifts, and grants. In no event, however, shall any expenditures be made pursuant to this section from any money derived from regular assessments of the district or from money appropriated to the district from the general fund of the county for the use of the district in accordance with provisions of Section 9361."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2596**—An act to amend Sections 25351 and 25450 of the Government Code, relating to the construction, alteration and repair of buildings and other structures.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out all of the line following "stadium," and insert "coliseum, sports arena or sports pavilion or other building for holding sports events, athletic contests, contests of skill, exhibitions, spectacles and other public meetings,".

**Amendment No. 2**

On page 2, lines 7 and 8, strike out "sports arena, sports pavilion", and insert "coliseum, sports arena or sports pavilion or other building for holding sports events, athletic contests, contests of skill, exhibitions, spectacles and other public meetings,".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2597**—An act adding Section 86.5 to the Agricultural Code, relating to the Sixth District Agricultural Association.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 6, of the printed amended bill, strike out "sports arenae and sports stadia" and insert "and operate a sports stadium or stadia, a sports arena or sports pavilion or other building for holding sports events, athletic contests, contests of skill, exhibitions, spectacles and other public meetings".

Amendment read, and adopted.

**Further Amendments to Assembly Bill No. 2597**

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in Assembly March 25, 1955, after "Association," insert ", with the approval of the Department of Finance,".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2934**—An act to amend Sections 6400 and 6462 of the Streets and Highways Code, relating to improvement bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly March 18, 1955, strike out "Sections 6400 and", and insert "Section".

**Amendment No. 2**

On page 1, strike out lines 1 to 7, inclusive.



**Amendment No. 3**

On page 1, line 8, strike out "SEC. 2", and insert "SECTION 1".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2935**—An act to amend Sections 8500 and 8651 of the Streets and Highways Code, relating to improvement bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly March 18, 1955, strike out "Sections 8500 and", and insert "Section".

**Amendment No. 2**

On page 1, strike out lines 1 to 4, inclusive.

**Amendment No. 3**

On page 1, line 5, strike out "SEC. 2", and insert "SECTION 1".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3345**—An act to add Section 5b to Division 6 of the Agricultural Code, relating to grain and seed cleaners.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Assembly March 31, 1955, strike out lines 12 to 26, inclusive, and insert

"1260.91. Whenever the owner delivers grain and seed to a grain and seed cleaner for cleaning, and desires to have the cleanings therefrom kept for him, he shall make written request to the grain and seed cleaner to segregate and hold all cleanings resulting from the cleaning of the grain and seeds. If a request is made, the cleaner shall sack or otherwise segregate such cleanings and give written notice to the owner when the cleaning is completed, and if the cleanings are not removed from the cleaning plant within five days after the mailing of the written notification to the owner or five days from the date of receiving authorization to move the cleanings if such authorization is required by Section 154.3, the grain and seed cleaner may dispose of the cleanings in such manner as is provided by law. If no disposition thereof is provided for by law the grain and seed cleaner may dispose of the cleanings by sale or otherwise and shall pay the grower the net receipts received from such sale after deducting reasonable expenses of the sale and satisfying any claims he may have against such cleanings."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3**—An act to amend Section 45 of the Vehicle Code, relating to implements of husbandry.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1969**—An act to amend Sections 799, 802, and 802.3 of the Agricultural Code, relating to grapes.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1082**—An act to add Section 559 to, and to repeal Sections 663 and 664 of, the Agricultural Code, relating to the sanitation of milk products plants.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in Senate April 4, 1955, after "Sections", insert "464.5,".

**Amendment No. 2**

On page 1, line 6, strike out "ice milk", and insert "a milk drink".

**Amendment No. 2.5**

On page 1, line 7, after "manufactured", insert "from milk drink mix hereinafter defined".

**Amendment No. 3**

On page 1, line 8, strike out "frozen or".

**Amendment No. 4**

On page 1, line 10, strike out "ice milk", and insert "milk drink".

**Amendment No. 5**

On page 1, line 11, after "be", insert "pasteurized and shall be".

**Amendment No. 6**

On page 1, line 12, strike out "Grade A", and insert "market milk".

**Amendment No. 7**

On page 1, line 15, after "stabilizer", insert "and may contain sweetening, and harmless flavoring and coloring".

**Amendment No. 8**

On page 1, line 17, after "gram.", insert "All manufacturers of milk drink mix shall upon request of the department submit the names and specific location of all dealers or other persons who receive milk drink mix for the purpose of selling or otherwise dispensing it to the public."

**Amendment No. 9**

On page 1, strike out lines 18 to 21, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3261**—An act to amend Sections 6440, 6441, 6442, 6443, 6460, 6461, 6462, 6463, 6504, and 6508 of the Streets and Highways Code, (Improvement Act of 1911), relating to the time of payment by the property owner and payment to the bondholder.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "6443, 6460, 6461, 6462, 6463, 6504, and 6508", and insert "and 6443".

**Amendment No. 2**

In lines 4 and 5 of the title, strike out "and payment to the bond holder".

**Amendment No. 3**

On page 1, line 15, after "15th", insert "or the fifteenth day of October next succeeding the September 15th, as the case may be,".

**Amendment No. 4**

On page 1, lines 18 and 19, strike out "one years", and insert "six months".

**Amendment No. 5**

On page 1, line 20, after "April", insert "and October".

**Amendment No. 6**

On page 1, line 21, strike out "the April 15th immediately preceding", and insert "45 days before".

**Amendment No. 7**

On page 2, lines 3 and 4, strike out "June 1st of the year of", and insert "the first day of the month next preceding the date upon".

**Amendment No. 8**

On page 2, line 16, after "April", insert "and October".

**Amendment No. 9**

On page 2, line 22, strike out "June 1st", and insert "the first day of the month".

**Amendment No. 10**

On page 2, strike out lines 27 to 52, inclusive; strike out pages 3 and 4; and on page 5, strike out lines 1 to 43, inclusive.

**Amendment No. 11**

On page 5, line 44, strike out "SEC. 11", and insert "SEC. 5".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 1135**—An act to amend Sections 60101, 60102, 60104, 60105, 60106, 60111, 60128, and 60141 of the Government Code, and to amend Sections 60120, 60122, 60123, 60124, 60125, and 60127 (all as added by Chapter 1711 of the Statutes of 1951) of the Government Code, relating to community service districts.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1135?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "60102, 60104, 60105, 60106," and insert "60104, 60105,".

**Amendment No. 2**

In line 2 of the title, strike out "60128 and 60141", and insert "and 60128".

**Amendment No. 3**

In line 3 of the title, strike out "60123,".

**Amendment No. 4**

On page 1, strike out lines 13 to 23, inclusive.

**Amendment No. 5**

On page 2, strike out lines 1 and 2.

**Amendment No. 6**

On page 2, line 3, strike out "SEC. 3.", and insert "SEC. 2."

**Amendment No. 7**

On page 2, line 10, strike out "SEC. 4.", and insert "SEC. 3."

**Amendment No. 8**

On page 2, strike out lines 19 to 31, inclusive.

**Amendment No. 9**

On page 2, line 32, strike out "SEC. 6.", and insert "SEC. 4."

**Amendment No. 10**

On page 2, line 41, strike out "SEC. 7.", and insert "SEC. 5."

**Amendment No. 11**

On page 3, line 1, strike out "SEC. 8.", and insert "SEC. 6."

**Amendment No. 12**

On page 3, strike out lines 10 to 18, inclusive.

**Amendment No. 13**

On page 3, line 19, strike out "SEC. 10.", and insert "SEC. 7."

**Amendment No. 14**

On page 3, line 27, strike out "SEC. 11.", and insert "SEC. 8."

**Amendment No. 15**

On page 3, line 32, strike out "SEC. 12.", and insert "SEC. 9."

**Amendment No. 16**

On page 3, line 40, strike out "within the county".

**Amendment No. 17**

On page 3, line 44, strike out "SEC. 13.", and insert "SEC. 10."

**Amendment No. 18**

On page 4, strike out lines 5 to 12, inclusive.

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1135 by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert L. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, and Way—30.

NOES—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1699**—An act to amend Section 21201 of the Financial Code, relating to pawnbrokers.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 1699?

**Amendment No. 1**

On page 1 of the printed bill, as amended in Senate March 16, 1955, strike out lines 10 to 14, inclusive, and insert "Every pawnbroker shall retain in his possession, after the date on which the loan became due and payable, clothing and furs pledged to him for a period of six months, and every other article pledged to him for a period of nine months. During such periods the bor-".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1699 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert L. McCarthy, Miller, Montgomery, Murdy, Richards, Sutton, Thompson, Ward, and Way—30.

NOES—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1558**—An act to add Article 8 to Chapter 1, Division 3 of the Public Resources Code, relating to oil and gas.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1558?

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in Senate March 23, 1955, strike out "such", and insert after "recommendations" "for such purpose".



**Amendment No. 2**

On page 1, line 17, after "committee", insert "or any other committee of oil producers".

**Amendment No. 3**

On page 1, line 18, after "recommendations", insert "as to any such oil pool".

**Amendment No. 4**

On page 1, line 23, strike out "such", and insert "Any such".

**Amendment No. 5**

On page 2, line 4, strike out "said committee", and insert "a committee of oil producers".

**Amendment No. 6**

On page 2, line 5, after "deems", insert "any".

**Amendment No. 7**

On page 2, line 8, after "matter", insert ".", and it shall be lawful for producers to comply therewith or to agree to comply therewith".

**Amendment No. 8**

On page 2, after line 12, insert

"Nothing herein contained shall be deemed to permit the production of gas in violation of Articles 5 and 6 of Chapter 1 and Chapter 2 of this division."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1558 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, and Way—31.

**NOES**—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1474**—An act to amend Sections 2051 and 2065 of the Code of Civil Procedure relating to witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Brown, Burns, Cobey, Collier, Cunningham, Desmond, Gibson, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, and Way—21.

**NOES**—Senators Abshire, Busch, Dilworth, Erhart, Grunsky, Hulse, Robert I. McCarthy, Murdy, and Thompson—9.

Bill ordered transmitted to the Assembly.

**Motion to Retain Place on File**

Senator Desmond moved that Senate Bill No. 1475 be passed on file and retain its place on file.

Motion carried.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 1720**—An act to amend Section 108 of the Insurance Code, relating to the definition of liability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson,

Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, and Way—28.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 646**—An act to amend Sections 27173.5 and 27176 of, to amend and renumber Section 27174, as added by Chapter 1350 of the Statutes of 1949, to be Section 27174.1 of, and to amend and renumber Section 27174, as added by Chapter 895 of the Statutes of 1949, to be Section 27174.2 of, the Streets and Highways Code, relating to bridge and highway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, and Way—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

#### Motion to Retain Place on File

Senator Desmond moved that Senate Bills Nos. 1713, 1547, 1548 and 1550 be passed on file and retain their place on file.  
Motion carried.

**Senate Joint Resolution No. 15**—Relative to the establishment of separate waterfowl seasons in California.

Resolution read, and presented by Senator Burns.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, and Way—33.  
NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 928**—An act to repeal Section 147.1 of, and to add Sections 147.1, 147.5 and 147.6 to, the Welfare and Institutions Code, relating to the solicitation of charitable contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Ward, and Way—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1353**—An act to amend Section 2193 of the Business and Professions Code, relating to the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Sutton, Teale, Ward, and Way—25.

NOES—Senators Cobey, Robert I. McCarthy, Richards, and Short—4.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1356**—An act to amend Sections 2315, 2321 and 2322 of the Business and Professions Code, relating to the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—28.

NOES—Senator Teale—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 135**—An act to add Sections 62.2, 217, 218, 219, and Division 2B to, and to amend Sections 215 and 216 of, the Vehicle Code, relating to highway user taxes and fees, creating the Reciprocity Commission, and defining the powers thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 987**—An act to repeal Division 10 of, and to add Division 10, comprising Sections 24501 to 27509, inclusive, to the Public Utilities Code, to amend Section 1241 of the Code of Civil Procedure, and to amend Section 1355.1 of the Financial Code, relating to transit districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—34.

NOES—Senator John F. McCarthy—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1246**—An act to add Chapter 4 to Division 3 of the Health and Safety Code, relating to pet birds and public health, and making an appropriation.

Bill read third time.

## Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1246.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 7, 1955

To the Honorable Members of the Senate  
Sacramento, California

GENTLEMEN:

**Senate Bill No. 1246**, "An act to add Chapter 4 to Division 3 of the Health and Safety Code, relating to pet birds and public health, and making an appropriation,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill should have an important effect in reducing the number of cases of psittacosis in California. This disease is now increasing at a significant trend.

I therefore recommend consideration of Senate Bill No. 1246 as an emergency measure.

Respectfully submitted.

GOODWIN J. KNIGHT, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1366**—An act to repeal Sections 4033.2, 4033.3, and 4084 of, and to add Sections 4033.2 and 4084 to, the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1374**—An act to add Sections 4052 and 4061 to the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1375**—An act to amend Sections 4096 and 4089 of the Business and Professions Code, relating to pharmacy.

Bill read third time.



The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1378**—An act to amend Sections 4251 and 4411 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 941**—An act to amend Section 441 of the Education Code, relating to the superintendent of schools of a county of the forty-first class.

Bill read third time, and presented by Senator Teale.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 454**—An act to add Section 6109.1 to the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1671**—An act to add Article 4 to Chapter 6 of Division 12 of the Education Code, relating to books and materials in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Teale, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1349**—An act to add Section 1418 to the Fish and Game Code, relating to hunting and fishing rights of California Indians.

Bill read third time, and presented by Senator Teale.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and Way—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 169**—An act to amend Section 7800 of the Education Code, relating to school district public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Thompson, Ward, and Way—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Constitutional Amendment No. 6**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8 to Article XXIV thereof, relating to the employment of private architects, engineers, and consultants by the State.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, and Way—30.

**NOES**—Senators Busch and Short—2.

Resolution ordered transmitted to the Assembly.

**Senate Constitutional Amendment No. 7**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XVI thereof, relating to state indebtedness.

Resolution read.

#### Motion to Amend

Senator Dilworth moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 19, of the printed bill, strike out "40", and insert "50".

Amendment read, and adopted

Resolution ordered printed, engrossed, and to third reading.

**Senate Concurrent Resolution No. 26**—Relative to the acquisition by the State of "Fern Canyon."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 423**—An act to add Section 2842.5 to the Elections Code, relating to loyalty oaths.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Thompson, Ward, and Way—29.

NOES—Senators Miller and Short—2.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Richards asked for, and was granted, unanimous consent to have the following explanation of vote printed in the Journal:

I have been, and am now, opposed to unwarranted extensions of the loyalty oath method. However, I do believe that members of county committees, as public officers, should take the same oath as that required of the Legislature and other elected officials. I believe that this oath should be corrected, drained of surplusage, brought back to a sound basis, and made to accomplish its intended purpose.

RICHARD RICHARDS

Secretary J. A. Beek at the Desk

#### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 118**—An act to amend Section 14101 of the Government Code, relating to public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—Senator Short—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1268**—An act to add Section 13775.5 to the Government Code, relating to agreements for social security coverage of employees of public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 501**—An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the County of Santa Barbara which were heretofore transferred to and vested in said the Regents of the University of California by an act entitled "An act to authorize the creation of a branch of the University of California at Santa Barbara, to abolish Santa Barbara State College, to transfer to the Regents of the University of California all properties belonging to or used for the benefit of said college, including moneys appropriated and unexpended, or which may be appropriated, to grant to employees of Santa Barbara State College who may become employees of the University of California, certain privileges with respect to membership in retirement and pension systems" approved June 8, 1943, and also remising, releasing and quitclaiming to the Regents of the University of California all real property acquired by the State of California and transferred to the Regents of the University of California for the branch of the University of California at Santa Barbara pursuant to the provisions of an act entitled "An act making an appropriation for the acquisition of land for the branch of the University of California at Santa Barbara providing for the transfer thereof to the Regents of the University of California for such use, declaring the urgency thereof, and providing that this act shall take effect immediately," approved June 13, 1944.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—32.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1539**—An act to amend Sections 302, 303, 308, 981, 1059, and 2604 of, and to renumber and amend Sections 352, 353, and 354 of, to add Section 355 to, and to repeal Sections 132, 304, 351, and 2058 of, and to repeal the heading of Article 2 of Chapter 2 of Part 1 of the Unemployment Insurance Code, relating to unemployment insurance.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 1539 carried an appropriation or an implied appropriation.

The President ordered Senate Bill No. 1539 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2285**—An act to amend Section 4532 of the Penal Code, relating to escapes by persons convicted of misdemeanors.



**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Department of Corrections that Assembly Bill No. 2285 carries an appropriation or an implied appropriation and therefore comes under the provision of Rule 12, Section 5 of the Standing Rules of the Senate.

**Point of Order**

Senator Desmond arose to a point of order and stated that Assembly Bill No. 2285 does not come under the provisions of Rule 12, Section 5 of the Standing Rules as it does not carry an appropriation or an implied appropriation.

The President ruled the point well taken and in so ruling stated that he was advised by the Legislative Counsel Bureau that Assembly Bill No. 2285 does not come under Rule 12, Section 5 of the Standing Rules, and therefore will remain on the third reading file, unless some member wished to make a motion to re-refer Assembly Bill No. 2285 to Committee on Finance.

**WITHDRAWAL AND RE-REFERENCE OF SENATE  
BILLS NOS. 1445 AND 1700**

Senator Dilworth moved that Senate Bills Nos. 1445 and 1700 be withdrawn from Committee on Governmental Efficiency and re-referred to Committee on Education.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were introduced, and read:

**Senate Concurrent Resolution No. 57:** By Senators Collier and Hulse—Relative to the creation of the Joint Committee on Federal Highway Aid.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 58:** By Senator Kraft—Relative to the initiation of the program of antipolio inoculation.

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 58, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 58**

**Senate Concurrent Resolution No. 58**—Relative to the initiation of the program of antipolio inoculation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 59:** By Senator Desmond—Relative to Barbara Romack, women's national amateur golf champion.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 59, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 59**

**Senate Concurrent Resolution No. 59**—Relative to Barbara Romack, women's national amateur golf champion.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 60:** By Senator Desmond—Relative to the passing of Joseph M. Lannon.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 60, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 60**

**Senate Concurrent Resolution No. 60**—Relative to the passing of Joseph M. Lannon.

Resolution read, and unanimously adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—37.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 61:** By Senators Parkman, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier,

Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—Relative to the passing of John H. Doran.

#### **Request for Unanimous Consent**

Senator Parkman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 61, at this time, for consideration.

#### **CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 61**

**Senate Concurrent Resolution No. 61**—Relative to the passing of John H. Doran.

Resolution read, and unanimously adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—37.

Resolution ordered transmitted to the Assembly.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 731**

Senator Way moved that Senate Bill No. 731 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 731**—An act making an appropriation for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, and declaring the urgency thereof.

Bill read second time.

#### **Motion to Amend**

Senator Way moved the adoption of the following amendments:

##### **Amendment No. 1**

In line 1 of the title of the printed bill, strike out "making an appropriation", and insert "to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to state assistance".

##### **Amendment No. 2**

Strike out lines 2 and 3 of the title, and insert "or reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately."

##### **Amendment No. 3**

On page 1, strike out lines 1 to 28, inclusive, and insert

"SECTION 1. Chapter 5.5 is added to Part 1 of Division 2 of Title 5 of the Government Code, to read:

#### **CHAPTER 5.5. EARTHQUAKE RELIEF LAW OF 1955**

##### **Article 1. General**

54200. As used in this article:

(a) "Board" means the State Allocation Board.

(b) "Local agency" means any city, county, or public district.

54201. The board may establish and enforce any regulations it deems necessary for the administration and execution of this chapter.

54202. The board may do anything necessary to give full effect to this chapter.

54203. The legislative body of a local agency may enter into, comply with, and do all things necessary to execute an agreement with the board which is required or authorized by this chapter.

54204. Upon the application of the legislative body of a local agency the board may loan funds to a local agency for the replacement, repair, or reconstruction of any public building or any public facility of such local agency which has been damaged or destroyed by earthquake after July 1, 1952, as provided in Article 2, or the board may replace, repair, or reconstruct any public building or any public facility of a local agency which has been damaged or destroyed by earthquake after July 1, 1952, as provided in Article 3.

54205. The board may require the local agency to insure for the benefit of the State all buildings or other public facilities replaced, repaired, constructed or reconstructed with money loaned pursuant to Article 2, or which the State owns pursuant to Article 3.

54206. Any applications for assistance under Article 4.5, Chapter 5, Part 1, of this division, which were filed prior to December 31, 1954, shall be deemed filed pursuant to this chapter, unless the board has, prior to the effective date of this chapter, loaned money pursuant to such application.

54207. There is hereby created the Earthquake Relief Revolving Fund. All money in such fund, including any money deposited in such fund from any source whatsoever after the effective date of this chapter, is hereby continuously appropriated without regard to fiscal years for expenditure for loans pursuant to Article 2 or for the repair, replacement, construction, or reconstruction of buildings and public facilities pursuant to Article 3. There shall be deposited in such fund all money received as repayment of the principal and interest of loans made pursuant to Article 2 and all money received as rentals pursuant to Article 3.

#### Article 2. Loans

54230. In the event that the board loans funds to a local agency, the board and the local agency may agree upon the terms and conditions of the payment of the principal and interest. The board may require such security as it deems necessary or desirable for such loans. The maximum term of an agreement shall be 20 years. The board may require a shorter repayment period.

54231. A loan shall not be made if it would provide for an indebtedness or liability contrary to the provisions of Section 18 of Article XI of the Constitution unless, at an election called by the governing body of the local agency two-thirds of the qualified electors of the local agency voting thereat have authorized the governing body of the local agency to accept, expend, and repay the amount of the loan under this article. Such election shall be held in accordance with provisions of law for the incurring of bonded indebtedness by the local agency, as near as the same may be applicable. Except as may be prohibited by this section, a loan may be made to a local agency and the local agency may accept such a loan, notwithstanding any other provision of law limiting or prohibiting the creation of any indebtedness on the part of the local agency.

#### Article 3. Replacement or Reconstruction

54260. The board may have prepared all necessary plans and specifications for buildings or public facilities to be constructed or reconstructed pursuant to this article.

54261. The board may determine the terms under which buildings or public facilities will be replaced or reconstructed.

54262. The board may rent all or part of a building or public facility constructed or reconstructed pursuant to this article to the local agency within which the building or public facility is located.

54263. The board may fix the rental to be paid by the local agency for such buildings and public facilities and the terms and manner of the payment of the rental.

54264. The board and the local agency may agree upon the terms and conditions of payment of rentals, which shall be fixed at an amount which will return to the State within the period agreed by the board and the local agency the sums which the State, through the board, has expended for the local agency, plus an amount to be specified by the board to be in lieu of the interest which the State would receive if the money were to be invested by the State. The maximum term of an agreement shall be 20 years. The board may require a shorter repayment period.

54265. Before a building or public facility is replaced or reconstructed the legislative body of the local agency and the board shall enter into an agreement which shall fix the powers, duties, responsibilities, and liabilities of the legislative body and the board.

54266. For the purposes of this article all or part of a building or public facility constructed or reconstructed by the board is the property of the State. The local agency in which the building or public facility, or part, is situated has no interest in it until it is conveyed to the local agency by the board.

54267. The legislative body entering into an agreement to pay rentals to the board shall include in its budget for any year during which the agreement is in effect



an amount sufficient to pay the rental due the board during the year. The amount included in the budget shall be used only for the payment of the rental.

54268. When the legislative body has paid the board the total of the agreed rentals, the board shall convey to the local agency in the name of the State the building or public facility mentioned in the agreement.

54269. The legislative body of a local agency entering into an agreement with the board may pay the rental charged under the agreement out of any of its funds whose use for the payment of the rental is not prohibited by the Constitution.

54270. Any contract by the board for the construction or reconstruction for any building or public facility shall be let by the board to the lowest responsible bidder giving the security required by the board, or the board shall reject all bids and advertise for new bids.

54271. The board shall publish a notice calling for bids at least once a week for two weeks in a newspaper of general circulation published in the local agency in which the building or public facility is to be constructed or reconstructed, or if there is no such paper, in a newspaper of general circulation circulated in the county. The notice shall state the work to be done or materials or supplies to be furnished and the time and place bids will be opened.

54272. The board may delegate to its executive officer the authority to approve construction change orders which do not result in an increase in the cost of the building or public facility being repaired, replaced, constructed, or reconstructed.

54273. The board may let contracts without the approval of plans by the Division of Architecture of the Department of Public Works. When the board deems it necessary or advisable, it may consult with other state agencies concerning buildings or other public facilities to be repaired, replaced, constructed, or reconstructed pursuant to this article.

SEC. 2. The sum of five million dollars (\$5,000,000) is hereby appropriated to the Earthquake Relief Revolving Fund to carry out the provisions of this act. The balance remaining of the appropriation made by Section 2 of Chapter 21 of the Statutes of 1952 (Second Extraordinary Session) for which application has been made by local agencies but for which no allocation has been made by the board shall be transferred to the Earthquake Relief Revolving Fund by the Controller, and the balance of the total sum appropriated by this section shall be transferred from the General Fund to the Earthquake Relief Revolving Fund by the Controller.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The recent earthquakes in the State have destroyed and damaged various public buildings and public works to the extent that they may no longer be used for the purpose for which intended. Unless immediately repaired, the functions of local government and of the public schools will be so hampered as to adversely affect the general health and welfare of the State. The damage is so extensive and the cost of repair and reconstruction so great that residents of the affected areas are unable to bear the cost thereof. The immediate restoration of the damaged and destroyed facilities is essential to the welfare of the State as a whole."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1765

Senator Richards moved that Senate Bill No. 1765 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1765**—An act relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, religion, color, national origin, or ancestry, creating a state commission on fair employment practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees, providing for the judicial enforcement and review of its orders, providing for an educational program for the elimination of discrimination because of race, religion,

color, national origin or ancestry, and making an appropriation for the purposes of this act.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendment:

**Amendment No. 1**

On page 3 of the printed bill, strike out lines 35 to 47, inclusive.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 119**

Senator John F. McCarthy moved that Senate Bill No. 119 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 119**—An act to add Chapter 10 to Part 3, Division 3, Title 2 of, and to repeal Chapter 4 of Part 4, Division 3, Title 2 of, the Government Code, relating to state-owned motor vehicles and automotive equipment.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Senate March 9, 1955, strike out "Division of".

**Amendment No. 2**

On page 1, strike out lines 8 and 9.

**Amendment No. 3**

On page 1, strike out lines 11 and 12, and insert "(a) 'Department' means the Department of Finance."

**Amendment No. 4**

On page 1, strike out lines 13 and 14 and insert "(b) 'Director' means the Director of Finance."

**Amendment No. 5**

On page 1, strike out lines 15 to 22, inclusive, and insert "(c) The words 'automotive equipment,' 'vehicle,' 'automotive' and words of similar connotation, shall mean or relate to passenger-type state-owned motor vehicles."

**Amendment No. 6**

On page 2, line 1, strike out "division shall", and insert "director may".

**Amendment No. 7**

On page 2, line 6, strike out "division shall", and insert "director may".

**Amendment No. 8**

On page 2, line 14, strike out "division shall", and insert "director may".

**Amendment No. 9**

On page 2, line 20, strike out "shops,".

**Amendment No. 10**

On page 2, line 29, strike out "division", and insert "director".

**Amendment No. 11**

On page 2, line 30, strike out "its control, shall", and insert "his control, may".

**Amendment No. 12**

On page 2, line 14, strike out "shall", and insert "may".

**Amendment No. 13**

On page 2, line 44, strike out "division", and insert "department".

**Amendment No. 14**

On page 2, line 45, strike out "On the effective date of this article, all", and insert "On order of the Director of Finance".

**Amendment No. 15**

On page 2, line 47, strike out "division", and insert "department".

**Amendment No. 16**

On page 2, line 48, strike out "division", and insert "department".

**Amendment No. 17**

On page 4, between lines 11 and 12, insert  
"13857. The provisions of this chapter shall not apply to motor vehicles which do not belong to the State as declared by subdivision (d) of Section 202 of the Revenue and Taxation Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 14**

Senator Dorsey moved that Senate Bill No. 14 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 14**—An act to add Article 6, comprising Sections 35350 to 35402, inclusive, to Chapter 1, Part 2, Division 2, Title 4 of the Government Code, relating to the consolidation of cities and unincorporated territory.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendment:

**Amendment No. 1**

On page 4, line 2, of the printed bill, as amended in Senate April 5, 1955, strike out "one-fourth", and insert "5 percent".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 504**

Senator Dorsey moved that Senate Bill No. 504 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 504**—An act to amend Sections 21362, 21364, 21367, 21368, 21371, 21381, 21382, 21383, 21384, 21391, 21392, 21393, 21395, and 21396 of, to add Sections 21364.1 and 21385 to, to add Article 5 to Chapter 8 of Division 10 to, and to repeal Section 21372 of, the Education Code, relating to the residential schools known as the California Academies for dependent, neglected and homeless children.

Bill read second time.

**Motion to Amend .**

Senator Dorsey moved the adoption of the following amendment:

**Amendment No. 1**

On page 7, line 1, of the printed bill, as amended in Senate April 1, 1955, strike out "All moneys deposited in"; and strike out all of lines 2 to 5, inclusive.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1410**

Senator Kraft moved that Senate Bill No. 1410 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1410**—An act to add Sections 26280.5 and 26295.5 to, and to amend Section 26295 of, the Health and Safety Code, relating to the adulteration, misbranding, and advertising of drugs.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill as amended in Senate April 13, 1955, strike out lines 6 and 7, and insert "person, other than a person authorized by law, to diagnose or give a treatment with any device or drug or to advertise a drug or device for such diagnosis or treatment for any disease enumerated in Section 26286.5."

**Amendment No. 2**

On page 1, line 24, strike out "as a consequence", and insert "therefrom directly or indirectly".

Amendments read, and adopted.

Bill ordered printed and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1769**

Senator Richards moved that Senate Bill No. 1769 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1769**—An act to add Chapter 6 to Division 7 of the Elections Code, comprising Sections 5400 to 5407, inclusive, relating to



the publication of a voters' handbook to be mailed to each registered voter prior to the direct primary and prior to the general election.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "5407", and insert "5408".

**Amendment No. 2**

In line 4 of the title, strike out "prior to the direct primary and".

**Amendment No. 3**

On page 1, line 6, strike out "to the direct primary election and prior".

**Amendment No. 4**

On page 1, strike out lines 9 to 12, inclusive, and insert "State. The".

**Amendment No. 5**

On page 1, strike out lines 15 to 18, inclusive, and insert "(1) The statement concerning candidates to".

**Amendment No. 6**

On page 1, line 20, strike out "(4)", and insert "(2)".

**Amendment No. 7**

On page 1, line 23, strike out "for the nomination of a party".

**Amendment No. 8**

On page 1, line 24, strike out "direct primary", and insert "general".

**Amendment No. 9**

On page 2, strike out line 1, and insert "of his".

**Amendment No. 10**

On page 2, line 2, strike out "nominated or".

**Amendment No. 11**

On page 2, strike out lines 15 to 20, inclusive, and insert "to be voted for throughout the State including the State Board of Equalization, six hundred dollars (\$600); for Representative in Congress, three hundred dollars (\$300); and for State Senator or Member of the State Assembly, seventy-five dollars (\$75)."

**Amendment No. 12**

On page 2, strike out lines 40 to 50, inclusive, and insert "5405. The statement concerning each candidate may be submitted to the Secretary of State not later than 60 days prior to the general election."

**Amendment No. 13**

On page 3, line 2, strike out "be the same as the state"; strike out lines 3 and 4; and in line 5, strike out "shall".

**Amendment No. 14**

On page 3, lines 7 and 8, strike out "direct primary and at least 45 days before the".

**Amendment No. 15**

On page 3, lines 15 and 16, strike out "15 days before the direct primary or the", and insert "35 days before the general".

**Amendment No. 16**

On page 3, line 17, strike out "direct primary election or the".

**Amendment No. 17**

On page 3, line 18, strike out "as the case may be".

**Amendment No. 18**

On page 3, line 20, strike out "direct primary and 15 days before the".

**Amendment No. 19**

On page 3, after line 23, insert

"5408. The fees required of candidates under Section 5402 shall be transmitted by such candidates to the Secretary of State not later than 60 days prior to the general election."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 791**

Senator Gibson moved that Senate Bill No. 791 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 791**—An act to amend Section 2550 of the Business and Professions Code, relating to dispensing opticians.

Bill read second time.

**Motion to Amend**

Senator (Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "2550", and insert "2554".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 2554 of the Business and Professions Code is amended to read:

2554. Certificates issued under this chapter shall be valid, unless sooner suspended or revoked, for the current year in which issued and shall expire on December 31st of such year. Certificates shall be renewable upon application for renewal being made prior to January 15th of each year and the payment of a renewal fee [of twenty-five dollars (\$25)] *which shall be set by the board annually at not more than thirty dollars (\$30) and not less than fifteen dollars (\$15).* If application for renewal is not made by January 15th an additional fee of fifteen dollars (\$15) shall be paid on account of delinquency in renewal, but any such application for renewal must be made prior to February 15th of each year otherwise the right to do business under the provisions of this chapter is forfeited. All fees collected under this chapter shall be paid into the contingent fund of the Board of Medical Examiners. The Board of Medical Examiners may employ, subject to civil service regulations, what-ever additional clerical assistance is necessary for the administration of this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 913**

Senator Gibson moved that Senate Bill No. 913 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 913**—An act to amend Section 7503 of the Business and Professions Code, relating to private investigators and adjusters.  
Bill read second time.

## Motion to Amend

Senator Gibson moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "7503", and insert "7580".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 2

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 7580 of the Business and Professions Code is amended to read:

7580. The amount of fees prescribed by this chapter, unless otherwise fixed, is that fixed in the following schedule:

(a) The application fee for an original license in any classification is twenty-five dollars (\$25).

(b) The fee for an original license as a private investigator, or as a private investigator and private patrol operator shall be fixed by the director at not more than fifty dollars (\$50) nor less than [twenty-five dollars (\$25)] *ten dollars (\$10)*.

(c) The fee for an original license as a private patrol operator shall be fixed by the director at not more than twenty-five dollars (\$25) nor less than [twelve dollars (\$12)] *five dollars (\$5)*.

(d) The amount of the renewal license fee for any classification is the same as fixed herein for the original license fee.

(e) The application and license fee for classifications prescribed by the director, in addition to those provided for in this chapter, and the application and license fees for a change in the type of business organization of a licensee, shall be in the amount prescribed by rule and regulation of the director.

(f) The reinstatement fee for a license which has been forfeited for failure to renew within the time fixed by this chapter is the amount of the annual license fee plus a penalty of fifty percent (50%) thereof.

(g) The fee for an original license as an insurance adjuster shall be the same as prescribed in subdivision (b) of this section.

(h) The fee for the issuance of a branch office certificate is five dollars (\$5).

(i) The fee for re-examination of an applicant or his manager is ten dollars (\$10)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 842

Senator Thompson moved that Senate Bill No. 842 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 842**—An act to amend Section 20392, Education Code, relative to appointment procedures applicable to exempt state college employees.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "provided", insert "by law".

**Amendment No. 2**

On page 1, lines 4 and 5, strike out "president of the college", and insert "director".

**Amendment No. 3**

On page 1, line 6, strike out "director of education", and insert "State Board of Education, only upon the recommendation of the president of the college".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1450**

Senator Gibson moved that Senate Bill No. 1450 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1450**—An act to add Article 3 to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the financing and construction of an additional toll bridge across Carquinez Straits near Crockett, including the modification and improvement of the existing Carquinez Bridge and the construction of approaches to both bridges.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In lines 3 and 4 of the title of the printed bill, strike out "an additional toll bridge across Carquinez Straits near Crockett", and insert "additional toll bridges across Carquinez Straits".

**Amendment No. 2**

Strike out line 6 of the title, and insert "struction of approaches to such bridges, declaring the urgency thereof and providing this act shall take effect immediately."

**Amendment No. 3**

On page 1 strike out lines 6 to 24, inclusive; and strike out all of pages 2, 3, and 4, and insert

"30700. As used in this article:

(a) "Existing bridge" means that certain bridge across the Carquinez Straits near Crockett, known as the Carquinez Bridge, together with any existing or new and additional approaches thereto necessary or desirable to connect with the present State Highway Routes 7 and 14, or any realignment thereof, which approaches shall extend, constructed to freeway standards, to a point approximately four and one-half miles north of the north end of the bridge, which point is just north of the Greenfield Avenue intersection, and to a point approximately four miles south of the south end of the bridge, which point is just north of the intersection of Routes 14 and 106.

(b) "Additional Carquinez Bridge" means a new toll bridge across the Carquinez Straits near Crockett, to be located approximately parallel to and upstream from the existing bridge, together with all approaches thereto necessary or desirable to connect with the present State Highway Routes 7 and 14 or any realignment thereof, which approaches shall extend, constructed to freeway standards, to a point approximately four and one-half miles north of the north end of the bridge, which point is just north of the Greenfield Avenue intersection, and to a point approximately four miles south of the south end of the bridge, which point is just north of the intersection of Routes 14 and 106, and toll collection facilities to serve both the existing bridge and the additional toll bridge.



(c) "Benicia-Martinez Bridge" means a new toll bridge across Carquinez Straits and connecting, with suitable approaches constructed to freeway standards, the Cities of Benicia and Martinez, such approaches to include improvements southerly to a connection with Route 106 and northerly to a connection with Route 74, approximately one-half mile northwesterly from Second Street in the City of Benicia, and toll collection facilities for the bridge.

(d) "Authority" means the California Toll Bridge Authority.

(e) "Department" means the Department of Public Works of the State of California.

30701. The department is authorized to lay out, acquire and construct the additional Carquinez Bridge and the Benicia-Martinez Bridge as defined in this article, and to make such modification, improvement and reconstruction of the existing bridge as is necessary adequately to handle anticipated traffic and permit the collection of tolls. The existing bridge and the additional Carquinez Bridge may be operated as a single unit.

30702. For the purpose of obtaining funds to carry out the provisions of this article, the authority is authorized to issue revenue bonds. Except as herein otherwise provided, the provisions of the California Toll Bridge Authority Act are hereby made applicable to such revenue bonds, and the authority and the department are authorized to do any and all things pursuant to law necessary to finance, construct and complete the bridges mentioned in this article and the improvement of the existing bridge. The authority may authorize the issuance of bonds in series in an amount estimated to be sufficient to complete the entire work authorized hereunder in successive stages, and may provide for the issuance and sale of sufficient revenue bonds to finance the construction of the additional Carquinez Bridge and the modification, improvement and reconstruction of the existing bridge as the initial stage of such work. The authority may insert in the bond indenture or resolution authorizing such bonds such conditions as it deems necessary upon the issuance and sale of the additional bonds necessary to finance the acquisition, construction and completion of the Benicia-Martinez Bridge. The revenues of each bridge need not be accounted for separately, but may be allocated as security for all of the bonds issued or to be issued hereunder as the authority may determine.

30703. The authority is hereby authorized to reimpose tolls upon the existing bridge and to continue to collect tolls thereon for the purposes of this Article 3, the collection of said tolls to commence upon the date the additional Carquinez Bridge is opened to public traffic. The authority is likewise authorized to impose tolls upon the use of the additional Carquinez Bridge when it is opened to public traffic and the Benicia-Martinez Bridge when it is opened to public traffic. The authority may provide for the collection of tolls upon the existing bridge and the additional Carquinez Bridge under such rules and regulations as the authority deems necessary in order to operate both bridges as a single toll bridge. No tolls shall be charged for the use only of the approaches of any of such bridges as said approaches are defined in Section 30700. Subject to the limitations provided in this article, such tolls shall be used and applied as may be provided in a bond indenture or resolution of the authority authorizing the issuance of bonds for (a) the payment of principal and interest on said bonds; (b) the creation, establishment and maintenance of reserve and other funds for the protection or retirement of such bonds; (c) operation and insurance expenses, and (d) any other charges in connection with the construction, operation, insuring, and financing of said bridges and the improvement of the existing bridge as may be determined by the authority, including the establishment of rehabilitation and improvement funds for further rehabilitation and improvement of the bridges. Tolls shall continue to be collected upon the existing bridge, the additional Carquinez Bridge, and the Benicia-Martinez Bridge until all revenue bonds issued under this article have been fully paid and retired.

30704. The cost of operation of the existing bridge, the additional Carquinez Bridge, and the Benicia-Martinez Bridge, including the cost of insurance against loss of tolls or other revenue therefrom shall be paid from the tolls and revenue received from the use and operation of said bridges. The cost of physical maintenance, including the cost of insurance of said bridges against all risks, shall be paid by the department out of funds available to it for the maintenance of state highways. The department shall provide all engineering services for the work authorized in this article and the cost thereof shall be paid from funds available for the construction of state highways in Solano and Contra Costa Counties.

30705. The bridges referred to in this article shall become toll free as soon as all bonds issued under this article are fully paid and retired.

30706. While any revenue bonds issued pursuant to this article are outstanding, at such time as funds may be made available to the State of California from any federal interstate or main line highway system program in excess of federal allotments existing on January 1, 1955, the proportionate share of such funds which would have been allotted to the bridges mentioned in this article, or any of them, or the refund obtained because of the construction thereof, to the extent permitted by federal law, shall be credited to Solano and Contra Costa Counties in the proportions

expended in each county (the cost of the bridges being evenly divided) for expenditure in accordance with law for construction on the state highways located in said counties.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Traffic congestion is becoming more and more acute on the existing Carquinez Bridge and the portions of state highways leading to and from it, resulting not only in economic loss, but in hazards to traffic using the same; existing ferry accommodations between Benicia and Martinez are wholly inadequate; all resulting in a serious impediment to workers attempting to reach the military installations and defense industries in the areas affected. It is imperative that the bridges be constructed as soon as possible and this act shall therefore take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 28

Senator Gibson moved that Senate Bill No. 28 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 28**—An act to amend Sections 1603, 1628, 1651, 1670, 1679, 1723, and 1747, and to repeal Section 1745 of the Business and Professions Code, relating to the practice of dentistry and dental hygiene and the administration of the laws relating thereto.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

On page 2 of the printed bill, strike out lines 21 to 24, inclusive, and insert "month after making said change. In the event any licensed dentist fails to notify the board of any change in the address of his place of practice within the time prescribed by this section, the board shall not renew such person's license until the penalty fixed by this chapter is paid. An applicant for the annual renewal of a license to practice dentistry shall specify in his application whether he has changed the address of his place of practice during the previous year, and if so, the date of such change, and the board may accept such statement as evidence of such fact. When any licensee hereunder".

#### Amendment No. 2

On page 3, line 30, strike out "five dollars (\$5)". and insert "seven dollars (\$7)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 893

Senator Gibson moved that Senate Bill No. 893 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 893**—An act to amend Section 19000 of the Business and Professions Code, relating to furniture and bedding.

Bill read second time.

## Motion to Amend

Senator Gibson moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "19000", and insert "19170".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 2

On page 1, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 19170 of the Business and Professions Code is amended to read:

19170. (a) The annual fee imposed for each license granted under this chapter shall be [ascertained by reference to] *set annually by the chief, with the approval of the director, at a sum not more nor less than that shown in the following table:*

	<i>Maximum Fee</i>	<i>Minimum Fee</i>
Furniture manufacturer's license -----	\$30[.00]	\$20
Wholesale furniture dealer's license -----	[\$]30[.00]	20
Bedding manufacturer's license -----	[\$]30[.00]	20
Wholesale bedding dealer's license -----	[\$]30[.00]	20
Supply dealer's license -----	[\$]30[.00]	20
Furniture repairer's license -----	[\$]20[.00]	10
Bedding renovator's license -----	[\$]20[.00]	10
Sterilizer's license -----	[\$]20[.00]	10
Retail furniture dealer's license -----	[\$]5[.00]	2
Retail bedding dealer's license -----	[\$]5[.00]	2

(b) A person who has paid the required fee and who is duly licensed as a furniture manufacturer, a furniture repairer, a bedding manufacturer or a bedding renovator under this chapter shall not be required to pay, in addition, the fee prescribed herein for a sterilizer's license.

[(c) The schedule of fees prescribed in this section constitutes a maximum, and the chief, with the approval of the director, may make a proportionate reduction in the schedule for any year upon the basis of the bureau's needs for the proper enforcement of this chapter.]"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 344	Assembly Bill No. 2143
Assembly Bill No. 345	Assembly Bill No. 2329
Assembly Bill No. 858	Assembly Bill No. 2761
Assembly Bill No. 1822	Assembly Bill No. 2783
Assembly Bill No. 2140	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 344**—An act to add Section 450.2 to the Fish and Game Code, relating to waste of game.

Referred to Committee on Fish and Game.



**Assembly Bill No. 345**—An act to repeal Section 146 of the Fish and Game Code, relating to fish and game districts.

Referred to Committee on Fish and Game.

**Assembly Bill No. 858**—An act to amend Sections 640, 641, 642, 643, 644, 645, 645.1, 646, and 1200 of the Probate Code, relating to probate proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 1822**—An act to add Sections 585.6, 585.7 and 585.8 to and to amend Sections 585 and 585.5 of the Vehicle Code, relating to vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 2140**—An act to amend Section 12002 of the Financial Code, relating to the definition of a check seller or cashier.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 2143**—An act to amend Section 12200 of the Financial Code, relating to necessity for commissioner's license to engage in business as a check seller or cashier.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 2329**—An act to amend Sections 11610, 11611, 11616, 11619, 11620, and 11627 of the Health and Safety Code, relating to the forfeiture of vehicles for narcotics violations.

Referred to Committee on Judiciary.

**Assembly Bill No. 2761**—An act to amend Section 1102 of the Code of Civil Procedure, relating to the writ of prohibition.

Referred to Committee on Judiciary.

**Assembly Bill No. 2783**—An act to add Section 44.14 to the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 80  
Assembly Bill No. 302  
Assembly Bill No. 541  
Assembly Bill No. 542  
Assembly Bill No. 549  
Assembly Bill No. 725  
Assembly Bill No. 897  
Assembly Bill No. 1017  
Assembly Bill No. 1038  
Assembly Bill No. 1071  
Assembly Bill No. 1603

Assembly Bill No. 1700  
Assembly Bill No. 1859  
Assembly Bill No. 1961  
Assembly Bill No. 1962  
Assembly Bill No. 2038  
Assembly Bill No. 2176  
Assembly Bill No. 2492  
Assembly Bill No. 2539  
Assembly Bill No. 2813  
Assembly Bill No. 2817  
Assembly Bill No. 3748

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk



**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 80**—An act to add Section 18 to Chapter 63 of the Statutes of 1880, relating to protection districts.

Referred to Committee on Local Government.

**Assembly Bill No. 302**—An act to amend Section 1 of Chapter 142 of the Statutes of 1945, relating to tidelands and submerged lands in the County of San Diego.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 541**—An act to amend and renumber Section 21403 to be Section 21404 of, and to add a new Section 21403 to, the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

**Assembly Bill No. 542**—An act to add Section 25800.2 to the Water Code, relating to irrigation district assessments.

Referred to Committee on Water Resources.

**Assembly Bill No. 549**—An act to add Sections 6136.1, 14740.2, 14740.3, and 14722.2 to, and to amend Section 14741 of the Education Code, relating to school district retirement systems.

Referred to Committee on Education.

**Assembly Bill No. 725**—An act to amend Section 1192.1 of the Code of Civil Procedure, relating to claims of laborers and materialmen on public contracts.

Referred to Committee on Judiciary.

**Assembly Bill No. 897**—An act to amend Section 20251 of the Education Code, relating to employees of orientation centers for the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1017**—An act to amend Section 423 of the Education Code, relating to the county superintendent of schools of a county of the twenty-third class.

Referred to Committee on Education.

**Assembly Bill No. 1038**—An act to add Sections 18007.5, 18032, 18033, 18034, 18076, 18077, 18092.1, and 18171.1 to, and to amend Sections 18041, 18062, and 18092 of, the Streets and Highways Code, relating to the Street Lighting Act of 1919.

Referred to Committee on Local Government.

**Assembly Bill No. 1071**—An act to amend Section 1829 of the Education Code, relating to election of members of school boards.

Referred to Committee on Education.

**Assembly Bill No. 1603**—An act to repeal Section 15709 of the Public Utilities Code, relating to public utility districts.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1700**—An act to amend Section 40812 of the Government Code, relating to the duties of city clerks.

Referred to Committee on Local Government.

**Assembly Bill No. 1859**—An act to add Section 40805.5 to the Government Code, relating to city finance officers.

Referred to Committee on Local Government.

**Assembly Bill No. 1961**—An act to add Title 7a, comprising Section 575, to Part 2 of the Code of Civil Procedure, relating to pretrial conferences.

Referred to Committee on Judiciary.

**Assembly Bill No. 1962**—An act to add Section 77 to the Code of Civil Procedure, to repeal Section 77b of said code, and to repeal Section 69540 of the Government Code, all relating to appellate departments of the superior courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 2038**—An act to amend Sections 35105.5 and 35304.5 of the Government Code, relating to the annexation of territory by cities.

Referred to Committee on Local Government.

**Assembly Bill No. 2176**—An act to amend Sections 36517, 36801 and 36802 of the Government Code, relating to city officers.

Referred to Committee on Local Government.

**Assembly Bill No. 2492**—An act to amend Section 2286 of the Business and Professions Code, relating to the healing arts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2539**—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

**Assembly Bill No. 2813**—An act to amend Section 7726 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2817**—An act to amend Section 7725 of the Business and Professions Code, relating to funeral directors and embalmers.

Referred to Committee on Business and Professions.

**Assembly Bill No. 3748**—An act to amend Sections 9614 and 9806 of the Education Code, relating to credentials for teachers.

Referred to Committee on Education.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 96—An act to amend Sections 17403, 17404 and 17609 of the Financial Code, relating to escrow agents;

Senate Bill No. 678—An act to add Section 21151 to the Government Code, relating to appointments of retired members of the State Employees' Retirement System;

Senate Bill No. 1104—An act to add Sections 1047, 1048, and 1049 to the Military and Veterans Code, relating to the Veterans' Home of California;

Senate Bill No. 1310—An act to add Section 860 to the Financial Code, relating to bank deposits by public entities;

Senate Bill No. 1311—An act to add Section 60737.09 to the Government Code, relating to community services districts;

Senate Bill No. 1312—An act to add Section 30585 to the Water Code, relating to county water districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1955, at 11.30 a.m.

WARD, Chairman

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, April 15, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 1180

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 11; noes 1; absent 1.

MURDY, Vice Chairman

Above reported bill ordered to second reading.

**Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 109

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 94

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

MILLER, Chairman

Above reported bill ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, April 6, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 734

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

REGAN, Chairman

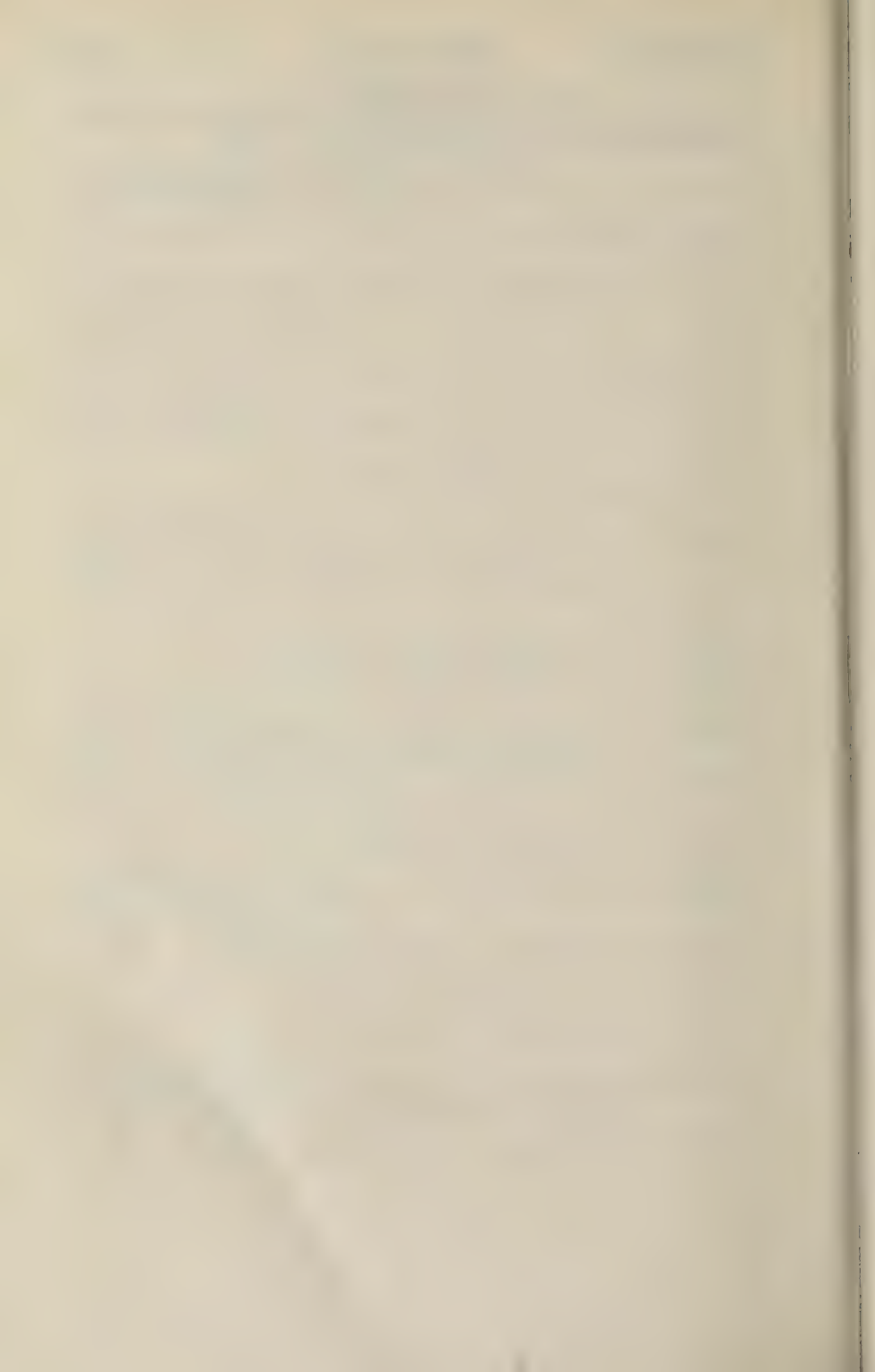
Above reported bill ordered to second reading.

**ADJOURNMENT**

At 5.12 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Tuesday, April 19, 1955.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY

SEVENTIETH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, April 19, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—34.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator J. Howard Williams, on motion of Senator Hulse, due to personal business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Desmond, on motion of Senator Burns, due to illness.

Senator Sutton, on motion of Senator Gibson, due to legislative business.

Senator Montgomery, on motion of Senator Short, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. A. Teale of Railroad Flat.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tony Martinolich of San Diego.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Adolph C. Sieber of Lodi.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students and teachers of the Edwin Markham Junior High School, San Jose: Curtis Bishop, Barbara Blanchard, Maria Ann Burciaga, Fred Burris, Richard Carlson, Jo Ann Chargin, Ronald Cimoli, Tom Conom, Bill Cox, Dennis Daly, Kenneth Dolen, Ronnie Elliott, Larry Emerson, Andy Feldman, Edward Fernandes, Sandra Francee, Johnny Franke, Myrle Friis, Joe Gagliardi, David Gallegos, Bob Gangi, Carl George, Pat Gospodnetich, Barton Graham, Connie Guancione, Mary Anne Herschbach, Lorraine Heiser, Rose Ann Headman, Marcia Hunter, Irwin Jobrack, Dale Jones, Terry Jackson, Susan Jenkins, Pat Jones, Margaret Keck, Kathleen Koughan, Martha Lawrence, Pauline Lymberis, Phillip Moormann, Barbara Nastrini, Jan Nordin, Dianne Notsch, Jim Ogburn, Karen Pizzo, Paulette Polizzi, Gary Proost, Dave Provan, Donna Redding, Susan Rendahl, Richard Rendler, Irene Rinauro, Kay Sanders, Ray Saunders, John Schroeder, Byron Schurg, Sylvia Smith, Beverly Snell, Phyllis Snyder, Carole Soden, Clayton Stone, Modestine Taormina, Elida Ann Taylor, Jim Tellefson, Bobby Terrell, Tony Trillo, Elaine Upright, John Vernali, Mavis Vollenweider, Pat Ward, Wayne Watkins, Jeanette Wiens, Ronald Williams, Mrs. Rose McDonogh, and James M. Weight.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. W. Coburn Cook and Miss Corinne Cook of Markleeville.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Father Francis J. Callahan, S. J., John Murphy, Edward Serres, David McCarville, and John Foran of San Francisco.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bruce McKenzie of San Francisco.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Rosalie Hamilton, Mrs. Roy Boddy and the following students from Gold Hill School, Eldorado County, Placerville: Arden Sparks, Arleta Martin, Jim Popovich, Barbara Tollefson, Molly Winje, Sandra Winje, Judy Boddy, Thad Harper, Harvey Winje, Jane Tollefson, and Charlene Martin.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arnold Meyer and Armond Meyer of Van Nuys; Del Smith of Pomona College, Pomona; Thelma Parish of Los Angeles, James Baker of Arcadia, D. C. Metcalf of Los Angeles, William Laurence of Wilmington, Mrs. Evelyn T. Moyer of Van Nuys, Isidor Steinhart of Los Angeles, Rabbi Greenberg of Los Angeles, Ronald Bartels of Pomona College, Pomona; and Mrs. McDavid, wife of Member of Board of Equalization for Los Angeles area.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to leader Mrs. Thomas

Gaines, and the following Camp Fire Girls from Pleasant Hill Elementary School, Walnut Creek; Kathleen Collins, Mary Morin, Marge Dothe, Catherine Gaines, and Lynn Campbell.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Women's Republican Club of Modesto Area: Mesdames Edward D. Cooley, Rose Faber, Geneva Cooley, McMahan, Edigh Capps, R. J. Paslaqua, Ensign, Adolph Heersink, Edward Hall, T. W. Thomas, Julia Predgeon, Chas. Cole and Dan Munn.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stephen Galvin, District Attorney of Merced County.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to N. L. Bliss of Van Nuys, Milton Lester, M.D., of Los Angeles, Dr. M. B. Sosin of Los Angeles, Dr. P. Price Cobbs of Los Angeles, and Dr. J. Agins of Hollywood.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. L. Baumbach, teacher, and the following students from Montezuma School: Joan Barger, Clyde Barnard, Judy Barsby, Jacob Bayer, Larry Denny, Odis Edmon, Ted Fritz, Connie Gatewood, Alice Griffin, W. E. Guster, Ruthie Hellmans, Esther Hubble, Cordell Humphrey, Charline Langston, Wayne Lierman, Ronald Melton, David Mitchel, Leroy Nix, Juanita Polanco, Patrick Reeve, Rosemarie Ruffine, Jimmy Tucker, Donna Walsh, and Ronald White.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Cmdr. C. A. McKelvey, U. S. N. (Ret.) of Fort Bragg.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Everett Bannister of Santa Ana.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Margaret E. Ashton, teachers, Mrs. Pansy Street, D. R. Moeller, Mrs. Paula North, parents Mesdames Robert Johnson, Bernard Jacobsen, Howard Williams, John Wilkerson, Merlyn Lausten, and the following students from Mt. Eden School District, Mt. Eden: Edward Adams, Margaret Alvarez, Frank Amador, Dale Amlot, Eugene Armstrong, Betty Baber, Dorothy Baca, Kathleen Bennett, Dennis Bontrager, Francis Butler, Janice Braman, Geraldine Calica, Darlene Carter, Nancy Celestial, Bill Corey, Joe Cobb, Margaret Cornell, Zalon Davidson, Barbara Doudna, Phillip Doudna, Arlo Eck, Robert Filena, Jeryl Fry, Arthur Gilbert, Oneita Head, Loretta Holman, Larry Hughes, Ann Jacobs, Carol Jacobsen, Norma Jeffreys, Helen Johnson, Ronald Johnson, Crystal Kenner, Donald Kent, Eddie Kistler, Merlyn Lausten, Valentine Lena, Barbara Long, Lois Looney, Arlene Martin, Linda Medley, Andrew Miller, Joel Miller, Albert Monttmayor, William Ostella, Barbara Patton, Marlene Read, Dolores Renda, Joseph Renda, Ella Romero, Lawrence Saffold, Beatrice Santos, Ruth Santos, William Schmeck, Susan Seourkeas, Leonard Seeley, Charles Smith, Ronald



Staley, Robert Swartz, Mary Torres, Marcia Von Mosch, Betty Van Leiden, Patricia Wasko, Frank Warren, Delores Williams, John Wilkerson, and Merle Yeary.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Robert Pettingill of Altadena and Hugh Anderson of South Pasadena.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 19, 1955

*To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

EARL TRUSCOTT, a resident of San Bernardino; general manager of Mountain View Cemetery; a member of the Cemetery Board since January 24, 1950; to the Cemetery Board, vice self, term expired, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Resolution read, and referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 93

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 93**—Relative to commemorating the forty-ninth anniversary of the San Francisco catastrophe of 1906.

#### Request for Unanimous Consent

Senator Cobey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 93, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 93

**Assembly Concurrent Resolution No. 93**—Relative to commemorating the forty-ninth anniversary of the San Francisco catastrophe of 1906.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Ward—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

# REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 193

Senate Bill No. 1055

Senate Bill No. 593

Senate Bill No. 1202

Senate Bill No. 971

Senate Bill No. 1515

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 58

Senate Concurrent Resolution No. 60

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 59

Senate Concurrent Resolution No. 61

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Constitutional Amendment No. 7

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 286

Senate Bill No. 939

Senate Bill No. 593

Senate Bill No. 940

Senate Bill No. 615

Senate Bill No. 970

Senate Bill No. 921

Senate Bill No. 972

Senate Bill No. 927

Senate Bill No. 1537

Senate Bill No. 938

And reports the same correctly engrossed.

WARD, Chairman

## Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1976

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; noes 1; absent 1.

JOHN F. McCARTHY, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 543

Assembly Bill No. 2287

Senate Bill No. 1728

Assembly Bill No. 2494

Assembly Bill No. 1891

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

JOHN F. McCARTHY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 126

Assembly Bill No. 146

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

JOHN F. MCCARTHY, Chairman

Above reported bills ordered to second reading.

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 18, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 57

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

WARD, Chairman

Above reported resolution ordered to third reading.

## Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 925

Senate Bill No. 926

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

MURDY, Vice Chairman

Above reported bills ordered to second reading.

## Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 3314

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 399

Senate Bill No. 1279

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

DORSEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 384

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 4; absent 2; not voting 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, April 14, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 482

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1491**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchasing Act of 1943.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 256**—An act to add Sections 23051, 23052, 23053, 23054, 23055, 23056, 23057 and 23058 to, and to amend Sections 23186a, 23225 and 23333 of, and to add Section 23504 to, and to amend Sections 23701a, 23731a, 23732, 23732h, 23735 and 23736.1 of, and to repeal Chapters 5 to 9, inclusive, comprising Sections 23851 to 25295a, inclusive, of, and to add Chapters 5 to 18, inclusive, comprising Sections 24251 to 25207, inclusive, to, and to renumber Chapters 10 to 15, inclusive, of, and to amend Sections 25403, 25675, 25201e, 25902, 25931, 26073a, 26073b and 26134 of Part II of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, and providing that this act shall take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 4, line 5, of the printed bill, strike out "24371 or 24372", and insert "24404 or 24405".

**Amendment No. 2**

On page 51, line 19, after "24621." strike out "Any", and insert "Gross income does not include any".

**Amendment No. 3**

On page 8, line 1, after "24302.", insert "(a)".

**Amendment No. 4**

On page 10, line 3, before "year" strike out "taxable", and insert "income".

**Amendment No. 5**

On page 11, line 46, after "Section" strike out "24121g", and insert "24349".

**Amendment No. 6**

On page 11, line 46, after "Article" strike out "4", and insert "2 of Chapter 15".

**Amendment No. 7**

On page 14, line 26, after "apply" strike out ":", and insert ";;".

**Amendment No. 8**

On page 14, line 48, after "the" strike out "taxable", and insert "income".



**Amendment No. 9**

On page 15, line 5, after "periodical", insert "shall be allowed as a deduction".

**Amendment No. 10**

On page 15, line 20, after "this", strike out "paragraph", and insert "section".

**Amendment No. 11**

On page 16, between lines 46 and 47, insert  
"Article 3. Items Not Deductible"

**Amendment No. 12**

On page 20, line 50, after "this" strike out "chapter", and insert "part".

**Amendment No. 13**

On page 23, line 49, after "determined", insert "as of the time of distribution or".

**Amendment No. 14**

On page 28, line 15, after "distribution", insert "causes the basis of the stock in respect of which the distribution".

**Amendment No. 15**

On page 30, line 3, after "option", insert "to acquire such an option".

**Amendment No. 16**

On page 30, line 49, after "cancellation", strike out "of", and insert "or".

**Amendment No. 17**

On page 39, line 15, after "this" strike out "paragraph", and insert "subsection".

**Amendment No. 18**

On page 39, line 15, after "and" strike out "paragraph", and insert "subsection".

**Amendment No. 19**

On page 41, line 4, after "24533", insert ")".

**Amendment No. 20**

On page 46, line 32, after "plan" strike out "or", and insert "of".

**Amendment No. 21**

On page 46, line 49, after "31", strike out "1934", and insert "1942".

**Amendment No. 22**

On page 49, line 31, after "carried", insert "forward".

**Amendment No. 23**

On page 50, line 42, after "this" strike out "section", and insert "article".

**Amendment No. 24**

On page 50, line 43, after "this" strike out "section", and insert "article".

**Amendment No. 25**

On page 50, line 52, after "this" strike out "part", and insert "article".

**Amendment No. 26**

On page 51, line 24, after "Chapter" strike out "6", and insert "5".

**Amendment No. 27**

On page 51, line 24, after "Article" strike out "2.5", and insert "2".

**Amendment No. 28**

On page 51, line 42, after "computes" strike out "his", and insert "its".

**Amendment No. 29**

On page 51, line 42, after "keeping" strike out "his", and insert "its".

**Amendment No. 30**

On page 52, line 2, after "computes" strike out "his", and insert "its".

**Amendment No. 31**

On page 52, line 10, after "compute" strike out "his", and insert "its".

**Amendment No. 32**

On page 54, line 50, after "computes" strike out "his", and insert "its".

**Amendment No. 33**

On page 54, line 50, after "keeping" strike out "his", and insert "its".

**Amendment No. 34**

On page 55, line 9, after "this" strike out "Chapter", and insert "part".

**Amendment No. 35**

On page 55, line 17, after "which" strike out "he", and insert "its".

**Amendment No. 36**

On page 55, line 17, after "computes" strike out "his", and insert "it".

**Amendment No. 37**

On page 55, line 17, after "keeping" strike out "his", and insert "its".

**Amendment No. 38**

On page 55, line 18, after "computing" strike out "his", and insert "its".

**Amendment No. 39**

On page 60, line 36, after "24703" strike out "(b)", and insert "(a)".

**Amendment No. 40**

On page 61, line 4, after "this" strike out "section", and insert "article".

**Amendment No. 41**

On page 61, line 13, after "this" strike out "section", and insert "article".

**Amendment No. 42**

On page 64, line 15, after "this" strike out "subsection", and insert "section".

**Amendment No. 43**

On page 68, line 8, after "Section" strike out "24361", and insert "24360".

**Amendment No. 44**

On page 68, line 45, after "Section" strike out "25916", and insert "24916".

**Amendment No. 45**

On page 70, line 15, after "this" strike out "paragraph", and insert "subsection".

**Amendment No. 46**

On page 76, line 45, after "amounts" strike out "or", and insert "of".

**Amendment No. 47**

On page 81, line 24, after "if" strike out "he", and insert "it".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 259**—An act to repeal Chapters 1 to 9, inclusive, comprising Sections 17001 to 18305, inclusive, of, and to add Chapters 1 to 16, inclusive, comprising Sections 17001 to 18361, inclusive, to, and to renumber Chapters 10 to 18, inclusive, of, and to amend Sections 18402, 18408, 18410.7, and 18410.9 of, and to add Section 18411 to, and to amend Sections 18133, 18434, and 18451 of, and to add Section 18452 to, and to amend Section 18470 of, and to repeal Sections 18471 and 18472 of, and to amend Sections 18473, 18476, and 18477 of, and to repeal Section 18479 of, and to amend Sections 18581, 18586.1, 18586.4, 18586.5, 18588, and 18810 of, and to add Sections 18886 and 18887 to, and to amend Section 19053.7 of, and to repeal Article 1.5 of Chapter 13, comprising Sections 19071 to 19073, inclusive, of, and to add Sections 19261, 19262, 19263, 19264, 19265, and 19266 to, and to amend Section 19281 of, Part 10 of Division 2 of the Revenue and

Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

##### Amendment No. 1

In line 12 of the title of the printed bill, after "amend Section", insert "s"; and after "19053.7", insert "and 19061.1".

##### Amendment No. 2

On page 8, line 29, strike out "4.950", and insert "4,950".

##### Amendment No. 3

On page 11, line 12, after "entered after" strike out "August 16, 1954", and insert "March 1, 1954".

##### Amendment No. 4

On page 15, strike out lines 24 to 31, inclusive.

##### Amendment No. 5

On page 19, line 6, after "file", insert "a".

##### Amendment No. 6

On page 47, line 31, after "17361(a)", insert "Except as otherwise provided in this section and Sections 17362 to 17364, inclusive, on the distribution of property by a corporation with respect to its stock, the earnings and profits of the corporation (to the extent thereof) shall be decreased by the sum of—

- (1) The amount of money,
  - (2) The principal amount of the obligations of such corporation, and
  - (3) The adjusted basis of the other property, so distributed.
- (b) (1) On the distribution by a corporation, with respect to its stock, of inventory assets (as defined in paragraph (2)(A)) the fair market value of which exceeds the adjusted basis thereof, the earnings and profits of the corporation—
- (A) Shall be increased by the amount of such excess; and
  - (B) Shall be decreased by whichever of the following is the lessor:
    - (i) The fair market value of the inventory assets distributed, or
    - (ii) The earnings and profits (as increased under subparagraph (A)).

2(A) For purposes of paragraph (1), the term "inventory assets" means—

- (i) Stock in trade of the corporation, or other property of a kind which would properly be included in the inventory of the corporation if on hand at the close of the taxable year;

- (ii) Property held by the corporation primarily for sale to customers in the ordinary course of its trade or business; and

- (iii) Unrealized receivables or fees, except receivables from sale or exchanges of assets other than assets described in this subparagraph.

(B) For purposes of subparagraph (A)(iii), the term "unrealized receivables or fees" means, to the extent not previously includible in income under the method of accounting used by the corporation, any rights (contractual or otherwise) to payment for—

- (i) Goods delivered, or to be delivered, to the extent that the proceeds therefrom would be treated as amounts received from the sale or exchange of property other than a capital asset, or

- (ii) Services rendered or to be rendered.

(c) In making the adjustments to the earnings and profits of a corporation under subsection (a) or (b), proper adjustment shall be made for—

- (1) The amount of any liability to which the property distributed is subject,
- (2) The amount of any liability of the corporation assumed a shareholder in connection with the distribution, and

- (3) Any gain to the corporation recognized under Sections 24482 or 24483 of the Bank and Corporation Tax Law."

##### Amendment No. 7

On page 47, line 31, before "The", insert "(d)".

##### Amendment No. 8

On page 49, line 4, after "(b)", strike out "and", and insert "an".

##### Amendment No. 9

On page 52, line 6, after "Section", strike out "c", and insert "d".

**Amendment No. 10**

On page 66, line 21, after "and (b)", insert "(c)".

**Amendment No. 11**

On page 73, line 15, of the printed bill, after "Section 17534(a)(1)", strike out "(A)".

**Amendment No. 12**

On page 73, line 23, after "17534(a)", strike out "(1)(B)", and insert "(2)".

**Amendment No. 13**

On page 75, line 37, after "the", strike out "estate", and insert "inheritance".

**Amendment No. 14**

On page 100, line 28, after "the entire", strike out "net", and insert "taxable".

**Amendment No. 15**

On page 100, line 31, after "entire" strike out "net", and insert "taxable".

**Amendment No. 16**

On page 103, line 1, after "Section", strike out "17661", and insert "17761".

**Amendment No. 17**

On page 103, line 2, after "described in Section", strike out "17661", and insert "17761".

**Amendment No. 18**

On page 119, line 14, after "Part", strike out "2, Division 8", and insert "8, Division 2".

**Amendment No. 19**

On page 122, line 29, after "17853", insert "and 17866".

**Amendment No. 20**

On page 127, line 46, after "subsection", strike out "(a)", and insert "(b)".

**Amendment No. 21**

On page 144, line 31, after "exchange", strike out "of", and insert "by".

**Amendment No. 22**

On page 175, after line 36, insert

"SEC. 38. Section 19261 is added to the Revenue and Taxation Code, to read:  
19261. Any person acting in a fiduciary capacity shall assume the duties and, upon giving notice to the Franchise Tax Board, shall assume the rights and privileges of the taxpayers in respect of any tax imposed by this part (except as otherwise specifically provided), until he gives notice that his fiduciary has terminated. He shall give notice under this section pursuant to rules and regulations prescribed by the Franchise Tax Board."

**Amendment No. 23**

On page 175, line 37, after "SEC.", strike out "38", and insert "39".

**Amendment No. 24**

On page 175, line 48, after "SEC.", strike out "39", and insert "40".

**Amendment No. 25**

On page 176, line 4, after "SEC.", strike out "40", and insert "41".

**Amendment No. 26**

On page 176, line 13, after "SEC.", strike out "41", and insert "42".

**Amendment No. 27**

On page 176, line 28, after "SEC.", strike out "42", and insert "43".

**Amendment No. 28**

On page 176, line 42, after "SEC.", strike out "43", and insert "44".

**Amendment No. 29**

On page 177, line 1, after "SEC.", strike out "44", and insert "45".

**Amendment No. 30**

On page 177, line 5, after "SEC.", strike out "45", and insert "46".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1471**—An act to add Section 607.5 to the Revenue and Taxation Code, relating to the assessment for property tax purposes of rights and privileges appertaining to mines or minerals.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1180**—An act to add Section 1080.3 to the Agricultural Code, relating to herbicides and injurious pest control materials.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

##### Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "and who does not at the time of delivery hold and exhibit", and insert "unless such person, or his agent to whom delivery is made, signs a written statement, in a form prescribed by the department, that such person holds".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 109**—An act to amend Section 25153 of the Corporations Code, relating to preorganization subscriptions for securities.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Financial Institutions:

##### Amendment No. 1

On page 1, line 1, of the printed bill as amended, strike out "25153", and insert "26003".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 94**—An act to amend Section 12100 of the Financial Code, relating to exemptions from the Check Sellers and Cashers Law.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 734**—An act to add Section 10112.5 to, and to amend Section 10277 of, the Health and Safety Code, relating to birth certificates.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "10112.5 to, and to amend Section 10277 of," and insert "27200.5 to the Government Code, and to add Section 10278.6 to".

##### Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 27200.5 is added to the Government Code, to read:".

##### Amendment No. 3

On page 1, strike out line 3; and in line 4, strike out "registrar or", and insert "27200.5. Each county recorder,".

**Amendment No. 4**

On page 1, line 7, strike out "The", and insert "Notwithstanding the provisions of Section 27200, the".

**Amendment No. 5**

On page 1, strike out lines 14 to 25, inclusive, and insert

"SEC. 2. Section 10278.6 is added to the Health and Safety Code, to read:

10278.6. The State Registrar shall transmit a copy of the new certificate to the local registrar and county recorder of the county within which the event occurred and in whose offices records of the year of occurrence of the event are on file."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2870**—An act to amend Section 980 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2598**—An act to repeal Article 2 of Chapter 5, Division 7, Title 1 of the Government Code and to add Article 2 comprised of Sections 6540 to 6578, inclusive, to said Chapter 5, Division 7, Title 1 of said code, relating to the purposes, issuance, sale and payment of revenue bonds by an agency, commission or board created or provided for under Article 1 of said Chapter 5, the revenues derived from the project constructed from the bond proceeds, and authorizing the use of other revenues of the agency, commission or board for the payment of such revenue bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 2, line 26, of the printed amended bill, strike out all following "(b)"; and strike out all of lines 27 and 28, and insert "A coliseum, a stadium, a sports arena or sports pavilion or other building for holding sports events, athletic contests, contests of skill, exhibitions, spectacles and other public meetings;"

**Amendment No. 2**

On page 2, strike out line 32 and insert "a structure or structures or facility or facilities which may include any or all of said purposes."

**Amendment No. 3**

On page 3, line 8, strike out "stadia" and insert "coliseum, stadium".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2102**—An act to amend Section 4151 of the Revenue and Taxation Code, relating to redemption of a portion of a parcel of tax-sold property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2103**—An act to amend Sections 4101, 4105, 4106, 4710, and 4711 of, and to add Sections 4105.1 and 4105.2 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2104**—An act to amend Sections 3552.28, 3716, 3811 and to repeal Sections 3552.30, 3717, and 3812 of the Revenue and

Taxation Code, relating to the filing of tax deed notices with the recorder.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2105**—An act to amend Sections 3511 and 3514.5 of the Revenue and Taxation Code, relating to recordation of tax deeds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2106**—An act to amend Sections 3352, 3355, 3437, 3798.1, and 4839 of, and to add Section 4839.1 to, the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2107**—An act to amend Section 2921 of, and to add Section 3005 to, the Revenue and Taxation Code, relating to taxes on unsecured property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2108**—An act to repeal Sections 133, 3515.5, Article 3 consisting of Sections 4256 to 4263 inclusive, and Article 4 consisting of Sections 4296 to 4306 inclusive of, and Section 4339 of the Revenue and Taxation Code, relating to property taxes.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2109**—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2293**—An act to amend Sections 2510, 2609, 2702, and 2807.3 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2294**—An act to amend Sections 3771, 3772, 3773, 3774, and 3775 of the Revenue and Taxation Code, relating to property tax deeds to public agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2163**—An act to amend Section 15402 of the Revenue and Taxation Code, relating to exclusions from exemption under the gift tax.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 562**—An act to add Chapter 5, comprising Sections 5400 to 5404, inclusive, to Division 6, Title 1, of the Government Code and to repeal Article 1, comprising Sections 50600, 50601 and 50602, of Chapter 3, Part 1, Division 1, Title 5 of said code, relating to the levy of taxes and assessments to pay principal and interest of bonds of public bodies authorized but unsold.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1592**—An act to add Section 214.7 to the Revenue and Taxation Code, relating to exemption from property taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "214.7", and insert "214.9".

**Amendment No. 2**

On page 1, line 1, strike out "214.7", and insert "214.9".

**Amendment No. 3**

On page 1, line 3, strike out "214.7", and insert "214.9".

**Amendment No. 4**

On page 1, strike out lines 4 to 10, inclusive, and insert "shall not be construed to apply to any institution providing life care by contract for aged persons which over any period of three years or less receives from or on behalf of any aged person the sum, or property having an aggregate marketable value, of fifteen thousand dollars (\$15,000) or more in return for furnishing life care to any aged person."

**Amendment No. 5**

On page 1, following line 10, insert

"In enacting this section the Legislature declares that it is not intended to deny the tax exemption provided for by Section 214 to those homes for the aged where the major support for the home or institution is derived from contributions by religious organizations, lodges or labor unions as benevolences whether or not moderate payments for lodging and care are made by the aged patrons thereof or by others in their behalf."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**Assembly Bill No. 314**—An act to add Section 1324 to the Fish and Game Code, relating to nutria permits.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2125**—An act to amend Section 952 of the Agricultural Code, relating to cotton industry and the products thereof.

Bill read second time, and ordered to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 921 and Assembly Bill No. 1082 carry an appropriation or an implied appropriation.

The President ordered Senate Bill No. 921 and Assembly Bill No. 1082 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 763**—An act to add Section 16304.5 to the Government Code, relating to availability of funds appropriated for California State Fair and Exposition construction projects.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 763?

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "Upon", and insert "Where not otherwise permitted by law, upon".



**Amendment No. 2**

In line 2 of the title of the printed bill, as amended in Assembly April 8, 1955, after "for", insert "California State Fair and Exposition".

**Amendment No. 3**

On page 1, line 3, strike out "where not otherwise permitted by law,".

**Amendment No. 4**

On page 1, line 5, after "any", insert "California State Fair and Exposition".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 763 by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—30.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1228**—An act to amend Section 476a of the Penal Code, relating to passing checks and other commercial paper with insufficient funds.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 1228?

**Amendment No. 1**

On page 1, line 12, of the printed bill, after "order," insert "upon such funds,".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1228 by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, Ward, and Way—25.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 760**—An act to amend Sections 13551, 13602, 13603, and 13607 and to repeal Sections 13553 and 13578 of the Government Code, relating to state printing.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 760?

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Senate March 24, 1955, strike out "and such additional sum as will, for the"; and strike out all of lines 7, 8, and 9, inclusive, and insert ", including depreciation on plant and equipment."

**Amendment No. 2**

On page 1, line 23, after "credited to the," insert "fund from which the cost of printing was paid. The amounts deducted for administrative costs shall be deposited in the State Treasury and credited to the".

**Amendment No. 3**

On page 2, following line 23, insert

"SEC. 6. On the effective date of this act, all assets and liabilities of the State Printing Plant activity relating to the distribution and publication of documents shall be transferred to and become a part of the State Printing Fund."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 760 by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—25.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 361**—An act to add Sections 26516.4, 26516.5, 26516.6, 26516.7, and 26516.8 to the Health and Safety Code, relating to the adulteration, misbranding, and advertising of meat.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 361?

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 16, 1955, strike out "and 26516.7", and insert "26516.7, and 26516.8".

#### Amendment No. 2

On page 2, after line 26, insert

"SEC. 5. Section 26516.8 is added to said code, to read:

26516.8. Sections 26516.4, 26516.5, 26516.6, and 26516.7 shall not apply to newspaper publishers, printers, or distributors, or the agents or employees of such newspaper publishers, printers, or distributors, or to persons enumerated in Section 48.5 of the Civil Code."

#### Amendment No. 3

On page 1 of the printed bill, as amended in Senate March 16, 1955, strike out line 25, and insert "sale:

(a) Any meat of the".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 361 by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—28.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 699**—An act to amend Sections 1203 and 11175 of the Penal Code, relating to the Uniform Act for Out-of-state Probationer or Parolee Supervision.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 699?

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1203 and".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 699 by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Teale, Thompson, Ward, and Way—29.

NOES—None.

Above bill ordered enrolled.

**Motion to Retain Place on File**

Senator Burns moved that Senate Bills Nos. 1475, 1713, 1547, 1548, 1550, 349 and 1044 be passed on file and retain their places on file.

Motion carried.

**THIRD READING OF SENATE BILLS**

**Senate Constitutional Amendment No. 29**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 31b of Article IV thereof, adopted November 8, 1932, which relates to the acquisition and holding of stock of mutual water companies by the City of Escondido, by repealing Section 31c of Article IV thereof, adopted November 3, 1942, by repealing Section 31d of Article IV thereof, and by amending Section 13 of Article XII thereof, relating to the ownership of capital stock in water companies.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Parkman, Richards, Teale, Ward, and Way—28.

**NOES**—Senator Murdy—1.

Resolution ordered transmitted to the Assembly.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 127**—An act to add Article 9 to Chapter 2, Part 1, Division 1 of the Health and Safety Code, relating to air sanitation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, and Ward—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 279**—An act to add Section 11528.1 to the Business and Professions Code, relating to proposed subdivisions and real estate.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted unanimous consent to have Senate Bill No. 279 passed on file and retain its place on file.

**Senate Bill No. 499**—An act to amend Section 750.5 of the Vehicle Code, relating to damaged equipment of members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1148**—An act to amend Sections 11011.5, 11019 and 11021 of the Business and Professions Code, relating to real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 42**—Relative to making funds available to the Joint Committee on Water Problems for the purpose of making a review of the proposed Feather River Project.

Resolution read.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 20, of the printed measure, as amended in Senate April 14, 1955, after "riers", insert "but not including an investigation of the San Luis Reservoir in connection with the Feather River Project".

**Amendment No. 2**

On page 2, line 39, after "study", insert "of the Feather River Project, but not including a study of the San Luis Reservoir in connection therewith".

Amendments read.

**Motion to Postpone Consideration**

Senator Richards moved that further consideration of Senate Concurrent Resolution No. 42 and the amendments offered by Senator Burns be continued until Tuesday, May 10, 1955, at 2.30 p.m.

**Roll Call Demanded**

Roll call demanded by Senators Dilworth, Dorsey, and Cunningham. The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Richards moved a call of the Senate.

Motion carried. Time, 3.43 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 424**—An act to repeal Sections 1813, 1819, 1820, 3129, 3130, 3131, 3132, 4124, 4125, 4126 and 4127 of, to amend Sections 1671, 1801, 1804, 1805, 1806, 1808, 1809, 1818, 1822, 1825, 1826, 1828, 1829, 6358 and 7407 of, to amend and renumber Sections 3133 and 4128 of, and to add Sections 1819 and 1820 to, the Education Code, relating to school district elections.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Murdy, Parkman, Thompson, Ward, and Way—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Constitutional Amendment No. 7**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XVI thereof, relating to state indebtedness.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Short, Teale, Thompson, Ward, and Way—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 429**—An act to amend Sections 14396, 14397, and 14399 of the Government Code, relating to performance of state contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1397**—An act to amend Sections 25450.4, 25450.5, and 25457.4 of the Government Code, relating to contracts for construction, alteration and repair of buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—28.

NOES—Senator John F. McCarthy—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 500**—An act to amend Section 16272 of the Education Code, relating to school busses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1038**—An act to add Section 3151.1 to the Education Code, relating to the election of members of governing boards of county high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Murdy, Parkman, Regan, Teale, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1116**—An act to amend Sections 5085 and 7778 of the Education Code, relating to the Public School System declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Regan, Teale, Thompson, Ward, and Way—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Teale, Thompson, Ward, and Way—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 971**—An act to add Article 2.5, consisting of Sections 4720 to 4728, inclusive, to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to consolidation of two or more county sanitation districts.

Bill read third time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 45, strike out "5", and insert "2".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1202**—An act to add Section 5416.5 to, and to amend Section 5659 of, the Public Resources Code, relating to public districts organized to provide parks, recreation facilities and parkways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Senate Bill No. 593**—An act to amend Sections 74502, 74503, 74504 and 74507 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 927**—An act to amend Sections 9201, 9204, and 9206 of the Public Resources Code, relating to soil conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 938**—An act to amend Section 28151 of the Government Code, relating to compensation for public service in a county of the fifty-first class.

Bill read third time, and presented by Senator Teale.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 939**—An act to amend Section 28145 of the Government Code, relating to compensation for public service in a county of the forty-fifth class.

Bill read third time, and presented by Senator Teale.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, and Way—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 940**—An act to amend Section 28141 of the Government Code, relating to compensation for public service in a county of the forty-first class.

Bill read third time.

**Motion to Amend**

Senator Teale moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Senate April 18, 1955, strike out lines 1 to 27, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 2, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 28141 of the Government Code is amended to read:

28141. In a county of the forty-first class the following shall receive as compensation for services required of them by law or by virtue of their offices the following sums:

(a) The auditor, eight hundred dollars (\$800) a year.

(b) The district attorney, six thousand dollars (\$6,000) a year.

(c) Each supervisor, [-----] *three thousand six hundred dollars (\$3,600)* a year and mileage from his residence to the county seat at each sitting of the board, at twenty-five cents (\$.25) a mile. Each supervisor is, in addition, allowed three hundred dollars (\$300) a year to cover mileage expenses at twenty-five cents (\$.25) a mile in viewing the roads. This salary and mileage are in full for all services.

(d) Grand jurors and trial jurors shall receive the following fees and mileage:

(1) Grand jurors and jurors in the superior court shall be paid six dollars (\$6) a day for each day's attendance, and twenty-five cents (\$.25) for each mile actually traveled in going only, while acting as jurors. The judge of the court shall certify to the auditor the number of days' attendance of each juror and his mileage. The auditor shall draw his warrant on the treasurer in favor of each juror and the treasurer shall pay the warrant.

(2) Trial jurors in any justice court shall receive four dollars (\$4) for each day's attendance, and twenty-five cents (\$.25) for each mile actually traveled in going to, but not from, the place of attendance. The judge of the justice court shall certify to the auditor the number of days' attendance of each juror, and the auditor shall draw his warrant therefor, and the treasurer shall pay the warrant.

(e) Witnesses legally required to appear before the grand jury or the superior court shall receive four dollars (\$4) for each day's attendance, and ten cents (\$.10) per mile for each mile actually traveled in going to, but not from, the place of appearance.

(f) Witnesses legally required to appear in any justice court or before a coroner's jury shall receive three dollars (\$3) for each day's attendance, and ten cents (\$.10) per mile for each mile actually traveled in going to, but not from, the place of appearance.

The compensation provided by this section shall be payable to incumbent officers."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.20 p.m., on motion of Senator Richards, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the motion by Senator Richards to postpone further consideration of Senate Concurrent Resolution No. 42 and the amendments offered by Senator Burns until Tuesday, May 10, 1955, at 2.30 p.m. was lost by the following vote:

AYES—Senators Brown, Burns, Busch, Cobey, Coombs, Donnelly, Gibson, Harold T. Johnson, Robert I. McCarthy, Miller, Parkman, Regan, Richards, Short, and Teale—15.

NOES—Senators Abshire, Berry, Breed, Byrne, Collier, Cunningham, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Murdy, Thompson, Ward, and Way—19.



**Further Consideration of Senate Concurrent Resolution No. 42**

Senator Burns withdrew his amendments to Senate Concurrent Resolution No. 42.

**Motion to Set Special Order**

Senator Byrne moved that Senate Concurrent Resolution No. 42 be made a special order of business for Wednesday, April 27, 1955, at 2.30 p.m.

Motion carried.

**MOTION TO PRINT OPINIONS OF LEGISLATIVE COUNSEL**

Senator Ward moved that the following opinions of the Legislative Counsel concerning Senate Bill No. 1558 be printed in the Journal.

Motion carried.

**OPINIONS OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, CALIFORNIA, April 11, 1955

*Hon. Clarence Ward*  
*Senate Chamber*

Constitutionality of Senate Bill No. 1558, Production of  
Oil—No. 9378

DEAR SENATOR WARD:

*Question*

You have requested our opinion on the constitutionality of Senate Bill No. 1558 as it will read if certain proposed amendments are adopted.

*Opinion*

The bill with the proposed amendments is, in our opinion, constitutional insofar as it confers the power to make recommendations upon the the State Oil and Gas Supervisor and permits oil producers to comply or agree to comply therewith. But, insofar as it confers a similar power upon committees of oil producers, it is open to an objection that it may be an unconstitutional delegation of legislative power to private individuals. In the absence of conclusive judicial precedent in California, however, and in view of the general presumption of constitutionality, we think that portion of the bill might be sustained as well, although we are unable to reach a firm conclusion on the point.

*Analysis*

In a prior opinion of this office addressed to Assemblywoman Donahoe, dated April 5, 1955, No. 8797, we expressed the opinion that Senate Bill No. 1558, as amended by the Senate on March 23, 1955, would be unconstitutional. We concluded that the bill was a special law and conferred upon a named committee, the Conservation Committee of California Oil Producers, special privileges in violation of Article I, Sections 11 and 24, and Article IV, Section 25, subdivisions 19 and 33, of the Constitution of California. The proposed amendments would meet this objection by conferring the power to make recommendations upon the Conservation Committee of California Oil Producers "or any other committee of oil producers" or the State Oil and Gas Supervisor.

As so amended, the bill will be general in its application, and thus not violative of the enumerated constitutional provisions. However, there are other points which should be considered.

If the proposed amendments are adopted, Senate Bill No. 1558 will read (additions and deletions are shown in strikeout and italic):

“Article 8. Recommendation of Maximum  
Efficient Rates of Production

“3450. The Legislature takes notice of the existence of the Conservation Committee of California Oil Producers and of the fact that said committee for a number of years last past, in the interest of the conservation of oil and gas, has made recommendations of maximum efficient rates of production and for the intrapool distribution of such maximum efficient rates of production with respect to oil pools, capacity production from which pools would result in a loss of ultimate production. The Legislature declares that ~~such~~ recommendations *for such purpose* are in the interest of the conservation of the oil and gas resources of this State and that it is lawful for said committee *or any other committee of oil producers* to issue such recommendations *as to any such oil pool* and for producers of oil to comply therewith or to agree to comply therewith, provided:

“(a) Copies of all such recommendations shall be currently delivered to the supervisor and shall be open to public inspection in the office of the supervisor; and

“(b) ~~Such~~ *Any such* committee shall make available to the supervisor its records, files, minutes, reports and other data pertaining to such recommendations.

“The supervisor in his discretion may join in any such recommendations or may express his disapproval thereof.

“The supervisor, in the absence of such recommendations by ~~said committee~~ *a committee of oil producers* with respect to any of such pools, or if the supervisor deems *any* such recommendations to be insufficient or incorrect, may issue recommendations with respect to any such pools on said subject matter, *and it shall be lawful for producers to comply therewith or to agree to comply therewith*. Neither a disapproval by the supervisor nor a recommendation by him shall constitute a basis for implying any obligation for producers of oil to comply with such disapproval or recommendation.

“*Nothing herein contained shall be deemed to permit the production of gas in violation of Articles 5 and 6 of Chapter 1 and Chapter 2 of this division.*”

The first sentence of the bill is unchanged by the proposed amendments. It constitutes a legislative recognition of the works of the Conservation Committee of California Oil Producers. With respect to it, one of two alternatives is true: either it is meaningless and has no legal effect, or, if it has some legal effect, it is special legislation and confers a special privilege upon a named committee. If it is meaningless and without legal effect, it, of course, has no effect upon the constitutionality

of the bill. But if it has some legal effect, it is open to the same constitutional objections raised in our prior opinion to Assemblywoman Donahoe. However, with the proposed amendments, it is a severable part of the bill, and its unconstitutionality would not affect the validity of the bill as a whole (*In re Bell*, 19 Cal. 2d 488, 497; 11 Cal. Jur. 2d 425).

The remaining point to be considered is that the bill, with the proposed amendments, has the effect of authorizing the State Oil and Gas Supervisor or private committees to suspend the operation of state laws in particular situations. The bill authorizes the supervisor or any committee of oil producers to make recommendations of the maximum efficient rates of production with respect to oil pools, and declares (a) that it is lawful for the supervisor or the committees to make such recommendations as to any oil pool, (b) that it is lawful for producers of oil to comply therewith, and (c) that it is lawful for producers of oil to agree to comply therewith. If the recommended conduct with reference to the rate of production is such that production at that rate would constitute a violation of state law, either written or unwritten, such conduct becomes lawful, and by virtue of the recommendation, state laws otherwise applicable are suspended.<sup>1</sup> The same is true, if the agreement of producers would be a violation of state law. Thus, an agreement to comply with the recommendations would be valid, and state laws which would otherwise prohibit such an agreement would be suspended.<sup>2</sup> The power to suspend the operation of state law is legislative in character (11 Am. Jur. 943-945), and any statute that attempts to delegate such power is subject to the usual rules concerning the delegation of legislative powers (11 Am. Jur. 944); i.e., there must be a sufficient standard established to guide the exercise of the delegated power (11 Cal. Jur. 2d 482).

In the case of Senate Bill No. 1558 the standard established is vague. It is expressed as the power to make "recommendations of maximum efficient rates of production and for intrapool distribution of such maximum efficient rates of production with respect to oil pools, capacity production from which pools would result in a loss of ultimate production." However, considering the nature of oil in place and the varying circumstances in which it is found and produced, we are of the opinion that the standard established is sufficient (*Palmer Oil Corp. v. Phillips Petroleum Co.* (Okla.), 231 Pac. 2d 997, 1002; *Wotton v. Busch*, 41 Cal. 2d 460, 468; *People v. Associated Oil Co.* 211 Cal. 93, 108; *Bandini Petroleum Co. v. Superior Court*, 110 Cal. App. 123, 138; 37 A.L.R. 2d 438).

Insofar as the delegation made by Senate Bill No. 1558 is to the State Oil and Gas Supervisor, an official agency of the State, we believe there would be no question of its constitutionality. (*Palmer Oil Corp. v. Phillips Petroleum Co.*, *supra*) But it is not entirely so made. It is

<sup>1</sup> The proposed amendments would provide that the recommendations shall not supersede state laws relating to the production of gas found in Articles 5 and 6 of Chapter 1 and of Chapter 2, Division 3, of the Public Resources Code. This language, however, does not save the effect of other laws, written and unwritten, which may affect the rate of production of oil.

<sup>2</sup> For example, the Cartwright Act, Business and Professions Code, Sec. 16720. It should be clearly understood that this office expresses no opinion as to the applicability of that act to any agreement of oil producers to limit rates of production. That question can be decided only upon a determination of the legal effect of facts not before this office.



also granted to private committees, namely the Conservation Committee of California Oil Producers, or any other committee of oil producers. And so the issue is raised whether the Legislature may delegate legislative power to a private group. Upon this question, judicial authorities throughout the United States are in a state of confusion (11 Am. Jur. 933; 3 A.L.R. 2d 188; 51 Har. L.R. 201; and compare *Carter v. Carter Coal Co.* 298 U.S. 238, 80 L. Ed. 1160, 56 S. Ct. 855). In California, the same confusion exists to the extent that there are no clearly enunciated principles governing the proposition (2 Cal. Jur. 2d 123; 11 Cal. Jur. 2d 504. Note: *Nat. Milk etc. Assn. v. City etc. of S.F.*, 20 Cal. 2d 101, at 115, where the question was avoided by construction of the ordinance involved. Compare *State Board v. Thrift-Delux Cleaners*, 40 Cal. 2d 436, 448, which may indicate an attitude of the California Supreme Court upon this issue). In view of this state of the law, and of the general presumption in favor of the constitutionality of statutes (11 Cal. Jur. 2d 407) we are unable to reach a definitive opinion on this point.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By J. D. STRAUSS, Principal Deputy

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, April 17, 1955

Hon. Clarence C. Ward  
Senate Chamber

Recommendation of Maximum Efficient Rates  
of Oil and Gas Production—No. 9868

DEAR SENATOR WARD:

*Question*

You have asked us whether there is any law which would compel an oil producer to comply or to agree to comply with recommendations of a committee of oil and gas producers or the State Oil and Gas Supervisor, as such recommendations are declared lawful by Senate Bill No. 1558.

*Opinion*

We are unable to find any other provision of law requiring such compliance.

*Analysis*

Insofar as here material, Senate Bill No. 1558 permits committees of oil producers and the State Oil and Gas Supervisor to make recommendations of maximum efficient rates of production and for the intrapool distribution of such maximum efficient rates of production with respect to oil pools, capacity production from which pools would result in a loss of ultimate production. The bill further makes it lawful for oil producers to comply with such recommendations or to agree to comply therewith so long as there is no violation of the provisions of the Public Resources Code prohibiting the wasting of natural gas.

We have given careful consideration to other provisions of law with respect to this matter, and particularly Division 3 of the Public Resources Code, and find no provision that would in any way require



compliance with the recommendations either of a committee of oil producers or of the State Oil and Gas Supervisor.

The provision most clearly bearing upon the matter is that requiring the State Supervisor so to supervise the drilling, operation, maintenance, and abandonment of wells as to prevent, as far as possible, damage to underground oil and gas deposits (P. R. C. 3106), but such provision appears to contemplate only voluntary compliance by producers (see 17 Ops. Cal. Atty. Gen. 119).

Our conclusion is supported by the statement of the district court of appeal with respect to the provisions which we have particularly considered:

"The Legislature has been careful to state and expressly provide the particular acts which it deems to be a waste of oil and gas, and has provided the necessary procedure for presenting such question \* \* \*, but where unitization or repressuring is referred to, it has expressly left such matters to agreement between the parties concerned, subject to the supervisor's approval" (*Western Gulf Oil Company v. Superior Oil Company*, 92 Cal. App. 2d 299, at 312).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By J. D. STRAUSS, Principal Deputy

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, April 5, 1955

*Hon. Dorothy M. Donahoe*  
*Assembly Chamber*

Senate Bill No. 1558—No. 8797

DEAR MISS DONAHOE:

#### *Question*

You have asked us the following question:

If Senate Bill No. 1558, as amended in Senate March 23, 1955, is enacted, what would be the effect of the declarations therein with respect to a violation of the Sherman Antitrust Act?

#### *Opinion*

In our opinion Senate Bill No. 1558 would have no effect upon a prosecution for a violation of the Sherman Antitrust Act.

#### *Analysis*

The Sherman Antitrust Act is a federal statute (Secs. 1-7, incl. Title 15, United States Code) which declares that contracts, combinations and conspiracies, in restraint of trade or commerce among the several states, or with foreign nations, are illegal (See Sec. 1, Title 15, U.S.C.).

A combination to limit or restrict the production of a commodity in aid of an attempt to monopolize interstate commerce in the commodity is within the scope of the prohibitions of the Sherman Antitrust Act (*Gibbs v. McNeeley*, 118 Fed. 120).

Senate Bill No. 1558 would declare that certain contracts between oil producers would be lawful. In these contracts the producers would

agree to comply with certain recommendations as to the "maximum efficient rates of production" from oil pools as to which "capacity production would result in a loss of ultimate production." Whether or not such an agreement would constitute a violation of the Sherman Antitrust Act is immaterial to our question. If such an agreement is not a violation of such law our conclusion that Senate Bill No. 1558 would have no effect on the matter is obviously correct.

If, however, such an agreement as is made lawful by Senate Bill No. 1558 would constitute a violation of the Sherman Anti Trust Act, the bill would nevertheless have no effect upon a prosecution under that act. The fact that an agreement may be valid under state law does not mean that it may not violate the federal act (*Northern Securities Co. v. United States*, 193 U. S. 197, 48 L. Ed. 679). In any federal anti trust case the primary question is whether or not the combination or agreement effects interstate commerce. It is obvious that a contract which is legal under state law could affect interstate commerce just as much, if not more, than one which was illegal under state law.

The situation here involved is different from that involved in *Parker v. Brown*, 317 U. S. 341, 87 L. Ed. 315. That case involved a marketing program for raisins under the California Agricultural Prorate Act. The program, without doubt, did affect interstate commerce in raisins. However, the program was not a result of a combination or agreement among the individuals engaged in the raisin business but was imposed upon such individuals under the police power of the State and violation of the program was punishable by both fine and a civil penalty (See p. 347, 317 U. S.). The courts said that the purpose of the Sherman Act was to suppress combinations to restrain competition and attempts to monopolize by individuals and corporations (p. 352, 317 U. S.).

The court then said, "The State in adopting and enforcing the prorate program made no contract or agreement and entered into no conspiracy in restraint of trade or to establish monopoly. but as sovereign, imposed the restraint as an act of government which the Sherman Act did not undertake to prohibit" (p. 352, 317 U. S.).

The situation presented by Senate Bill No. 1558 is, of course, quite different from that involved in *Parker v. Brown* above cited. Senate Bill No. 1558 not only does not impose mandatory limitations or restrictions upon oil production under the police power but, in the last sentence of the bill, expressly negatives any implication that the rates of production are mandatory. That sentence reads: "Neither a disapproval by the supervisor nor a recommendation by him shall constitute a basis for implying any obligation for producers of oil to comply with such a disapproval or recommendation."

Therefore, the situation presented by Senate Bill No. 1558 seems to come squarely with the proposition declared in *Northern Securities Co. v. United States*, above cited, that compliance with state law does not give immunity to those who violate the Sherman Anti Trust Act. It should be understood, of course, that in preparing the foregoing opinion

we have not considered the specific facts involved and we are not assuming that any of the activities of the conservation committee have been in violation of the Sherman Anti Trust Act.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By J. D. STRAUSS, Principal Deputy

Two copies to Hon. Clarence C. Ward pursuant to Joint Rule 34.

CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 286**—An act to amend Section 803.5 of the Agricultural Code, relating to nectarines.

Motion to Refer Bill to Inactive File

Senator Burns moved that Senate Bill No. 286 be placed on the inactive file.

Motion carried.

**Senate Bill No. 193**—An act to amend Section 160.5 of the Agricultural Code, relating to the adoption of regulations governing the conduct of the business of pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Regan, Richards, Short, Thompson, Ward, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1515**—An act to amend Section 677 of the Agricultural Code, relating to milk and dairy products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Richards, Short, Thompson, Ward, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1537**—An act to amend Sections 812.4, 812.7, 814, 828.55, 828.6, 829.3, 829.35 and 829.4 and to repeal Sections 812.4a, 812.6, 814.1 and 828.7a of the Agricultural Code, relating to vegetables.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

At 4.30 p.m. Senator Kraft asked for, and was granted, unanimous consent to be excused to attend an Assembly committee meeting.

**MOTIONS TO RECONSIDER**

**Senate Bill No. 1147**—An act to amend Section 11013 of, and to add Sections 11013.1, 11013.2, 11013.3, 11013.4, and 11013.5 to, the Business and Professions Code, relating to real estate subdivisions.

**Motion to Reconsider Senate Bill No. 1147**

Pursuant to his motion previously made, Senator Ward moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 1147 was passed.

The roll was called, and Senate Bill No. 1147 reconsidered by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and Way—27.

**NOES**—None.

Senate Bill No. 1147 ordered placed on third reading file.

**Senate Bill No. 1473**—An act to amend Section 602 of the Code of Civil Procedure relating to the qualifications of jurors.

**Motion to Postpone Reconsideration**

Senator Ward moved that Senator Desmond's motion to reconsider the vote whereby Senate Bill No. 1473 was refused passage be continued until Thursday, April 21, 1955.

The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Teale, Ward, and Way—28.

**NOES**—None.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Collier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 57, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 57**

**Senate Concurrent Resolution No. 57**—Relative to the creation of the Joint Committee on Federal Highway Aid.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Murdy, Regan, Richards, Short, Teale, Ward, and Way—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.



## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS

## Motion to Retain Place on File

Senator Burns moved that Assembly Bills Nos. 2285, 1880 and 1905 be passed on file and retain their places on file.

Motion carried.

**Assembly Bill No. 104**—An act to amend Section 9702 of the Government Code, relating to the printing of bills.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Cobey, Collier, Coombs, Cunningham, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Miller, Murdy, Regan, Richards, Short, Teale, Thompson, Ward, and Way—23.

**NOES**—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were introduced, and read:

**Senate Joint Resolution No. 28:** By Senators Collier and Hulse—Relative to the enactment of federal highway legislation.

Referred to Committee on Rules.

**Senate Joint Resolution No. 29:** By Senator Dilworth—Relative to an application to the Congress of the United States pursuant to Article V of the Constitution of the United States for a convention proposing an amendment to the Constitution of the United States.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Senators Dilworth and Donnelly:

## Senate Resolution No. 93

Relative to inviting Dr. Fred C. Schwarz to address the Senate in recess

WHEREAS, The welfare and safety of the United States are threatened by the Soviet military dictatorship and world-wide communist conspiracy; and

WHEREAS, A knowledge of the communist conspiracy and the institutions which are subversive to the democratic way of life is essential in order that the enemies of democracy may be overcome; and

WHEREAS, Dr. Fred C. Schwarz, a noted surgeon and psychiatrist of Sidney, Australia, possesses one of the world's most thorough understandings of communism and its ramifications; and

WHEREAS, Dr. Fred C. Schwarz will be in Sacramento on May 3, 1955, to deliver a series of addresses to schools and other groups relative to the methods and objections to communism; now, therefore, be it

*Resolved by the Senate of the State of California,* That the Senate invite Dr. Fred C. Schwarz to address the Senate of the State of California in recess on the afternoon of May 3, 1955; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to Dr. Fred C. Schwarz.

Resolution read and referred to Committee on Rules.

By Senator Miller:

**Senate Resolution No. 94**

Relative to the creation of the Senate Investigation Committee on State and District Fair Contracts

WHEREAS, There have been brought to the attention of the Senate seeming inconsistencies in the awarding of contracts for carnival attractions at the California State Fair and at district agricultural fairs in that such contracts are not always awarded to the person making the best bid, considering both the rate of return and the quality of the performance offered; and

WHEREAS, These contracts involve very substantial amounts of money and it is essential that a consistent policy be followed in the awarding of such contracts; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Investigating Committee on State and District Fair Contracts is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the letting of contracts for carnivals and other attractions by directors of the California State Fair and Exposition and district agricultural associations and the participation of the Department of Finance therein, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of \_\_\_\_\_ Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than the last legislative day of this session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 3249

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 58

Senate Concurrent Resolution No. 59

Senate Concurrent Resolution No. 60

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolutions ordered enrolled.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1753

Senator Robert I. McCarthy moved that Senate Bill No. 1753 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1753**—An act to amend Section 23661 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

##### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 13, of the printed bill, as amended in Senate March 22, 1955, after "State", insert "by a person on board a steamship, common carrier, or air common carrier".

##### Amendment No. 2

On page 1, line 16, after "State", insert "by a person on board a steamship, common carrier, or air common carrier".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1352

Senator Kraft moved that Senate Bill No. 1352 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1352**—An act to add Section 651 to the Business and Professions Code, relating to discounts by persons engaged in the healing arts professions.

Bill read second time.

##### Motion to Amend

Senator Kraft moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 7, of the printed bill, after "price", insert "or fee".

##### Amendment No. 2

On page 1, lines 8 and 9, strike out "less than some other established or fictitious price", and insert "at a discount, or under the representation that the price or fee which is to be, or is, charged for such commodity or service, or both, is at a

percentage or otherwise less than the average fee or price then regularly charged under like conditions by the person so licensed or by other persons".

### Amendment No. 3

On page 1, line 11, after "or", insert "establish prices or fees or to modify or".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 994

Senator Burns moved that Senate Bill No. 994 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 994**—An act to amend Section 58501 of the Government Code, relating to the District Investigation Law of 1933.

Bill read second time.

### Motion to Amend

Senator Burns moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 58501 of", and insert "amend Sections 58500, 58501, 58503, 58504, 58610, 58611, 58612, 58614, and 58732 of, to amend the chapter heading of Chapter 2, Title 6 of, to amend the article heading of Article 3, Chapter 2, Title 6 of, to amend and renumber Sections 58561, 58563, 58568, and 58577 of, to amend and renumber the article headings of Articles 7 and 8, Chapter 2, Title 6 of, to repeal Sections 58560, 58562, 58564, 58565, 58566, 58567, 58569, 58570, 58571, 58572, 58573, 58574, 58575, and 58576 of, and to repeal Articles 5 and 6, Chapter 2, Title 6 of,".

### Amendment No. 1.5

In line 2 of the title, strike out "the District Investigation Law of 1933", and insert "districts".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. The chapter heading of Chapter 2, Title 6 of the Government Code is amended to read:

CHAPTER 2. THE DISTRICT [INVESTIGATION] MAJORITY PROTEST  
LAW OF 1933

SEC. 2. Section 58500 of said code is amended to read:

58500. This chapter may be cited as the District [Investigation] Majority Protest Law of 1933.

SEC. 3. Section 58501 of said code is".

### Amendment No. 3

On page 2, after line 21, insert

"SEC. 4. Section 58503 of said code is amended to read:

58503. As used in this chapter, unless the context otherwise requires:

(a) "Supervisory body" means that body authorized by law to organize a district.  
[(b) "Project" includes the work, improvement, or acquisition, or any combination thereof, proposed to be undertaken by a district.]

[(c)] (b) "Assessment roll" means the last equalized assessment roll of the county available on the date the report on assessed valuation is commenced.

[(d) "True value" of land shall be determined by multiplying the assessed value as shown on the assessment roll by two.]



[ (e) ] (c) "Clerk" means the clerk of the supervisory body.

SEC. 5. Section 58504 of said code is amended to read:

58504. When any law authorizing the formation of any district to which this chapter applies provides that the supervisory body shall take final action in the formation of the district within a limited time, the time stated in the law is extended to 30 days after the [final] hearing of protests [upon the report] required by [Article 3] *this chapter*.

SEC. 6. The article heading of Article 3, Chapter 2, Title 6 of said code is amended to read:

#### Article 3. Report on Assessed Valuation

SEC. 7. Section 58560 of said code is hereby repealed.

SEC. 8. Section 58561 of said code is amended and renumbered to read:

[58561.] 58560. Before final action is taken in the formation of a district the supervisory body shall cause a written report on assessed valuation to be prepared by a competent person [a written report upon the proposed district]. [The report shall be a comprehensive study of the project.]

SEC. 9. Section 58562 of said code is hereby repealed.

SEC. 10. Section 58563 of said code is amended and renumbered to read:

[58563.] 58561. The report on assessed valuation shall include a map showing:

(a) The boundaries of the proposed district.

[(b) The general nature, location, and extent of the project.]

[(c) ] (b) The lands to be assessed or taxed to pay any part of the cost of the project.

SEC. 11. Sections 58564, 58565, 58566 and 58567 of said code are hereby repealed.

SEC. 12. Section 58568 of said code is amended and renumbered to read:

[58568.] 58562. The report shall include a [value and liability] statement of:

(a) The assessed value of land as shown on the assessment roll. If the assessed value of any parcel is not shown upon the roll the assessor who made it shall estimate such value and the estimate is controlling for the purpose of the report.

(b) The assessed value of the improvements on the land, as shown on the roll or such estimate when not shown.

SEC. 13. Sections 58569 to 58576, inclusive, of said code are hereby repealed.

SEC. 14. Section 58577 of said code is hereby amended and renumbered to read:

[58577.] 58563. When completed the report shall be filed with the supervisory body and shall remain on file at the clerk's office for the inspection of all persons interested.

SEC. 15. Section 58610 of said code is hereby amended to read:

58610. Upon filing of the report, the supervisory body shall fix the time and place for the hearing of protests [on the report] and shall order the clerk to give notice of the hearing.

SEC. 16. Section 58611 of said code is amended to read:

58611. The notice of the hearing shall:

(a) State the name and nature of the district.

(b) State the title of the law under which the district is being formed.

(c) State the filing of the report on assessed valuation of the district [the advisability of forming the district].

(d) State that the report may be inspected at the clerk's office.

(e) Designate the district boundaries.

(f) State the time and place for the hearing.

(g) State that at the hearing protests will be considered by the supervisory body.

[(h) Set out the summary of the report.]

SEC. 17. Section 58612 of said code is amended to read:

58612. In mailed notices, the notice of hearing shall state that land in which the addressee is interested within the proposed district may be assessed or taxed [for the project] by the district if [the district] it is formed.

SEC. 18. Section 58614 of said code is amended to read:

58614. Unless the members of the supervisory body, by a four-fifths vote, adopt a resolution that the mailing of notice is unnecessary, the clerk shall also give notice by first-class mail, postage prepaid to:

(a) Each person to whom land in the proposed district is assessed in the assessment roll at the address shown on the roll or as known to the clerk.

(b) Any person who has filed with the clerk his name and address and a designation of the lands in which he has a legal or equitable interest.

SEC. 19. Articles 5 and 6, Chapter 2, Title 6, of said code are hereby repealed.

SEC. 20. The article heading of Article 7, Chapter 2, Title 6 of said code is hereby amended and renumbered to read:

#### Article [7] 5. Termination by Majority Protest and Abandonment

SEC. 21. The article heading of Article 8, Chapter 2, Title 6 of said code is amended and renumbered to read:

#### Article [8] 6. Protests and Actions Concerning Validity of Proceedings

SEC. 22. Section 58732 of said code is amended to read:  
58732. The validity of any proceedings taken under this chapter may be questioned only in an action or proceeding commenced within 30 days after the adoption of the resolution or ordinance [finally acting on the report] *showing the final action of the supervisory body under this chapter.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1437**

Senator Kraft moved that Senate Bill No. 1437 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1437**—An act appropriating funds for the engineering of a small boat harbor at the mouth of the Agua Hedionda Creek.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 21, strike out "out of the tidelands moneys", and insert "to the State Lands Commission payable one-half from the State Beach Fund and one-half from the State Park Fund for expenditure".

**Amendment No. 2**

On page 2 strike out lines 1 to 7, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1080**

Senator Abshire moved that Senate Bill No. 1080 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1080**—An act to add Section 1960 to the Unemployment Insurance Code, relating to Farm Placement Services.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 18, inclusive, and insert "1960. There is in the Department of Employment the Division of Farm Placements. The division is in charge of a chief, who shall be known as Chief, Farm Placement Service. Whenever a vacancy occurs in such Office the State Board of Agriculture shall nominate and the director shall appoint a successor in accordance

with provisions of the State Civil Service Act. The provisions of this part pertaining to the maintenance of a farm placement service shall be administered by the director through the Division of Farm Placements."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 843

Senator Murdy moved that Senate Bill No. 843 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 843**—An act to amend Section 6877 of the Public Resources Code, relating to oil and gas leases on tide and submerged lands and beds of navigable rivers and lakes.

Bill read second time.

#### Motion to Amend

Senator Murdy moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "6877 of", and insert "6816 of, and to add Section 6817 to,".

##### Amendment No. 2

In line 2 of the title strike out "oil and gas leases on", and insert "the disposition of revenues from".

##### Amendment No. 3

Strike out line 3 of the title, and insert ", and making an appropriation.".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 4

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 6816 of the Public Resources Code is amended to read: 6816. All moneys and remittances received by the State pursuant to this chapter, except rents, bonuses, royalties and profits accruing from the use of state school land, shall be deposited in the State Treasury to the credit of the State Lands Act Fund, which fund is continued in existence. In addition thereto, such other moneys shall be deposited in such fund as may be provided by law. The moneys in the fund are hereby appropriated as follows:

(a) For the payment of refunds, as authorized by the commission and approved by the State Board of Control.

(b) The remainder of the moneys shall be used by the commission, with the approval of the Director of Finance and the consent of the Governor, to carry out the provisions of this chapter, including the acquisition of real property or interests therein, the purchase of materials and supplies, and the conducting of operations by the State as provided herein, the payment by the State of such sums as may be provided pursuant to agreements or contracts authorized herein, and the payments of the necessary expenses of the commission.

(c) Out of that portion of the balance remaining, and limited to those moneys in the fund resulting from revenues received by the State from tide and submerged lands pursuant to Article 4 of this chapter, there is appropriated to the counties and cities the amounts and for the purposes specified in Section 6817.

[(c)] (d) Upon order of the Controller, the remaining balance shall be transferred as follows:

1. Thirty percent to the General Fund;
2. Twenty-three and one-third percent to the State Beach Fund;
3. Forty-six and two-thirds percent to the State Park Fund.

SEC. 2. Section 6817 is added to said code, to read:

6817. (a) The Controller shall annually apportion to each city or county having within its boundaries state-owned tide and submerged lands or such lands in which the State has reserved the rights to the mineral deposits contained therein, one percent (1%) of the annual revenues accruing to the State under Article 4 of this chapter from such tide and submerged lands which are within the limits of the particular county or city. For the purposes of this section tide and submerged lands within the limits of a city shall not be deemed to be within the boundaries of a county.

(b) The amounts paid to the several cities and counties shall be paid into a special tide and submerged lands fund established by such cities and counties, to be expended only for the promotion and accommodation of commerce, navigation, and fisheries, for the protection of the lands within the boundaries of the cities and counties, and for the establishment, improvement, operation, and maintenance of public recreational beaches for the benefit of all the people of the State.

(c) The Legislature hereby finds and declares that the purposes specified in Subdivision (b) constitute matters of state-wide interest and that the expenditure of funds for such purposes will benefit all of the people of the State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 855

Senator Grunsky moved that Senate Bill No. 855 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 855**—An act to amend Sections 10270.5 and 10270.6 of the Insurance Code, relating to group insurance.

Bill read second time.

##### Motion to Amend

Senator Grunsky moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill strike out ".6".

##### Amendment No. 2

Strike out line 2 of the title, and insert "Code, to amend Sections 16423 and 16424 of the Education Code and to add Section 16424.1 to the Education Code, relating to pupil accident insurance."

##### Amendment No. 3

On page 2, line 12, after "district", insert "or districts".

##### Amendment No. 4

On page 2, line 14, of the printed bill, after "school" insert "or schools".

##### Amendment No. 5

On page 2, line 15, after "school", insert "or schools".

##### Amendment No. 6

On page 2, line 20, after "school", insert "s".

##### Amendment No. 7

On page 2, line 20, after "district", insert "s".

##### Amendment No. 8

On page 2, line 23, after "district", insert "or districts".

##### Amendment No. 9

On page 2, line 23, after the second "school", insert "or schools".



**Amendment No. 10**

On page 3, line 13, strike out "6".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 11**

On page 3 strike out lines 15 to 36, inclusive, and insert

"10270. This chapter shall not affect workmen's compensation insurance nor any policy of liability insurance with or without supplementary coverage therein, nor shall it apply:

(a) To a blanket policy issued to a volunteer fire company providing benefits to members only in event of accident incurred while performing actions incident to such membership.

(b) To a blanket policy issued to a college, school, or other institution of learning or to the head or principal thereof agreeing to indemnify for loss of tuition by reason of disability of students enrolled therein.

(c) To a blanket policy issued to a school district *or districts* or to the governing board of any school district *or districts* or to a private or parochial school *or schools* or to the governing board or person in charge of the operations of any private or parochial school *or schools* providing benefits to pupils or persons responsible for their support for hospital, medical and surgical expenses resulting from accident to such pupils or those thereof who comprise any athletic team while they are in or on buildings or premises of the schools *or districts* during the time such pupils are required to be therein or thereon by reason of their attendance upon a college or a regular day school or any regular day school of a school district *or districts* or while being transported by the school *or schools* or district or districts to and from school or other place of instruction or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places.

(d) To a blanket policy issued to the proprietor or sponsor of an organized camping institution providing benefits to campers or persons responsible for their support for hospital, medical, surgical or nursing expenses resulting from accident to such campers or arising out of sickness first manifesting itself while they are in or on buildings or premises of the camp institution or being transported between their home and the camp institution or while at any other place as an incident to camp-sponsored activities and while being transported to, from and between such places.

(e) To a policy issued on application of an employer, a majority of the employees in this State an employer, or both, to pay the benefits afforded by a voluntary plan of unemployment compensation disability insurance. Notwithstanding the provisions of Section 10113, such policies may incorporate by reference any of the appropriate provisions of Article 10 of the California Unemployment Insurance Act and the authorized regulations of the California Employment Stabilization Commission.

(f) To any policy or contract of reinsurance.

A "blanket policy" is any disability policy sold to any of the entities described in subdivision (a), (b), (c) or (d) of this section and providing coverage for all persons within categories defined in the policy and precluding any requirement for individual enrollment or individual undertaking to pay all or part of the premium as a condition precedent to coverage; provided, that nothing in this section shall be so construed as to prohibit the cost of the insurance coverage being borne by the individuals insured or by their parents or guardians; and provided further, that coverage shall not be provided to any person who files with the entity to whom the blanket policy is to be issued for delivery to the insurer a written statement requesting that he not be covered. In the case of a minor, such statement may be filed by his parent or guardian. If the number of persons filing such statements exceeds ten percent (10%) of the number of persons within categories defined as covered under the policy, it shall not be put into effect, and if in effect shall not be renewed.

No policies described in subdivisions (a), (b), (c) and (d) hereof shall be issued until approved as to substance and form by the commissioner. The commissioner may after notice and hearing promulgate such reasonable rules and regulations, relating to the substance, form and issuance of such policies, as are necessary or desirable to preserve, insofar as applicable, standards as respects substance, form and issuance comparable to the standard, in such respects prescribed by this chapter and applicable to other types of disability policies, and to further the purpose or purposes for which such policies are to be issued.

No policies described in subdivision (e) hereof shall be issued until approved as to form by the commissioner. The commissioner may after notice and hearing promulgate such reasonable rules and regulations, relating to the form and issuance of such policies, as do not affect the substance of the coverage, and as are necessary or desirable to preserve, insofar as applicable, standards as respects form and issuance comparable to the standards in such respects prescribed by this chapter and applicable to other types of disability policies, and to further the purpose or purposes for which such policies are to be issued.

Section 10130 does not apply to policies described in subdivision (e) hereof.

Sec. 3. Section 16423 of the Education Code is amended to read:

16423. The governing board of any school district or districts may provide, or make available, medical or hospital service, or both, through nonprofit membership corporations defraying the cost of medical service or hospital service, or both, or accident insurance from authorized insurers, for pupils of the district or districts injured while participating in athletic activities under the jurisdiction of, or sponsored or controlled by, the district or districts or the authorities of any school of the district or districts. The cost of the insurance or membership may be paid, from the funds of the district or districts[,], or by the insured pupil, his parent or guardian.

The insurance may be purchased from, or the membership may be taken in, only such companies or corporations as are authorized to do business in this State.

Sec. 4. Section 16424 of the Education Code is amended to read:

16424. The governing board of any school district or districts which does not employ at least five physicians as full time supervisors of health, or the equivalent thereof, may provide, or make available, medical or hospital service, or both, through nonprofit membership corporations defraying the cost of medical service or hospital service, or both, or through accident or liability insurance from authorized insurers, for injuries to pupils of the district or districts arising out of accidents occurring while in or on buildings and other premises of the district or districts during the time such pupils are required to be therein or thereon by reason of their attendance upon a regular day school of such district or districts or while being transported by the district or districts to and from school or other place of instruction, or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. No pupil shall be compelled to accept such service without his consent, or if a minor without the consent of his parent or guardian. The cost of the insurance or membership may be paid, from the funds of the district or districts, or by the insured pupil, his parent or guardian.

Such insurance may be purchased from, or such membership may be taken in, only such companies or corporations as are authorized to do business in California.

Sec. 5. Section 16424.1 is added to the Education Code, to read:

16424.1. The governing board of the school district or school districts may authorize district personnel or the authorized representatives of the membership corporation or the insurer to assist in providing or making available the membership or accident insurance referred to in Sections 16423 and 16424."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 857

Senator Grunsky moved that Senate Bill No. 857 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 857**—An act to amend Section 10270 of the Insurance Code, relating to insurance.

Bill read second time.

#### Motion to Amend

Senator Grunsky moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 10270 of", and insert "Sections 770 and 771 of, and to add Section 776 to".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 28, inclusive; and on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 10, inclusive, and insert

"770. No person engaged in the business of financing the purchase of real or personal property or of lending money on the security of real or personal property and no trustee, director, officer, agent or other employee, or affiliate of, any such person shall require, as a condition precedent to financing the purchase of such property or to loaning money upon the security thereof, or as a condition prerequisite for the renewal or extension of any such loan or for the performance of any other act in connection therewith, that the person for whom such purchase is to be financed or to whom the money is to be loaned or for whom such extension, renewal or other act is to be granted or performed negotiate *or refrain from negotiating* any insurance or renewal thereof covering such property through a particular insurance agent, [or] broker[.], *or insurer.*

771. Section 770 shall not prevent:

(a) The exercise by any person engaged in such business of his right to approve or disapprove of the insurer selected to underwrite the insurance; *provided, however, that any disapproval of a policy or of an insurance company shall be on reasonable grounds which are not unfairly discriminatory as to any insurer or type of insurer; nor shall such section prevent* [nor of] his right to furnish such insurance or to renew any insurance required by the contract of sale or trust deed or other loan agreement if the borrower, or purchaser shall have failed to furnish the insurance or renewal thereof within such reasonable time or form as may be specified in the sale or loan agreement.

(b) Any lender from recommending to any borrower or prospective borrower the placing of insurance with a specified insurer or through a specified insurance agent or broker as long as such recommendation does not violate the provisions of Section 770 or of any other section of this code.

(c) The free choice of insurance agent or broker by any borrower or purchaser at any time, and he may revoke any designation of insurance agent or broker at any time irrespective of the provisions of any loan or purchase agreement or trust deed."

#### Amendment No. 3

"Section 776 is added to the Insurance Code, to read as follows:

776. Any violation of this article shall subject the violator to a civil action for damages sustained by any person or persons as a result of such violation."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 792

Senator Gibson moved that Senate Bill No. 792 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 792**—An act to amend Sections 2102, 2113, and 2458 of the Business and Professions Code, relating to the practice of medicine.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 10, of the printed bill, as amended in Senate March 2, 1955, after "fee", insert "for more than 90 days".

**Amendment No. 2**

On page 1, line 20, after "three", insert "consecutive".

**Amendment No. 3**

On page 2, line 4, strike out "10", and insert "30".

**Amendment No. 4**

On page 2, line 7, after the period, insert "Each holder of a certificate shall, at the time he pays the annual tax and registration fee prescribed by this chapter, also state, on a form prescribed by the board, whether he has changed the address of his place of practice during the previous year, and if so, the date of any such change, and the board may accept such statement as evidence of such fact."

**Amendment No. 5**

On page 2, line 15, after "(\$50)", insert "nor less than fifteen dollars (\$15)".

**Amendment No. 6**

On page 2, line 28, after "(\$40)", insert "nor less than five dollars (\$5)".

**Amendment No. 7**

On page 2, line 41, strike out "three dollars (\$3)", and insert "ten dollars (\$10) nor less than one dollar (\$1)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1821**

Senator Burns moved that Senate Bill No. 1821 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1821**—An act to add Section 11736.2 to the Insurance Code, relating to workmen's compensation insurance.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 11736.2 to", and insert "amend Section 1101 of".

**Amendment No. 2**

In line 2 of the title, strike out "workmen's compensation".

**Amendment No. 3**

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 1101 of the Insurance Code is amended to read:

1101. An admitted insurer's officers, directors, trustees and any persons who have authority in the management of the insurer's funds, shall not, unless otherwise provided in this code:

(a) Receive any money or valuable thing for negotiating, procuring, recommending or aiding in, any purchase by or sale to such insurer of any property, or any loan from such insurer.

(b) Be pecuniarily interested as principal, coprincipal, agent, attorney or beneficiary, in any such purchase, sale or loan.

(c) Director or indirectly purchase, or be interested in the purchase of, any of the assets of the insurer.

*This section shall not apply to the purchase of stock of an admitted insurer, other than life, by another admitted insurer, other than life, nor to any merger of such insurers, other than life, and shall not apply, as to such purchase or merger to the officers, directors, trustees, or any persons who have authority in the management of*



the funds of such purchasing or merging insurer, and such purchase or merger shall not be either void or voidable, if

(1) The transaction is just and reasonable to the purchasing insurer at the time it is authorized or approved and, either

(2) Any interest in such transaction on the part of any officers, directors, trustees, or persons who have authority in the management of the purchasing insurer's funds is disclosed or known to its board of directors, committee, or subscribers' board, authorizing, approving or ratifying the transaction, and noted in the minutes thereof, and the board or committee authorizes, approves or ratifies the transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of any interested officers, directors, trustees, or persons who have authority in the management of the funds of the purchasing insurer, or

(3) The fact of such interest is disclosed or known to the shareholders in the case of a stock insurance company, or, in the case of a mutual insurer or reciprocal or interinsurance exchange to the policy holders or subscribers thereto, and they approve or ratify the transaction in good faith by a vote or written consent of a majority of the shares, policy holders, or subscribers, as the case may be, entitled to vote, unless the consent or vote of more than a majority is otherwise required, in which event the vote or written consent shall be that so otherwise required.

Any such officer, director, trustee, or other person who has such interest may be counted in determining the presence of a quorum at any meeting which authorizes, approves or ratifies such transaction."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 797

Senator McBride moved that Senate Bill No. 797 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 797**—An act to amend Section 7802 of and add Section 7804 to the Education Code, relating to state school building aid.

Bill read second time.

#### Motion to Amend

Senator McBride moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, on line 45, of the printed bill, as amended in Senate March 29, 1955, after the period strike out the remainder of the line and all of lines 46 through 51, and insert "Not more than 50 percent of the amount of any apportionment made pursuant to this section shall be repaid. Repayments shall be made in the following manner: 10 percent of the amount of the apportionment shall be subject to repayment by the district to the extent, and in the manner prescribed in Article 1 of this chapter for apportionments other than those made pursuant to Section 7714.1. Forty percent of the amount of the apportionment shall be repaid in full with interest by the district, in such annual amounts and over such period as the board may determine, not to exceed 20 years from the date the apportionment became final. The county board of supervisors of the county whose superintendent of schools conducts classes in such facility during any fiscal year shall at such time or times within such fiscal year as may be agreed upon between the county and the school district, but in any case not later than the end of such fiscal year, pay to the school district having the obligation to repay the apportionment made under this section for the construction of such facility, an amount equal to the amount the district is required to repay in said fiscal year with respect to the 40 percent of the amount of the apportionment described above."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**REPORTS OF STANDING COMMITTEES****Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, April 18, 1955

**MR. PRESIDENT:** The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 2302

Assembly Bill No. 2588

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 5; absent 4.

MILLER, Chairman

Above reported bills ordered to second reading.

**Committee on Natural Resources**

SENATE CHAMBER, SACRAMENTO, April 19, 1955

**MR. PRESIDENT:** The Committee on Natural Resources, to which was referred:

Senate Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 9; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported resolution ordered to third reading.

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, April 19, 1955

**MR. PRESIDENT:** The Committee on Transportation, to which was referred:

Senate Bill No. 1440

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 7; noes 4; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

**MR. PRESIDENT:** The Committee on Transportation, to which were referred:

Senate Bill No. 156

Senate Bill No. 724

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 8; absent 5.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

**MR. PRESIDENT:** The Committee on Transportation, to which was referred:

Assembly Bill No. 2009

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

**MR. PRESIDENT:** The Committee on Transportation, to which was referred:

Assembly Bill No. 1051

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 7; noes 5; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 474

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 8; absent 5.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 222

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 97

Assembly Bill No. 1823

Assembly Bill No. 434

Assembly Bill No. 3311

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 2133

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 7; absent 6.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1347

Has had the same under consideration, and reports the same back with the recommendation: Re-refer to Committee on Judiciary.

Committee membership 13; committee vote: Ayes 8; absent 5.

COLLIER, Chairman

Above reported bill re-referred to Committee on Judiciary.

## ADJOURNMENT

At 4.50 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 2 p.m., Wednesday, April 20, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY

SEVENTY-FIRST CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 20, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Short, on motion of Senator Montgomery, due to legislative business.

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Albert Eaves of Santa Barbara.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. and Mrs. Horace F. Sharrocks, and Pauline, Suzanne and Clive Sharrocks, and Roger Korn of Sebastopol.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert L. Black and Donald W. Lewis of San Diego.



On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jack Uren, principal of Meridian School; Merle Russell, principal of Brittan Elementary School; Mrs. Minnie Worley, instructor, Nuestro School; and the following students from Brittan, Nuestro, Slough, Winship, Franklin and Meridian Elementary Schools: Shelby Archer, Jean Barnes, Gary Davis, Tommy Deel, Bruce Dill, Harold Dill, Nina Dotson, Susan Dotson, Larry Elliot, Beverly Foster, Elizabeth Frye, Mary Jo Fryman, David Haggard, Johnny Jones, VeLois Kellog, Jerry Nitschke, Virginia Pedigo, Robert Pederson, Barbara Roark, Patricia Bruce, Sharon Epperson, Anita Henkel, Michael Hislop, Sharon Jackson, J. C. Oliver, Sharon Thomas, Floyd Reeves, Janice Gray, George Helms, Harry Bergholdt, Judy Hilbers, Corliss Greene, George Short, Sydney Smith, Ola Grigory, William Ettl, Charles E. Stering, Ronald Thompson, Anna May Glass, David Looney, Judy Holopter, JoAnne Dibel, Shirley Kellie, Jimmy Castro, Glen Davis, David Gomes, Tommy Williams, Rallin Ahlers, Leonard Matsumoto, Jerry Rowly, Danny Stepps, Richard Warnes, Marshall Davies, Roger Carnegie, Patricia Heitman, Judy Said, Jim Unifress, Roger Standish, David Lucero, Margaret Lucero, Alice Unifress, Shirley Taylor, Frankie Fleharty, Robert Farrer, and Irene Garcia.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Gordon Dunn, Mayor, City of Fresno.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Harold L. Enarson, executive director, Western Interstate Commission for Higher Education, University of Oregon.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don Hartman of Cupertino, Richard Matteis of Los Gatos, Jack Dawson of San Jose, and Carolyn O'Mara of Cupertino.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Miss Bernhardt Thurston, parent Mrs. Howard Sievers, and following students from Richardson Bay School, Sausalito: Betty Conner, Sue Dirksen, Hilda Du Pont, Fannie Freeman, Judith Graham, Henrietta Johnson, Olivia Kennedy, Patricia McLeran, Karleen McWilliams, Rose Marie Obedio, Elaine Terwilliger, Judith Guthrie, Becky Tinkle, Joanne Seubert, Leo Baker, Garron Beidman, Albert Browne, Tom Clark, Garry Goracke, David Nowlan, James Riggins, Robert Roseman, Eric Shinn, Cornathan Skinner, Robert Sievers, Michael Thieme, and Carver Westbrooke.

\* On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don Hellbush, adult probation officer, San Mateo County.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David E. Brown, Jr., of Oakland; and Judge and Mrs. Joseph A. Murphy and two sons, William and John, of Oakland.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lillian Zellhoefer White of San Gabriel.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lola M. Lung and the following students from Springvale School, El Dorado County: Thomas Oulicky, Robert Pease, Linda Pickering, and Nicholas Schubin.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Emil Billeb of San Francisco and Judge Walter Evans of Mono County.

On request of Senators Desmond and Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Carol Young of Sacramento.

On request of Lieutenant Governor Powers and Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher John A. Seaman, bus driver Mrs. Lena Gibson, and the following students from Montezuma School, Stockton: Connie Belding, Barbara Booth, Inez Daniels, Leslie Dawes, Delorise Dukes, James Fortner, Jackie Fraser, Dick Frost, Joan Harris, Nora Helm, Marion Hendrix, Henry Johnson, Jimmy Luke, Joyce Lyons, John Mannetti, Elizabeth McCafferty, Fred Miller, Terry Priest, Jackie Reeve, Joe Ressel, Virginia Sandau, Glenn Scott, Merlin Smith, Tommy Smith, Gary Wiler, Earnestine Williams, Tommy Tucker, and Ronnie Young.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William F. Vandercook and Leslie W. Royall, Jr., of Sacramento.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tony Boggio and W. R. Buster of San Bernardino.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers O. R. Reger, Mrs. Madeline Waddell, Miss Clara Dayton; parents Mrs. Meadowcroft, Mrs. Craise, Mrs. Robert Dixon, Mrs. John Rechtfertig, Mrs. J. W. Smith, Mrs. Young, Mrs. George Spackman, Mrs. William Zavosky, and the following students from Isabel Cook School: Don Aquilino, Margo Barry, Clifton Belknap, Barbara Binns, Carolyn Bogliolo, Charles Bundschu, Van Canann, Robert Clark, Laurie Craise, Margarita Davalos, Paul Foti, Janet Geer, Stanley Johnson, William Larsen, Myrtle Leadstrom, Alasdair MacDonald, Donna Madden, Amos Maples, Jay Mason, James McKenny, Herbert Meadowcroft, Charlotte Mulholland, Marilyn Myers, Jeanne Nerviani, Lawrence Perkins, Paul Rambke, Anthony Scardaci, Richard Schwartz, Diane Smith, Richard Taylor, Patricia Thackery, Gary Walsh, Terrance Wing, Sherill Wood, Suzanne Crowell, Larry Andrews, Eric Besozzi, Tim Collins, Pete Dardis, Don DeBisschop, Jefferson Dunlap, Denny Geer, Jim Mabry, John Larkin, Michael Paulin, John Rechtfertig, Donald Rickets, Robert Shaul, Dennis Smith, Kenneth Wollman, Karin Anderson, Rose Bernasconi, Diana Boragno, Diane Bryden, Judy Carlton, Pirkko Dixon, Nancy Evans, Judy Fitzgerald, Cindy Hall, Mary Ann Hilden, Suzanne Hubbell, Judy Jones, Pat Madden, Jan Milberg, Jeannette Miller, Katharine Rudniansky, Ruth Smith, Jackie Stratton, Linda Thorne, Marsha

Van Koevering, Karen Williams, Gary Aquilino, Larry Domer, Leavins Hinnenberg, Jerry Ingram, Michael Klapak, Jerry Jarman, Randy Lindgren, Robert McClure, Barry McGough, Wayne Pape, Don Phillips, Tom Rawlins, Edward Schudel, Richard Spackman, Michael Sullivan, William Walker, Joseph Watt, Harry Wendt, Barrie Brower, Mary Brown, Susan Buehn, Sondra Dennis, Beverly Dismukes, Wilda Downing, Audrey King, Barbara Majesky, Katherine Outsen, Marcia Sandidge, Linda Sharrow, Joy Spagnoli, Katherine Wentz, Leslie Wing, Nancy Woodard, and Nadine Zavosky.

On request of Senators Kraft and Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cruz Siva and Mrs. Flora Siva of San Diego.

### COMMUNICATIONS

The following communications were received and read, ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, April 18, 1955

*Hon. Joseph A. Beek, Secretary  
California State Senate  
State Capitol, Sacramento, California*

DEAR MR. BEEK: At the March 29, 1955 meeting of the Water Project Authority, the following motion was adopted:

"On motion of Attorney General Brown, seconded by State Treasurer Johnson, and carried, the executive officer was authorized and directed to send to the Legislature as a supplement to the report entitled 'Report of the Executive Officer on Status of State Acquisition of the Central Valley Project,' dated February 1955, and heretofore transmitted to the Legislature on March 1, 1955, the draft of congressional bill to authorize state purchase of the Central Valley Project as prepared by the legal staffs of the Attorney General and the authority."

As directed by the authority in the above motion, there are transmitted herewith, for the information of the Members of the Senate, 40 copies of a draft of a congressional bill prepared at the request of the authority by the legal staffs of the authority and the Attorney General. The draft would authorize the Secretary of the Interior to negotiate an agreement with the authority for state acquisition of federally authorized features of the Central Valley Project in accordance with stated principles and bases, subject to final approval by the Congress of any executed agreement.

The draft of bill should be considered as a supplement to the "Report of the Executive Officer on Status of State Acquisition of the Central Valley Project," dated February, 1955, and transmitted by the authority to the Legislature on March 1, 1955.

Very truly yours,

A. D. EDMONSTON, Executive Officer

Attach.

### A BILL

To authorize and direct the Secretary of the Interior to negotiate an agreement for the sale of certain project facilities and related property in the State of California.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That the Secretary of the Interior is hereby authorized and directed to negotiate an agreement with the Water Project Authority, an agency of the State of California, or any succeeding authorized state agency or district, hereinafter referred to as "the authority," for the sale of any or all units of the Central Valley Project, California, and related property; provided, that the agreement which may be negotiated to the satisfaction of the Secretary of the Interior and the authority shall be subject to final approval by the Congress.

SEC. 2. Such agreement shall cover, among other things, the units to be sold under such agreement which shall include all units of the project completed at the date of sale, including irrigation distribution systems; the purchase price thereof, the manner of payment of the purchase price, maintenance and operation obligation, and such other matters as in the opinion of the Secretary of the Interior should be covered by the agreement, and shall be in accordance with the principles set forth in the following sections of this act. Such agreement shall also provide for the future sale of subsequently completed units of the project, including irrigation distribution systems, which sale shall be also in accordance with such principles.



SEC. 3. The purchase price shall be computed as follows:

(a) The United States shall be paid the construction costs of the units to be sold, plus interest on any unpaid portion of such costs allocated to commercial power and municipal and industrial water purposes from the date such units went into operation for such purposes to the date of sale, minus the following credits:

- (1) The amount of such construction costs allocated to flood control, navigation, fish and wildlife, and other nonreimbursable project purposes.
- (2) The amount of payments received from project water and power customers as of the date of sale in excess of operation, maintenance and replacement costs of the project properly allocable to water and power operations as of the date of sale.
- (3) A sum equal to the difference between the unamortized portion of the construction costs allocated to irrigation, including irrigation distribution systems, (repayable under existing federal law in installments without interest over a period of years) and the present worth of such repayment as of the date of sale. The present worth shall be computed on the basis of 40 equal annual installments assumed to commence five years after the date of sale, using an assumed interest cost to the United States as set forth in (c) of this section.
- (4) A sum equal to the present worth of estimated annual operation, maintenance and replacement costs properly allocable to nonreimbursable project purposes over a period of 50 years from and after the date of sale.
- (5) Revenues credited to the project replacement fund with interest to the date of sale.

(b) Allocations of cost for the purpose of computing the purchase price shall be made in accordance with the principles in House Document 146, Eightieth Congress, First Session.

(c) In computing interest and present worth, an interest rate shall be used based on the average cost of money to the United States at the date of execution of the agreement of sale.

SEC. 4. The portion of the purchase price attributable to irrigation, including irrigation distribution systems, or any part thereof may, at the option of the authority be paid in revenue bonds of the authority, bearing interest at the same rate as provided in Section 3(c), payable from Central Valley Project net revenue, in not more than 50 years from date of sale, and secured by a lien on such revenue second only to the lien of revenue bonds issued by the authority for public sale to raise the funds to pay the balance of the purchase price; such balance shall be paid in cash.

SEC. 5. Upon sale of project units, the authority shall assume all obligations of the United States relating to the units sold and shall operate such units for flood control and navigation as required by the United States. The authority shall also assume all obligations of the United States relating to the acquisition of water rights for the units sold, including litigation concerning such water rights.

SEC. 6. The agreement shall provide for the establishment of a special fund in the Treasury of the United States into which, until otherwise determined by the Congress, all payments from the authority for the project units sold shall be deposited, and the funds of which shall be subject to appropriation by the Congress for the purposes only, first, of completing construction of units of the project still owned by the United States which are uncompleted as of the date of sale and, second, constructing units of the project which may be authorized for federal construction or financial assistance after the date of sale.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, April 20, 1955

Hon. Joseph A. Beek  
Secretary of the Senate  
State Capitol

DEAR MR. BEEK: There is transmitted herewith a report entitled "Northeastern Counties Investigation Report on Upper Feather River Service Area," dated April 5, 1955.

This report was prepared pursuant to Item 249 of the Budget Act of 1954 by Division of Water Resources, Department of Public Works.

Yours very truly,

FRANK B. DURKEE  
Director of Public Works

Attachment.

Report ordered filed with the Secretary of Senate.



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 395  
Assembly Bill No. 444  
Assembly Bill No. 547  
Assembly Bill No. 569  
Assembly Bill No. 593  
Assembly Bill No. 675  
Assembly Bill No. 790  
Assembly Bill No. 986  
Assembly Bill No. 1144  
Assembly Bill No. 1406  
Assembly Bill No. 1605  
Assembly Bill No. 1606

Assembly Bill No. 1709  
Assembly Bill No. 1816  
Assembly Bill No. 1839  
Assembly Bill No. 1921  
Assembly Bill No. 1943  
Assembly Bill No. 2118  
Assembly Bill No. 2199  
Assembly Bill No. 2297  
Assembly Bill No. 2481  
Assembly Bill No. 2498  
Assembly Bill No. 3430  
Assembly Bill No. 3434

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 395**—An act to amend Section 19143 of the Government Code, relating to crediting prior service to employee with break in service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 444**—An act to amend Section 3356, and to add Article 2 to Chapter 1, Part 6, Division 1, of the Revenue and Taxation Code, relating to real property taxation and the publication of delinquent lists.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 547**—An act to amend Section 616 of the Vehicle Code, relating to the equipment of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 569**—An act to add Section 13841.4 to the Education Code, relating to leaves of absence for employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 593**—An act to amend Section 170 of the Vehicle Code, relating to special license plates.

Referred to Committee on Transportation.

**Assembly Bill No. 675**—An act to amend Section 14104 of, and to add Section 14104.5 to, the Government Code, relating to the performance of work by the Department of Public Works.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 790**—An act to amend Section 274 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation.

**Assembly Bill No. 986**—An act to amend Section 6703 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Assembly Bill No. 1144**—An act to add Section 714.1 to the Vehicle Code, relating to commercial vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 1406**—An act to amend Sections 13091.1 and 13093 of, and to add Section 13680 to, the Education Code, relating to certificated employees of high school districts included in newly formed junior college districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 1605**—An act to repeal Sections 353, 1003, 1004, 1005, 1801, 1802, 1803, 1813, 1830, 1831, 1832, 1833, 1834, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1901, 1943, 1944, 2108, 2154, 2155, 2158, 3122, 3123, 3124, 3125, 3126, 3128, 3130, 3131, 3132, 3133, 3152, 3222, 3637, 4121, 4122, 4123, 4124, 4126, 4127, 4128, 4622, 4623, 4624, and 4625 of, to amend Sections 3121, 3151, 4101, 4102, 4103, 4151, 4621, and 4626 of, to add Sections 1800, 1801, 1804, 1821, 1822, 1823, 1824, 1825, 1826, 1829, 1830, 1832, 1844, 1873, 1874, 1893, 1894, 1895, 1896, 1898, 1899, 1900, 1901, 1903, 1904, 1905, 1911, 1912, 2108, 3122, 3124, 4105, 4107, 4622, 4623, 4624, 4625, and 4948 to, to amend and renumber Sections 1002, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1861, 1902, 1921, 1941, 1942, 2151, 2152, 2153, 2156, 2157, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 3127, 3129, and 4125 of, to repeal Article 4 of Chapter 10 of Division 2 of, to repeal Article 5, Chapter 12, Division 2 of, to repeal the article headings of Articles 2, 3, 4 and 5, Chapter 4, Division 2 of, to repeal the chapter headings of Chapter 5.5, Division 2 of, to repeal the article heading of Article 2, Chapter 12, Division 2 of, to amend the chapter heading of Chapter 4, Division 2 of, to amend the article headings of Article 1, Chapter 4, Division 2, Articles 2 and 3, Chapter 10, Division 2, Article 1, Chapter 12, Division 2, Article 3, Chapter 12, Division 2 of, and to add new article headings to, Articles 2, 3, and 4, to Chapter 4, Division 2 of, the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Assembly Bill No. 1606**—An act to amend Sections 8151, 8152, 8153, 8158, 8160, 8286, 8401, 8406, 8406.1, 8826, 9858, 11021, 11151, 11275, 11291, 11674, 11741, 13861, 18003, 18008, 18022, 18205, 18403, 18404, 19051, 19606.5, 19609, 19613, 19617, 20356, 20543, 21364, 21647, 22693, 22722, 22723, 22725, 23204, and 23208 of, to amend the headings of Article 1 of Chapter 1 and Article 1 of Chapter 7 of Division 9 of, to add Article 10 to Chapter 1 of Division 5 of, to add Section 11150 to, to repeal Sections 8154, 8154.1, 8253, 8254, 9618, 9646, 11656, 18053.5, 18055, 19620, and 21648 of, and to repeal Article 1.5 of Chapter 2 of Division 10 of, the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Assembly Bill No. 1709**—An act to add Sections 6872.6 to the Public Resources Code, relating to oil and gas operations in tide and submerged lands.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1816**—An act to add Section 679.05 to the Vehicle Code, relating to the transportation of poles by pole dolly.

Referred to Committee on Transportation.

**Assembly Bill No. 1839**—An act to repeal Section 646 of, and to add Section 646 to, the Vehicle Code, relating to test and approval of lighting devices on vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 1921**—An act to amend Section 465 of, and to add Section 465.4 to, the Vehicle Code, relating to official traffic control devices and the erection of signs, signals or traffic control devices by the Department of Public Works.

Referred to Committee on Transportation.

**Assembly Bill No. 1943**—An act to add Section 34333 to the Government Code, relating to newly incorporated cities.

Referred to Committee on Local Government.

**Assembly Bill No. 2118**—An act to amend Section 11681 of the Health and Safety Code, relating to the disposition of fines collected for violations of Division 10 of said code, relating to narcotics.

Referred to Committee on Judiciary.

**Assembly Bill No. 2199**—An act to amend Section 5814 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 2297**—An act to amend Sections 10142, 10263 and 10514 of the Business and Professions Code, relative to delivery of contracts; and to add Sections 10182, 10306 and 10566 to the Business and Professions Code, relative to qualifying examinations.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2481**—An act to amend Section 40602 of the Government Code, relating to municipal contracts.

Referred to Committee on Local Government.

**Assembly Bill No. 2498**—An act to add Sections 12332 and 12333 to the Government Code, relating to the deposit of money and securities in the State Treasury to be held as pledges made in accordance with law.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3430**—An act to add Section 527.5 to the Vehicle Code, relating to motor vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 3434**—An act to amend Section 905 of the Streets and Highways Code, relating to acquisition of land for public highways.

Referred to Committee on Transportation.

# MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: In am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 94

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read.

**Assembly Concurrent Resolution No. 94**—Relative to commending Dr. Jonas E. Salk for his discovery of a successful polio vaccine.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 94

Senate Bill No. 1491

Senate Bill No. 1471

Senate Concurrent Resolution No. 57

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 940

Senate Bill No. 971

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 109

Senate Bill No. 256

Senate Bill No. 1180

Senate Joint Resolution No. 7

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 53**—Relative to the George J. Hatfield American Legion Post;

**Senate Concurrent Resolution No. 55**—Relative to the Centennial of Merced County;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twentieth day of April, 1955, at 9 a.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 203**—An act to amend Section 610 of the Agricultural Code, relating to cheese;

**Senate Bill No. 204**—An act to repeal Section 612.5 of the Agricultural Code, relating to hoop cheese;

**Senate Bill No. 205**—An act to amend Section 613 of the Agricultural Code, relating to cheese;

**Senate Bill No. 303**—An act to amend Section 828.53 of the Agricultural Code, relating to grape containers;

**Senate Bill No. 703**—An act to amend Section 3320 of the Penal Code, relating to the Superintendent of the California Institution for Women;

**Senate Bill No. 704**—An act to repeal Section 2076 of the Penal Code, relating to the residence of a warden of a state prison;



**Senate Bill No. 706**—An act to repeal Sections 2943 and 2944 of the Penal Code, relating to discharged prisoners;

**Senate Bill No. 707**—An act to amend Section 288a of the Penal Code, relating to sex offenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1955, at 5.30 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 710**—An act to amend Section 2070 of, and to repeal Section 2083 of, the Penal Code, relating to the records of prisoners;

**Senate Bill No. 717**—An act to amend Section 19622.7 of the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund;

**Senate Bill No. 784**—An act to amend Section 1309 of the Penal Code, relating to exonerated bail;

**Senate Bill No. 785**—An act to amend Section 68084 of the Government Code, relating to deposit of money in the county treasury;

**Senate Bill No. 786**—An act to amend Section 71383 of the Government Code, relating to audits of municipal and justice courts;

**Senate Bill No. 924**—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of the United States;

**Senate Bill No. 1135**—An act to amend Sections 60101, 60104, 60105, 60111, and 60128 of the Government Code, and to amend Sections 60120, 60122, 60124, 60125, and 60127 (all as added by Chapter 1711 of the Statutes of 1951) of the Government Code, relating to community services districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1955, at 5.30 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 1316**—An act to amend Section 16651 of the Public Utilities Code, relating to the fixation of tax rates;

**Senate Bill No. 1558**—An act to add Article 8 to Chapter 1, Division 3 of the Public Resources Code, relating to oil and gas;

**Senate Bill No. 1635**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game;

**Senate Bill No. 1699**—An act to amend Section 21201 of the Financial Code, relating to pawnbrokers;

**Senate Bill No. 1930**—An act to repeal Sections 142, 164, and 165 of the Fish and Game Code, relating to game refuges;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1955, at 5.30 p.m.

WARD, Chairman

#### Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

**Senate Bill No. 683**

**Senate Bill No. 1042**

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

**Assembly Bill No. 1975**

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 6; absent 5.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Assembly Bill No. 186

Assembly Bill No. 940

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 41

Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Committee on Water Resources.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution re-referred to Committee on Water Resources.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 81

Assembly Concurrent Resolution No. 85

Senate Joint Resolution No. 27

Assembly Concurrent Resolution No. 86

Senate Concurrent Resolution No. 52

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to third reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 460

Senate Bill No. 521

Senate Bill No. 461

Senate Bill No. 1254

Senate Bill No. 462

Senate Bill No. 1585

Senate Bill No. 463

Senate Bill No. 1747

Senate Bill No. 464

Senate Bill No. 1752

Senate Bill No. 510

Assembly Bill No. 529

Senate Bill No. 511

Assembly Bill No. 530

Senate Bill No. 512

Assembly Bill No. 532

Senate Bill No. 513

Assembly Bill No. 1608

Senate Bill No. 514

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 89

Senate Bill No. 1707

Assembly Bill No. 665

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

REGAN, Chairman

Above reported bills ordered to second reading.

## Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1363

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 19, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 3

Senate Bill No. 330

Senate Bill No. 1727

Senate Bill No. 1949

Senate Bill No. 1951

Assembly Bill No. 843

Assembly Bill No. 1432

Assembly Bill No. 1675

Assembly Bill No. 1676

Assembly Bill No. 2022

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

## Committee on Finance

• SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 12

Senate Bill No. 76

Senate Bill No. 476

Senate Bill No. 696

Senate Bill No. 711

Senate Constitutional Amendment No. 11

Senate Bill No. 831

Senate Bill No. 949

Senate Bill No. 1092

Senate Bill No. 1122

Senate Bill No. 1324

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 747

Senate Bill No. 1108

Senate Bill No. 1712

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 23

Assembly Bill No. 1020

Assembly Bill No. 516

Assembly Bill No. 1911

Assembly Bill No. 1019

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 543**—An act to amend Section 13004 of the Health and Safety Code, relating to the use of fire extinguishers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1728**—An act to amend Sections 6844, 6876, 6885.7, 6890, 6891, and 6893 of, and to add Section 6893.1 to, the Health and Safety Code, relating to sanitary districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 126**—An act to add Division 11 to the Public Resources Code, relating to camping, providing for a program of campground sanitation, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 19, of the printed bill, as amended in Senate April 14, 1955, after the second "the", insert "national forest or other".

**Amendment No. 2**

On page 2, line 4, after "associations", insert "nor any auto and trailer park or auto court and resort governed by the provisions of Parts 2 and 2.1 of Division 13 of the Health and Safety Code".

**Amendment No. 3**

On page 4, between lines 41 and 42, insert "13052. The proceeds of all fines from violations of any of the provisions of this division shall be transmitted by whomever collected to the State Treasurer, and the Controller shall credit such sums to the fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 925**—An act to add Section 2401 to the Agricultural Code, relating to marketing of agricultural products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, lines 6 and 7, of the printed bill, strike out "maturity, pack or sanitation regulations, no persons may", and insert "or maturity regulations, no person may, except as otherwise provided in said program,".



**Amendment No. 2**

On page 1, line 11, after "California", insert ", except that such regulations shall not apply to any commodity which has been produced outside of this State and is in transit on the effective date of the regulations".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 926**—An act to amend Section 1300.18 of the Agricultural Code, relating to the uniform application of marketing order regulations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, lines 14 and 15, of the printed bill, strike out "maturity, pack or sanitation regulations, no person may", and insert "or maturity regulations, no person may, except as otherwise provided in said order or agreement,".

**Amendment No. 2**

On page 1, line 19, after "California", insert ", except that such regulations shall not apply to any commodity which has been produced outside of this State and is in transit on the effective date of the regulations".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 399**—An act to amend Sections 1552.4 and 1552.6 of the Welfare and Institutions Code, relating to the location and prosecution of parents of needy children.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1279**—An act to amend Section 2181 of the Welfare and Institutions Code, relating to income of responsible relatives of applicants for or recipients of aid to the aged.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 384**—An act to amend Section 650 of the Unemployment Insurance Code, relating to commission salesmen.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 482**—An act to add Part 11 to Division 3, Title 2 of the Government Code, relating to the creation of a State Building Board with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of interest-bearing certificates to state agencies by the board, and providing for the payment of the certificates and the rights of the holders thereof; and granting the right of eminent domain; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the board to pay expenses incident to its formation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed bill, strike out "relating to the creation of a State Building Board with power", and insert "to authorize the State Public Works Board".

**Amendment No. 2**

In line 6 of the title, after "agencies", insert "or revenue bonds".

**Amendment No. 3**

In line 7 of the title, after "certificates", insert "or revenue bonds".

**Amendment No. 4**

Strike out lines 11 and 12 of the title, and insert "under this act."

**Amendment No. 5**

On page 1, line 16, strike out "Building", and insert "Public Works".

**Amendment No. 6**

On page 2, line 31, strike out "Administration and".

**Amendment No. 7**

On page 2, strike out lines 33 to 48, inclusive.

**Amendment No. 8**

On page 3, strike out lines 6 to 8, inclusive.

**Amendment No. 9**

On page 3, line 9, strike out "15809", and insert "15808".

**Amendment No. 10**

On page 3, line 12, strike out "15810", and insert "15809".

**Amendment No. 11**

On page 3, line 19, after "certificates", insert "or bonds".

**Amendment No. 12**

On page 3, line 37, after "holders", insert "or bond holders".

**Amendment No. 13**

On page 3, line 38, after "certificates", insert "or revenue bonds".

**Amendment No. 14**

On page 3, line 40, after "certificates", insert "or revenue bonds".

**Amendment No. 15**

On page 3, line 42, after "certificates", insert "or revenue bonds".

**Amendment No. 16**

On page 3, between lines 42 and 43, insert

"15810. In the act authorizing the acquisition and construction of public buildings pursuant to this part, the Legislature shall provide whether certificates or revenue bonds shall be issued to finance such acquisition and construction, or whether the board may elect to use either method of financing."

**Amendment No. 17**

On page 4, line 9, after "certificates", insert "or revenue bonds".

**Amendment No. 18**

On page 4, line 15, after "tificates", insert "or revenue bonds".

**Amendment No. 19**

On page 4, line 16, after "certificates", insert "or revenue bonds".

**Amendment No. 20**

On page 4, line 27, after "certificates", insert "or revenue bonds".

**Amendment No. 21**

On page 4, line 28, after "certificates", insert "or revenue bonds".

**Amendment No. 22**

On page 4, line 32, after "certificates", insert "or revenue bonds".

**Amendment No. 23**

On page 5, strike out lines 1 to 4, inclusive, and insert

"The certificates shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp, and the certificates shall be signed, countersigned, and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said certificates shall bear an impress of the Great Seal of the State of California."

**Amendment No. 24**

On page 5, line 8, after "fund", insert "notwithstanding any provision of law limiting the investment which may be made by such special or trust fund".

**Amendment No. 25**

On page 5, line 28, after "certificates", insert "or revenue bonds".

**Amendment No. 26**

On page 6, between lines 32 and 33, insert

**"CHAPTER 5. REVENUE BONDS**

15830. The bonds issued to finance the construction of a public building or buildings pursuant to this part shall be special obligations of this State secured solely by the revenues, rentals, or receipts received from the operation of the public building or buildings financed by such bonds.

No bond issued or sold pursuant to this part shall be or become a lien, charge, or liability against the State of California or against its property or funds except to the extent of the pledges expressly made by this part. Every bond issued pursuant to this part shall contain a recital on the face thereof stating that neither the payment of the principal nor any part thereof, nor any interest thereon, constitutes a debt, liability, or general obligation of the State of California other than as provided in this part. The board has no power at any time or in any manner to pledge the credit or taxing power of the State, other than as provided in this part.

15831. All bonds issued under this part shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp, and the bonds shall be signed, countersigned, and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the bond to which said coupons pertain. The bonds or coupons so signed, countersigned, endorsed, and sealed, when sold, are valid although the sale thereof be made at a date or dates upon which the officers having signed, countersigned, and endorsed said bonds or coupons, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said bonds or coupons. Each bond issued under this part, if subject to call or redemption prior to maturity, shall contain a recital to that effect.

The rate of interest to be borne by the bonds need not be uniform for all bonds of the same issue or series or division and may be determined and fixed by the board by resolution adopted at or after the sale of said bonds, but not exceeding in any case 6 percent per annum payable semiannually. The highest bid received on the sale of the bonds shall be determined by deducting the total amount of the premium bid (if any) from the total amount of interest which the State would be required to pay from the date of sale to the respective maturity dates of the bonds then offered for sale at the coupon rate or rates specified in the bid, and the award shall be made on the basis of the lowest net interest cost to the State. The lowest net interest cost to the State shall be computed between the dates aforesaid according to standard bond interest tables.

15832. Upon receipt of a resolution of the board authorizing the issuance of bonds, the State Treasurer shall provide for their preparation in accordance with the resolution. The bonds authorized to be issued shall be sold by the State Treasurer to the highest bidder for cash at public sale upon sealed bids in such parcels and numbers as the State Treasurer shall be directed by the board, but the State Treasurer must reject any and all bids for said bonds, or for any of them, which shall be below the par value of said bonds so offered plus the interest which shall have accrued thereon between the date of purchaser's payment for said bonds and

the last preceding interest maturity date; and the State Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as to the whole of the bonds offered, or any part thereof offered, at such time and place as the State Treasurer may select. Each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for five thousand dollars (\$5,000), drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the Treasurer of the State of California, such deposit not to bear interest. The deposit of each unsuccessful bidder shall be returned to him immediately upon the nonacceptance of his bid, and the deposit of the successful bidder shall immediately upon the acceptance of his bid become and be the property of the State of California and be placed in the State Treasury to the credit of the Public Buildings Construction Fund, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the State Treasurer. If the purchase price is not so paid, the successful bidder shall have no right in and to said bonds or by reason of said bid, or to the recovery of said deposit accompanying said bid, or to any allowance or credit by reason of such deposit unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer upon notice as provided in case of original sale.

Temporary or interim bonds, certificates, or receipts of any denomination whatever and with or without coupons attached thereto, to be signed by the State Treasurer, may be issued and delivered until the definitive bonds are executed and available for delivery. Signature of the State Treasurer may be by signature stamp.

15833. Due notice of the time and place of sale of all bonds shall be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco, by publication in one newspaper published in the City of Sacramento, and by publication in one newspaper published in the City of Los Angeles once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars (\$500) for each sale so advertised.

15835. The bond or interim receipt is a negotiable instrument unless there is an express recital on its face that the bond or interim receipt is nonnegotiable.

15836. Bonds issued pursuant to this part are a legal investment for any state special or trust fund notwithstanding any provision of law limiting the investments which may be made by such special or trust fund.

15837. Whenever the board deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, a legal opinion, other than that of the Attorney General, as to the validity of the bonds, the board may authorize the State Treasurer, or the Department of Finance, or both, to obtain such a legal opinion. Payment for such legal services shall be made out of the proceeds of the sale of the bonds.

15838. Any resolutions authorizing any bonds may contain provisions which are part of the contract with the bondholders as to:

(a) Pledging the full faith and credit of the board, but not of the State or any local agency, for such obligations, or restricting the credit to all or any of the revenues, rentals, or receipts of the board from all or any projects or properties.

(b) The construction, improvement, operation, extension, enlargement, maintenance, and repair of any projects and the duties of the board with reference thereto.

(c) The terms and provisions of the bonds.

(d) Limitations on the purposes to which the proceeds of the bonds, then or thereafter to be issued, or of any loan or grant by the United States, may be applied.

(e) The rate of rentals and other charges for use of the facilities of, or for the services rendered by, the board, including limitations upon the power of the board to modify any leases or other agreement pursuant to which any rentals or other charges are payable.

(f) The setting aside of reserves or sinking funds and the regulation and disposition of them.

(g) Limitations on the issuance of additional bonds or certificates.

(h) The terms and provisions of any deed of trust or indenture securing the bonds, or under which the bonds are issued.

(i) Any other agreements with the bondholders.

15839. The board may enter into any deeds of trust, indentures, or other agreements with any bank or trust company, or other person in the United States having power to enter into such agreements, including any federal agency, as security for such bonds, and may assign and pledge the revenues, rentals, or receipts of the board thereunder. The deeds of trust, indentures, or other agreements may contain such



provisions as are customary in the instruments, or as the board authorizes, including but without limiting provisions as to:

(a) The construction, improvement, operation, maintenance, and repair of any projects, and the duties of the board with reference thereto.

(b) The application of funds and the safeguarding of funds on hand or on deposit.

(c) The rights and remedies of the trustee and the holders of the bonds, which may include restrictions upon the individual right of action of the bondholders.

(d) The terms and provisions of the bonds, or the resolutions authorizing the issuance of the bonds.

15840. The board may provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any bonds of the board issued pursuant to this part and then outstanding, either by voluntary exchange with the holders of the outstanding bonds, or to provide funds to redeem and retire the outstanding bonds, with accrued interest, and any premium payable on the bond at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details of the bonds, the rights of the bondholders, and the duties of the board in respect to the bonds, are governed by the foregoing provisions of this part insofar as they are applicable. Refunding bonds may be issued by the board to refund bonds originally issued, or to refund bonds of the board previously issued for refunding purposes.

15841. The rights and remedies conferred by this part upon or granted to bondholders are in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolutions providing for the issuance of bonds, or by any deed of trust, indenture, or other agreement under which the bonds are issued.

If the board defaults in the payment of principal or interest on any of the bonds after the principal or interest becomes due, whether at maturity or upon call for redemption, and if such default continues for a period of 30 days, or if the board fails or refuses to comply with the provisions of this part or defaults in any agreement made with the bondholders, the holders of 25 percent in aggregate principal amount of the bonds then outstanding by instruments filed in the office of the County Recorder of the County of Sacramento, and acknowledged in the same manner as a deed to be recorded except as this right is limited under the provisions of any deed of trust, indenture, or other agreement, may appoint a trustee to represent the bondholders for the purposes provided in this part. The trustee or any trustee under any deed of trust, indenture, or other agreement may, and upon written request of the holders 25 percent in principal amount of the bonds then outstanding, or such other percentage as is specified in the deed of trust, indenture or other agreement, shall in his name:

(a) By proper proceedings and actions enforce all rights of the bondholders, including the right to require the board to collect rates, rentals, and other charges adequate to carry out any agreement as to the revenues, or the pledge of the revenues or receipts of the board, and require the board to carry out any other agreements with or for the benefit of the bondholders, and to perform its duties under this part.

(b) Bring suit upon the bonds.

(c) By an action require the board to account as if it were the trustee of an express trust for the bondholders.

(d) By an action enjoin any acts or things which may be unlawful or in violation of the bondholders' rights.

(e) By notice in writing to the board declare bonds due and payable, and if all defaults are made good then with the consent of the holders of 25 percent of the principal amount of the bonds then outstanding, or such other percentage as is specified in any deed of trust, indenture, or other agreement, annul the declaration that bonds are due and payable.

15842. A trustee, appointed pursuant to Section 15841, or acting under a deed of trust, indenture, or other agreement, whether or not all bonds have been declared due and payable, may have a receiver appointed. The receiver may, to the same extent that the board itself could do, enter and take possession of the facilities of the board, or any parts of the board, the revenues, rentals, or receipts which are applicable to the payment of the bonds in default and operate and maintain the facilities and collect and receive all rentals and revenues thereof arising therefrom in the same manner as the board might do. The receiver shall deposit money in a separate account and apply it in such manner as the court directs. In any action or proceeding by the trustees, the fees, counsel fees, and expenses of the trustees, and of the receiver, and all costs and disbursements allowed by the court, is a first charge on any revenues and receipts derived from the facilities of the board, the revenues or receipts from which are or may be applicable to the payment of the bonds in default. The trustee shall have and possess all the powers necessary or appropriate for the exercise of any functions specifically set forth in this part or incident to the general representation of the bondholders in the protection and enforcement of their rights; provided, however, that nothing in this section or any other section in this part shall authorize any trustee appointed pursuant to Section 15841, for the purpose of operating and maintaining any facilities of the board,

to sell, assign, mortgage, or otherwise dispose of, any of the assets of whatever kind and character belonging to the board.

15843. In addition to all other rights and all other remedies the holder of bonds of the board may by an action at law enforce his rights against the board, including the right to require the board to collect fees, rentals, and other charges adequate to carry out any agreement as to fees, rentals, or other charges or income, revenue and receipts and require the board to carry out any of its covenants and agreements with the bondholders and perform its duties under this part."

**Amendment No. 27**

On page 6, line 34, strike out "5", and insert "6".

**Amendment No. 28**

On page 6, line 36, strike out "15830", and insert "15845".

**Amendment No. 29**

On page 6, line 43, after "certificates", insert "or revenue bonds".

**Amendment No. 30**

On page 6, line 51, after "certificates", insert "or revenue bonds".

**Amendment No. 31**

On page 7, line 5, after "cates", insert "or revenue bonds".

**Amendment No. 32**

On page 7, line 6, after "certificates", insert "or revenue bonds".

**Amendment No. 33**

On page 7, line 8, after "certificates", insert "or revenue bonds".

**Amendment No. 34**

On page 7, line 26, after "certificates", insert "or revenue bonds".

**Amendment No. 35**

On page 7, line 28, after "certificates", insert "or revenue bonds".

**Amendment No. 36**

On page 7, line 30, after "certificates", insert "or revenue bonds".

**Amendment No. 37**

On page 7, line 32, after "certificates", insert "or revenue bonds".

**Amendment No. 38**

On page 7, line 33, after "certificates", insert "or revenue bonds".

**Amendment No. 39**

On page 7, line 37, after "certificates", insert "or revenue bonds".

**Amendment No. 40**

On page 7, line 41, after "certificates", insert "or revenue bonds".

**Amendment No. 41**

On page 7, line 43, strike out "certificates of such series. All certificates", and insert "certificates or revenue bonds of such series. All certificates or revenue bonds".

**Amendment No. 42**

On page 7, line 45, strike out "15831", and insert "15846".

**Amendment No. 43**

On page 7, line 49, after "certificates", insert "or revenue bonds".

**Amendment No. 44**

On page 8, line 1, strike out "15832", and insert "15847".

**Amendment No. 45**

On page 8, line 2, after "holders", insert "or bondholders".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1440**—An act to amend Sections 35104, 35108, 35250, 35251, 35257, 35258, 35402, 35404, 35406, 35411, 35412, 35413, 35418, 35423, 35428, 35560, 35565, and 35704 of the Streets and Highways Code, to repeal Section 35401 of said code, and to add Sections 35113, 35108.5, 35275, 35276, 35402.1, 35402.2, 35402.3, 35414.1, 35566, and 35706 to said code, relating to districts formed under the Parking District Law of 1951, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 3, line 27, of the printed bill, as amended in Senate April 13, 1955, strike out "thirty-five percent (35%)", and insert "fifty-one percent (51%)".

**Amendment No. 2**

On page 3, line 35, strike out "The parking places need not be within the"; strike out line 36, and insert "In the case of proceedings taken pursuant to a petition filed subsequent to April 19, 1955, the parking places must be within the boundaries of the proposed district."

**Amendment No. 3**

On page 8, line 20, strike out "and"; strike out lines 21 to 25, inclusive; and in line 26, strike out "roll".

**Amendment No. 4**

On page 9, lines 35 and 36, strike out "and if the petition is signed as specified in Section 35414.1, then".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 156**—An act to add Section 203 to the Streets and Highways Code, relating to streets and roads required in connection with state-aided school construction.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, lines 9 and 10, of the printed bill, strike out "the cost of construction of such street or road", and insert "the State Allocation Board shall review the requirement and recommend to the governing body of the city, city and county or county a plan of construction adequate to meet the needs of the school district and the safety of the public. If a different plan of improvement or improvement to higher standards than that recommended by the State Allocation Board is required by the governing body of the city, city and county or county, the additional cost thereof".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 724**—An act to amend Section 374.5 of the Vehicle Code, relating to license plates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 15, of the printed bill, after "The department", insert ", upon certification of the Attorney General as to the necessity therefor,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 474**—An act to add Section 1133 to the Streets and Highways Code, relating to highways.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 222**—An act to amend Section 170 of the Vehicle Code, relating to special license plates.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1891**—An act to add Sections 8967, 8967.5, 8968, 8968.5, and 8969 of the Health and Safety Code, relating to dedication of property of public cemetery districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2287**—An act to add Sections 32004.7, 32004.8, 32004.9, 32004.91, and 32004.92 to the Health and Safety Code, relating to hospital districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2494**—An act to add Sections 15031.5 and 15500.4 to, and to amend Sections 15500 and 15501 of, the Health and Safety Code, relating to housing and buildings on the same lot.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 146**—An act to amend Sections 430.2, 430.4, 430.6, and 432.3 of, and to add Sections 430.9, 430.10, 430.11, and 430.12 to, and to repeal Section 432.6, as added by Chapter 327 of the Statutes of 1947, of, the Health and Safety Code, relating to the survey and construction of hospitals, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly April 6, 1955, strike out "and 432.3", and insert "432.3 and 435.6".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 3, between lines 8 and 9, insert

"SEC. 10. Section 435.6 of said code is amended to read:  
435.6. The amount of state assistance which shall be provided to any public agency for any hospital under this article shall be a sum [equal to the assistance



received by the public agency for their hospital under the Federal Act, but in no event shall the amount of the state assistance *not to exceed* [one-third] *one-third* of the cost of construction of the hospital."

**Amendment No. 3**

On page 3, line 9, strike out "10", and insert "11".

**Amendment No. 4**

On page 3, strike out lines 15 through 20, and insert "one hundred and five dollars (\$1,491,105) together with the appropriation made by Item 411, Budget Act of 1955, to be made available to all public agencies as defined in Sections 435 and 435.1 of the Health and Safety Code in amounts which shall not exceed the amounts specified in Section 435.6 of the Health and Safety Code".

**Amendment No. 5**

On page 3, line 21, strike out "11", and insert "12".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Assembly Bill No. 3314**—An act to amend Sections 2300 and 2309 of the Welfare and Institutions Code, relating to institutions for aged persons.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly March 3, 1955, strike out "Sections 2300 and 2309", and insert "Section 2300".

**Amendment No. 2**

On page 1, strike out lines 19 to 23, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2302**—An act to add Section 6412 to the Financial Code, relating to gifts and premiums by savings and loan associations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, of the amended bill, strike out lines 3 to 14, and insert "6412. No gift or premium shall be given by an association as an inducement to investment in its shares or investment certificates where the cost of such gift or premium is in excess of three dollars and fifty cents (\$3.50)."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**Assembly Bill No. 2009**—An act to add Section 3065 to the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "interest of any person in", and insert "right of any person to occupy".

**Amendment No. 2**

On page 1, line 4, strike out "interest", and insert "right".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1051**—An act to amend Sections 212 and 213 of the Vehicle Code, relating to registration of motor vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 97**—An act to amend Sections 1736, 2071, and 2073 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 434**—An act to amend Section 3131 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1823**—An act to amend Section 525, to repeal Section 525.2, and to add Section 525.2 to the Vehicle Code, relating to driving on the right side of roadways and obedience to distinctive roadway markings.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3311**—An act to amend Section 2052 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2133**—An act to add Section 465.1 to the Vehicle Code, relating to the erection of traffic control devices on private roads or driveways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 14, of the printed bill, after "highway", insert "only".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2588**—An act to add a new chapter to Division 1 of the Financial Code, to be numbered 10a, relating to nondepartmental banking.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 16, of the printed bill, after "1", insert "and except the provisions of Section 1207".

**Amendment No. 2**

On page 2, between lines 35 and 36, insert

"No bank upon becoming a nondepartmental bank shall be required, solely by reason of the provisions of this article, to dispose of or reduce any loan which complied with the applicable limitations of this division at the time such bank became a nondepartmental bank, nor shall any such bank be prevented solely by reason of the provisions of this article from renewing any such loan from time to time."

**Amendment No. 3**

On page 4, line 48, strike out "15 percent of the amount of its capital and surplus or 1" and insert "two (2)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 222 carries an appropriation or an implied appropriation.

The President ordered Senate Bill No. 222 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 530**—An act to amend Sections 3013, 3014, 3014.5, and 3016.9 of the Civil Code, relating to trust receipts.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 530?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and 3014.5", and insert "3014.5, and 3016.9".

**Amendment No. 2**

On page 4, line 4, strike out "goods", and insert "durable goods having a per unit retail value of at least one thousand dollars (\$1,000)".

**Amendment No. 3**

On page 4, line 6, strike out "or in the case of goods", and insert "or, also, in the case of durable goods having a per unit retail value of at least one thousand dollars (\$1,000)".

**Amendment No. 4**

On page 4, after line 36, insert

"SEC. 4. Section 3016.9 of said code is amended to read:

3016.9. (1) Any entruster undertaking or contemplating trust receipt transactions with reference to documents or goods is entitled to file with the Secretary of State a statement, signed by the entruster and the trustee, containing:

(a) A designation of the entruster and the trustee, and of the chief place of business of each within this State, if any; and if the entruster has no place of business within the State, a designation of his chief place of business outside the State; and

(b) A statement that the entruster is engaged, or expects to be engaged, in financing under trust receipt transactions the acquisition of goods by the trustee; and

(c) A description of the kind or kinds of goods covered or to be covered by such financing or the general nature of the business of the trustee out of which such trust receipt transactions are to arise.

(2) *Either one of the following forms of statement (or any other form of statement containing substantially the same information) shall suffice for the purposes of this chapter:*

**"Statement of Trust Receipt Financing"**

"The entruster, ----- whose chief place of business within this State is at -----, (or who has no place of business within this State and whose chief place of business outside this State is at -----), is or expects to be engaged in financing under trust receipt transactions the acquisition by the trustee, ----- whose chief place of business within this State is at ----- of goods of the following description: (coffee, silk, automobiles, or the like).

(Signed) ----- Entruster  
(Signed) ----- Trustee"

"The entruster, ----- whose chief place of business within this State is at -----, (or who has no place of business within this State and whose chief place of business outside this State is at -----), is or expects to be engaged in financing under trust receipt transactions the acquisition of merchandise by the trustee, ----- whose chief place of business within this State is at ----- and the general nature of such business is -----.

(Signed) ----- Entruster  
(Signed) ----- Trustee"

(3) It shall be the duty of the filing officer to mark each statement filed with a consecutive file number, and with the date and hour of filing, and to keep such statement in a separate file; and to note and index the filing in a suitable index, indexed according to the name of the trustee and containing a notation of the trustee's chief place of business as given in the statement. The fee for such filing shall be one dollar (\$1).

(4) Presentation for filing of the statement described in subdivision one, and payment of the filing fee, shall constitute filing under this chapter, in favor of the entruster, as to any documents or goods falling within the description in the statement which are within one year from the date of such filing, or have been, within 30 days previous to such filing, the subject-matter of a trust receipt transaction between the entruster and the trustee.

(5) At any time before expiration of the validity of the filing, as specified in subdivision four, a like statement, or an affidavit by the entruster alone, setting out the information required by subdivision one, may be filed in like manner as the original filing. Any filing of such further statement or affidavit shall be valid in like manner and for like period as an original filing, and shall also continue the rank of the entruster's existing security interest as against all junior interests. It shall be the duty of the filing officer to mark, file and index the further statement or affidavit in like manner as the original."

**Amendment No. 5**

On page 4, line 4, strike out "durable goods having a per unit retail value of at least one thousand dollars (\$1,000)", and insert "goods".

**Amendment No. 6**

On page 6, line 1, following "before", insert "expiration".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 530 by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—22.

NOES—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1475**—An act to add Section 7301 to, to repeal Sections 7300 and 7301 of and to amend Section 8101 of, the Health and Safety Code, relating to dead bodies and cemeteries

Bill read third time.



The roll was called, an the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1713**—An act to amend Section 421 of the Vehicle Code, relating to reinstatement of driving privileges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1547**—An act to amend Section 415.5 of the Vehicle Code, relating to restrictions on operator's or chauffeur's licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Ward, Way, and J. Howard Williams—26.

NOES—Senator Berry—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1548**—An act to amend Section 11624 of the Insurance Code, relating to assigned risk plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Ward, and J. Howard Williams—25.

NOES—Senators Harold T. Johnson and Sutton—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1550**—An act to amend Section 422.3 of the Vehicle Code, relating to persons subject to the security following accident law, and releases, judgments and settlement agreements thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 349**—An act to amend Sections 7332 and 7420 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1044**—An act to amend Section 3125 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1685**—An act to add Section 5100.5 to the Labor Code, relating to commutation of compensation in workmen's compensation proceedings.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Desmond, Dilworth, Erhart, Grunsky, Hulse, John F. McCarthy, Montgomery, Murdy, Sutton, Way, and J. Howard Williams—16.

**NOES**—Senators Burns, Collier, Coombs, Donnelly, Gibson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Parkman, Regan, Richards, and Teale—14.

#### Motion to Reconsider

Senator Abshire moved to reconsider the vote whereby Senate Bill No. 1685 was refused passage.

The roll was called, and Senate Bill No. 1685 reconsidered by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—29.

**NOES**—None.

#### Further Consideration of Senate Bill No. 1685

The President put the question.

The question being on final passage of Senate Bill No. 1685.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Abshire moved a call of the Senate.

Motion carried. Time, 3.05 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 379**—An act to add Section 11628.1 to the Business and Professions Code, relating to processed subdivisions and real estate.  
Bill read third time.

**Motion to Amend**

Senator Broad moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Senate April 4, 1955, strike out lines 1 and 2, "Section 11628.1. The State Department of Public Works may."

**Amendment No. 2**

On page 1, line 12, strike out "is concerned in processed subdivisions" and insert "relates to subdivisions involving improvement of public highways or to subdivisions involving improvement of public highways, the portion of which has been adopted by the California Highway Commission".

**Amendment No. 3**

On page 1, strike out line 20, and insert "ordinances by the appropriate agency of the city or county in which the subdivision is located, regarding the effect of the proposed subdivision upon said highway road."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1143**—An act to amend Sections 11380 and 11424 of the Government Code, relating to rules and regulations under the Administrative Procedure Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Ashmore, Berry, Broad, Busch, Byrne, Colney, Collier, Coombs, Dismont, Dismont, Dismont, Gibson, Gonsky, Harbo, Harold T. Johnson, McBeide, John P. McCarthy, Robert L. McGowan, Miller, Montgomery, Murdy, Parkman, Richards, Saxon, Parlin, Thompson, Wain, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 769**—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

**Motion to Re-refer Senate Bill No. 769**

Senator Parkman moved that Senate Bill No. 769 be re-referred to Committee on Governmental Efficiency.

Motion carried.

**Senate Bill No. 970**—An act to amend Section 1748 of, and to add Article 5.6 to Chapter 3, Part 3, Division 5 of, the Health and Safety Code, relating to an alternative method of issuing bonds of county sanitation districts.

Bill read third time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 14, of the printed bill, as amended in Senate April 18, 1955, strike out "of Improvement Districts", and insert "for Improvement of a Portion of a District".

**Amendment No. 2**

On page 2, line 22, after "incurred";, insert "provided, however, that such general objectives and purposes shall not include the acquisition or construction of new local street sewers or laterals as distinguished from main trunk, interceptor and outfall sewers;".

**Amendment No. 3**

On page 3, line 42, after "incurred", insert "(which purpose shall not include the acquisition or construction of new local street sewers or laterals as distinguished from main trunk, interceptor and outfall sewers)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 971**—An act to add Article 2.5, consisting of Sections 4720 to 4728, inclusive, to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to consolidation of two or more county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 615**—An act to add Section 28108.8 to the Government Code, relating to the salaries of officers in counties of the eighth class.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1055**—An act to amend Sections 14225, 14229, 14230, and 14237 of, and to add Section 14153.5 to, the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.



Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 940**—An act to amend Section 28141 of the Government Code, relating to compensation for public service in a county of the forty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1491**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchasing Act of 1943.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Donnelly, Dorsey, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 256**—An act to add Sections 23051, 23052, 23053, 23054, 23055, 23056, 23057 and 23058 to, and to amend Sections 23186a, 23225 and 23333 of, and to add Section 23504 to, and to amend Sections 23701a, 23731a, 23732, 23732h, 23735 and 23736.1 of, and to repeal Chapters 5 to 9, inclusive, comprising Sections 23851 to 25295a, inclusive, of, and to add Chapters 5 to 18, inclusive, comprising Sections 24251 to 25207, inclusive, to, and to renumber Chapters 10 to 15, inclusive, of, and to amend Sections 25403, 25675, 25201c, 25902, 25931, 26073a, 26073b and 26134 of Part II of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1471**—An act to add Section 607.5 to the Revenue and Taxation Code, relating to the assessment for property tax purposes of rights and privileges appertaining to mines or minerals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1180**—An act to add Section 1080.3 to the Agricultural Code, relating to herbicides and injurious pest control materials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Teale, Ward, Way, and J. Howard Williams—29.

NOES—Senator Murdy—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 109**—An act to amend Section 25153 of the Corporations Code, relating to preorganization subscriptions for securities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 94**—An act to amend Section 12100 of the Financial Code, relating to exemptions from the Check Sellers and Cashers Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Regan, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 7**—Relative to the Federal Soil Conservation Program.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 28

And reports the same correctly engrossed.

WARD, Chairman

## Request for Unanimous Consent

Senator Collier asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 28, at this time, for consideration.

## CONSIDERATION OF SENATE JOINT RESOLUTION NO. 28

**Senate Joint Resolution No. 28**—Relative to the enactment of federal highway legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## RESOLUTIONS

## Request for Unanimous Consent

Senator Ward asked for, and was granted, unanimous consent to take up Senate Resolution No. 81, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 81

## Senate Resolution No. 81

Relative to congratulating the Hon. Jess R. Dorsey

**WHEREAS**, The Hon. Jess R. Dorsey, highly esteemed member of this body, has been signally honored by the Bakersfield Post of the American Legion, which has acclaimed him as Kern County's outstanding citizen of the year; and

**WHEREAS**, The Bakersfield Post of the American Legion asserts that Senator Dorsey has served his county and his community for more than half a century and that the Bakersfield Post feels it a high honor to enumerate his name as one of its members; and

**WHEREAS**, The Hon. Jess Dorsey began his service in the Legislature of the State of California as clerk of the Ways and Means Committee in the Assembly in 1899 and was elected to the Assembly in the year 1902 and was re-elected in 1904, and after serving for many years as District Attorney of Kern County, was nominated by both Republican and Democratic Parties for the office of State Senator to which he was elected in 1942 and re-elected in 1946, 1950 and 1954, thus assuring for him the honor of having served in the halls of the California Legislature long before any of his present colleagues entered these chambers; now, therefore, be it

*Resolved by the Senate of the State of California*, That it congratulates the Hon. Jess R. Dorsey upon his being the recipient of the high honors so appropriately accorded to him by this patriotic organization, the American Legion, and congratulates the people of Kern County upon the high type of representative they have in the California Senate; and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to present to the Hon. Jess R. Dorsey an appropriately prepared copy of this resolution.

Resolution read, and unanimously adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SACRAMENTO, CALIFORNIA, April 19, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated April 4, 1955, appointing

CAPTAIN BEN STEIN, to the Youth Authority Board;

O. H. CLOSE, to the Youth Authority Board;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Ward moved that the Senate confirm and consent to the appointment of Captain Ben Stein and O. H. Close as members of the Youth Authority Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Captain Ben Stein and O. H. Close as members of the Youth Authority Board?"

The roll was called, with the following result:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Captain Ben Stein and O. H. Close as members of the Youth Authority Board.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SACRAMENTO, CALIFORNIA, April 19, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated April 14, 1955, appointing

STANLEY PIERSON, to Director of Civil Defense;

Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman



**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Stanley Pierson as Director of Civil Defense.

The President put the question, "Will the Senate confirm and consent to the appointment of Stanley Pierson as Director of Civil Defense?"

The roll was called, with the following result:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Stanley Pierson as the Director of Civil Defense.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, April 19, 1955

**MR. PRESIDENT:** The Committee on Rules, to which was referred the Message from the Governor dated April 5, 1955, appointing

LARS E. CARLSON, to the Board of Trustees, Metropolitan State Hospital; Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Lars E. Carlson as a member of the Board of Trustees, Metropolitan State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Lars E. Carlson as a member of the Board of Trustees, Metropolitan State Hospital?"

The roll was called, with the following result:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Lars E. Carlson as a member of the Board of Trustees, Metropolitan State Hospital.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SACRAMENTO, CALIFORNIA, April 19, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated April 7, 1955 appointing

CLARENCE W. PETERSON, to the Board of Trustees, Stockton State Hospital; Has had the same under consideration, and respectfully reports the same back with the recommendation that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Ward moved that the Senate confirm and consent to the appointment of Clarence W. Peterson as a member of the Board of Trustees, Stockton State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Clarence W. Peterson as a Member of the Board of Trustees, Stockton State Hospital?"

The roll was called, with the following result:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Clarence W. Peterson as a member of the Board of Trustees, Stockton State Hospital.

Secretary J. A. Beek at the Desk

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2285**—An act to amend Section 4532 of the Penal Code, relating to escapes by persons convicted of misdemeanors.

**Motion to Refer Bill to Inactive File**

Senator Desmond moved that Assembly Bill No. 2285 be placed on the inactive file.

Motion carried

**Assembly Bill No. 1880**—An act to amend Section 12845 of the Public Utilities Code, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Desmond.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way and J. Howard Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1976**—An act to repeal Sections 783, 784, 801.5 and 971 of, and to add Sections 783, 801.5, 970.5 and 971 to, the Fish and Game Code, relating to lobsters.

Bill read third time, and presented by Senator Ed. C. Johnson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Constitutional Amendment No. 9**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23a of Article IV thereof, relating to legislative help.

Resolution read, and presented by Senator Richards.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Ward, Way, and J. Howard Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 890**—An act to amend Section 6534.6 of the Business and Professions Code, relating to barbers and barber colleges.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 714**—An act to amend Section 1593 of the Education Code, relating to changes in status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Burns.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1002**—An act to add Articles 3 and 4 to Chapter 7 of Division 5 of the Financial Code, relating to credit unions.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Regan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 86, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 86**

**Assembly Concurrent Resolution No. 86**—Commending the Grand Lodge of the State of California, Free and Accepted Masons, for their leadership in sponsoring the annual Public Schools Week.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 429**—An act to amend Section 4538 of the Elections Code, relating to campaign statements.

Bill read third time, and presented by Senator Richards.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 841**—An act to repeal an initiative act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved by the electors November 2, 1920, relating to rights of aliens, to provide for the submission of said act to the electors, in accordance with Section 1b of Article IV of the Constitution of California, at the general election on November 4, 1956.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2155**—An act to amend Section 2500 of the Elections Code, relating to primary elections, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Dilworth.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Thompson, Ward, Way, and J. Howard Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2007**—An act to amend Sections 3710, 3710.1, 3710.2, 3711, 3712, and 3715 to the Labor Code, relating to workmen's compensation insurance.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1120**—An act to add Section 95 to the Agricultural Code, relating to state, district, and county fairs.

Bill read third time, and presented by Senator Murdy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—Senator Sutton—1.

Bill ordered transmitted to the Assembly.

#### UNFINISHED BUSINESS (RESUMED)

##### Consideration of Assembly Amendments

**Senate Joint Resolution No. 18**—Relative to memorializing Congress to appropriate funds for the construction and improvement of highways necessary for civil defense purposes.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Joint Resolution No. 18?

##### Amendment No. 1

On page 1, line 5, of the printed measure, strike out "county", and insert "country".

The roll was called, and the Senate concurred in Assembly amendment to Senate Joint Resolution No. 18 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Above resolution ordered enorolled.

#### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1982**—An act to amend Sections 16430 and 16431 of the Education Code, relating to supervision and control of school safety patrols.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Erhart, Grunsky, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Miller, Montgomery, Regan, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—Senators Abshire, Collier, Cunningham, Donnelly, Dorsey, Ed. C. Johnson, Robert I. McCarthy, Parkman, and Ward—9.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 256**—An act to amend Sections 656 and 657 of the Elections Code, relating to the qualifications for precinct officers.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 258**—An act to amend Section 665 of the Elections Code, relating to appointment of election officers.

Bill read third time, and presented by Senator Cobey.

The roll was called and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 259**—An act to amend Section 675 of the Elections Code, relating to notice to inspectors showing polling place and persons appointed.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 264**—An act to amend Section 3819 of the Elections Code, relating to designation of office held by or occupations of candidates.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 267**—An act to amend Sections 5902 and 7801 of, and to add Sections 5902.1 and 7841.5 to, the Elections Code, relating to absent voter's ballot.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 277**—An act to amend Sections 9750 and 9751 of the Elections Code, relating to notice.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 279**—An act to amend Sections 9752 and 9753 of the Elections Code, relating to election supplies.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 281**—An act to amend Section 9754 of, and to add Sections 9754.1 and 9755.1 to, the Elections Code, relating to elections.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Motion to Retain Place on File

Senator Desmond moved that Assembly Bill No. 1905 be passed on file and retain its place on file.

Motion carried.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 5.40 p.m., on motion of Senator Abshire, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 1685 passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Cunningham, Desmond, Dilworth, Erhart, Grausky, Hulse, John F. McCarthy, Montgomery, Murdy, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

**NOES**—Senators Burns, Collier, Coombs, Donnelly, Dorsey, Gibson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller Parkman, Regan, Richards, and Teale—15.

Bill ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 791  
Assembly Bill No. 980  
Assembly Bill No. 2074  
Assembly Bill No. 2075  
Assembly Bill No. 2200

Assembly Bill No. 2234  
Assembly Bill No. 2445  
Assembly Bill No. 2446  
Assembly Bill No. 2499

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 791**—An act to amend Section 604.12 of the Vehicle Code, relating to passengers on motorcycles and motor-driven cycles.

Referred to Committee on Transportation.

**Assembly Bill No. 980**—An act to amend Sections 19601, 19601.5, 19601.6, 19601.7, 19604, 19607.1, 19607.2, 19607.4, 19607.6, 19608, 19610, 19611, and 19613 of, to add Sections 19608.1, 19611.3, and 19614.1 to, and to repeal Section 19620 of the Education Code, relating to child care centers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 2074**—An act to add Sections 4109, 4110, 4111, 4112 and 4113 to the Government Code, relating to subletting and subcontracting in connection with contracts of public agencies.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2075**—An act to add Sections 4114, 4115, 4116 and 4117 to the Government Code, relating to subletting and subcontracting in connection with contracts of public agencies.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2200**—An act to amend Sections 6851, 6852, 6857, 6859, 6862, 6864, 6866, 6871, 6875, 6878, 6880, 6881, 6885, 6887, 6889,

6890, 6891, 6895, 6908, 6909, 6915, 6917, 6925, 6956 of, to add Sections 6892 and 6949 to, and to repeal Section 6858 of the Business and Professions Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2234**—An act to add Section 187 to the Vehicle Code, relating to car dealers and lending agencies.

Referred to Committee on Transportation.

**Assembly Bill No. 2445**—An act to add Section 1238.4 to the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

**Assembly Bill No. 2446**—An act to add Section 25351.3 to the Government Code, relating to the powers and duties of boards of supervisors.

Referred to Committee on Local Government.

**Assembly Bill No. 2499**—An act to amend Section 12320 of the Government Code, relating to the deposit of state-owned bonds and other securities with the State Treasurer.

Referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 21

Assembly Joint Resolution No. 31

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

**Assembly Joint Resolution No. 21**—Relative to the use of the word "California" on labels of garments manufactured by out-of-state garment manufacturers.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 31**—Memorializing Congress to take appropriate steps to alleviate certain burdensome conditions imposed on the State in connection with the extension of old age and survivors insurance to public employees therein.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 1973

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 93

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 19

Senate Bill No. 87

Senate Bill No. 224

Senate Bill No. 679

Senate Bill No. 1099

Senate Bill No. 1100

Senate Bill No. 1679

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1737

Senator McBride moved that Senate Bill No. 1737 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1737**—An act to add Section 12256.5 to the Revenue and Taxation Code, and to add Article 4 to Chapter 12 of Division 4 of the Education Code, relating to the rehabilitation of industrially disabled workers, and providing funds therefor.

Bill read second time.

#### Motion to Amend

Senator McBride moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, strike out the title of the printed bill, and insert

"An act to add Section 9901 to the Education Code, relating to vocational rehabilitation."

#### Amendment No. 2

On page 1, strike out lines 1 through 25, inclusive, and insert

"SECTION 1. Section 9901 is added to the Education Code, to read:

9901. A person whose employment training is arranged for by the department with any person, firm, association or public or private agency shall be deemed an employee of such person, firm, association or agency for purposes of workmen's compensation."

#### Amendment No. 3

On page 2, strike out lines 1 through 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1470

Senator Miller moved that Senate Bill No. 1470 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1470**—An act to amend Section 29040 of the Government Code and Section 6301 of the Education Code, relating to county, city, and district finance, budgets, and property taxes.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 29040", and insert "Sections 29040, 29067, 29068, 29069, 29070, 29071, 29073, 29074, 29080, 29091 and 29171".

**Amendment No. 2**

In line 2 of the title, strike out "Section 6301", and insert "Sections 6301, 6302, 6304, 6305, 6306, 6334, 6352, and 6361".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 29040 of the Government Code is amended to read:

29040. On or before [July] *April* 10th in each year as the board directs, each county official or person in charge of any office, department, service, institution, or district of the county, including officers of justice court districts, the judges of any court of record, and the executive head of each special district whose affairs and funds are under the supervision and control of the board or for which the board is ex officio the governing body, except irrigation and reclamation districts, and other districts for which a tax levy is not carried on the regular county assessment roll, shall file with the county auditor an itemized estimate of anticipated revenue and expenditures.

SEC. 2. Section 29067 of said code is amended to read:

29067. The total amount of emergency appropriations made and *estimated to be made* during the [last completely] *current* fiscal year shall be set forth separately with a statement showing the amount issued and *estimated to be issued for each emergency. This statement shall become a part of, and incorporated in, the completed budget filed with the board and the State Controller. It shall include all emergency appropriations made during the fiscal year next preceding the year to which the budget applies.*

SEC. 3. Section 29068 of said code is amended to read:

29068. A list of appropriations canceled *or to be canceled* shall be set forth, with the amount of each. *This list shall become a part of, and incorporated in, the completed budget filed with the board and the State Controller. It shall include all appropriations canceled during the fiscal year next preceding the year to which the budget applies.*

SEC. 4. Section 29069 of said code is amended to read:

29069. A list showing each appropriation made from the unappropriated reserve *or reserves* and the amount *or amounts* thereof shall be set forth. *This list shall become a part of, and incorporated in, the completed budget filed with the board and the State Controller and shall include all appropriations made from the unappropriated reserve or reserves during the fiscal year next preceding the year to which the budget applies.*

SEC. 5. Section 29070 of said code is amended to read:

29070. The tabulation shall be submitted by the auditor to the clerk of the board on or before [July 30th] *April 30th* of each year, as the board directs.

SEC. 6. Section 29071 of said code is amended to read:

29071. Upon receipt of the tabulation the board shall consider it in detail, and, on or before [August] *May* 10th of each year, at such time as it directs, shall make, except as otherwise provided in this chapter, any revisions, reductions, or additions therein that it deems advisable to make the budget conform to its judgment and conclusion as to a proper financial program for the budget period. The estimate submitted by any official or person shall not be increased or reduced until he has had a hearing thereon before the board.

SEC. 7. Section 29073 of said code is amended to read:

29073. On or before [August] *May* 10th in each year, as the board directs, the preliminary budget shall be printed or otherwise reproduced in full in pamphlet form.



A sufficient number of budget pamphlets shall be provided so that each taxpayer who desires may obtain one. A copy shall immediately be forwarded to the State Controller by the auditor.

SEC. 8. Section 29074 of said code is amended to read:

29074. On or before [August] May 10th of each year, the board shall publish a notice once in a newspaper of general circulation throughout the county, stating that: (a) the preliminary budget pamphlets are available to taxpayers requesting them, (b) on a date stated in the notice, not less than 10 days after the budget pamphlets are available, and at a time and place also stated in the notice, the board will meet for the purpose of fixing the final budget and any taxpayer may appear thereat and be heard regarding the increase, decrease, or omission of any item of the budget or for the inclusion of additional items.

SEC. 9. Section 29080 of said code is amended to read:

29080. On or before [August] May 20th of each year, as the board directs, it shall meet at the time and place designated in the published notice, at which meeting any taxpayer may appear and be heard regarding the increase, decrease, or omission of any item of the budget or for the inclusion of additional items.

SEC. 10. Section 29091 of said code is amended to read:

29091. After the conclusion of the hearing and not later than [August 30th] June 1st of each year, and after making any revisions of, deductions from, or increases or additions to, the preliminary budget it deems advisable during or after the public hearing, the board shall by resolution adopt the budget as finally determined. Increases or additions shall not be made unless the items were proposed in writing and filed with the board before the close of the budget hearings.

SEC. 11. Section 29171 of said code is amended to read:

29171. For the sole purpose of making possible printing or mimeographing of a proposed expenditure program of money collected through county and district tax levies and to make possible a ready analysis of such tax levies by the taxpayers and officials of the county, the governing board of each school district shall submit to the county on or before [July] April 20th, through the county superintendent of schools in the manner prescribed by law and on forms prescribed by the Department of Education, an itemized statement of the revenues and expenditures of the district for the school year beginning July 1st. The estimate shall not be made a part of any tabulation or budget prepared under this chapter and neither the estimate nor any school district officer or employee is subject to any section of this chapter other than this section.

SEC. 12. Section 6301 of the Education Code is amended to read:

6301. (a) On or before the first day of [July] April in each year, the governing board of each school district shall file with the county superintendent of schools a tentative budget showing all the purposes for which the school district will need money and the estimated amount of money that will be needed for each purpose for the ensuing fiscal year. These purposes shall be classified to set forth the data by functions and objects of expenditure within the major classifications of administration, instruction, operation of plant, maintenance of plant, auxiliary services, community services, capital outlay, and such additional major classifications as may be prescribed by the Superintendent of Public Instruction and expenditures proposed to be made from bonds or other income not yet authorized. Within the major classifications of administration, instruction, operation of plant, maintenance of plant, auxiliary agencies, and community services there shall be set forth as separate entries the amount of proposed expenditures for salaries and wages and maintenance and operation and such additional intermediate classification as may be prescribed by the Superintendent of Public Instruction. Proposed capital outlay appropriations shall be set forth by land, building, and equipment classifications. Wherever a district has a special accumulative building fund, as provided in Article 4 of Chapter 8 of this division, the amount which the board estimates will be in such fund at the end of the [last preceding] current fiscal year, and the amount to be added during the ensuing fiscal year, shall be shown.

(b) The tentative budget shall also contain an amount to be known as the general reserve in such sum as the governing board may deem sufficient, for the next succeeding fiscal year, to meet the cash requirements to which the district's credit may be legally extended for that portion of said next succeeding fiscal year until adequate proceeds of the taxes levied for, or apportionment of state funds made to, the district during such succeeding fiscal year are available to the district.

(c) The tentative budget may also contain an amount to be known as the undistributed reserve. The funds in the undistributed reserve shall be available for appropriation by a two-thirds vote of the members of the governing board, to cover expenditures that have not been provided for or that may have been insufficiently provided for, or for unforeseen requirements as they may arise.

SEC. 13. Section 6302 of said code is amended to read:

6302. (a) From the records of the county auditor, the county superintendent of schools shall secure the cash balances of the district or shall make estimates thereof if information on actual cash balances is not available, and shall enter these, as well as the estimated expenditures for the [last preceding] current fiscal year; these

estimated expenditures shall be set forth for comparison with the estimated requirements of the district in the order by functions as prescribed in Section 6301(a). The cash balances shall be segregated to show separately the amounts derived by receipts from bond sales and gifts or donations by reason of bond sales. The tentative budget also shall show estimated apportionments from the State School Fund, and from state and federal sources for vocational education, vocational rehabilitation, or for other purposes for the ensuing fiscal year. The actual income from these sources for the [last preceding] current fiscal year also shall be shown.

(b) In addition to the above information the governing board shall furnish the county superintendent of schools with an estimate of the revenues from sources other than taxes on property anticipated during the *ensuing* fiscal year from the secured roll of the equalized assessment roll of the district for the year to which the budget is intended to apply, and the sources whence derived, compared with the estimated receipts from the same sources for the [last preceding] current fiscal year. Should the governing board fail to provide this information, it shall be supplied by the county superintendent of schools from his own records.

(c) The governing board shall compute the income to be derived from property contained in the unsecured roll of the equalized assessment roll of the district for the year as follows:

The board shall deduct an amount not to exceed 10 percent from the unsecured roll of the equalized assessment roll of the district for the year prior to the year for which the budget is to apply, using the tax rate of the district for the year prior to the year for which the budget is to apply.

SEC. 14. Section 6304 of said code is amended to read:

6304. The county superintendent of schools shall examine the tentative budget and after indicating thereon such changes as he deems desirable or necessary, shall return the tentative budget to the governing board on or before the [15th] *twentieth* day of [July] *April*, adding such information as is necessary to determine the amounts necessary to be raised by taxes on property for the year to which the budget is intended to apply.

SEC. 15. Section 6305 of said code is amended to read:

6305. The governing board shall make such changes in the tentative budget as it deems desirable or necessary, and said tentative budget, with such revisions, additions, and changes as have been made therein as provided in this article, shall constitute the publication budget for the period to which it is intended to apply. The publication budget shall be returned to the county superintendent of schools not later than the [twentieth] *thirtieth* day of [July] *April*. A copy of all publication school budgets shall be sent to the county auditor in such form.

SEC. 16. Section 6306 of said code is amended to read:

6306. (a) On or before the [eighth day of August, or on or before the tenth day of August in the case of a school district in which there is an average daily attendance of more than 10,000] *first day of June*, the governing board of each school district in which a public hearing is required in Section 6334 of this code shall finally adopt and file such budget with the county superintendent of schools, the county auditor, the county board of supervisors, and the Superintendent of Public Instruction. In the case of districts which are not required to hold a public hearing, the publication budget as approved by the governing board shall be filed with the county superintendent of schools, the county auditor, the county board of supervisors, and the Superintendent of Public Instruction immediately after its approval.

(b) The county superintendent of schools shall approve the adopted budget for each school district as officially adopted and submitted by its governing board and, not later than the [fifteenth day of August] *tenth day of June*, shall file one copy of the adopted budget of each school district with the board of supervisors, one copy with the auditor of his county, and one copy with the Superintendent of Public Instruction, together with a statement showing the amount of school district taxes required by each school district of the county.

(c) *After the budget for a school district has been filed with the county auditor as prescribed in this section, he shall not permit any change to be made therein that will alter the amount of money which must be provided by a school district tax.*

SEC. 17. Section 6334 of said code is amended to read:

6334. Except in districts where no district tax is levied and in elementary districts employing but one teacher, the publication budget for the ensuing school year to which it is intended to apply, showing the functions and objects of expenditure, cash balances, and all the appropriations from the State as required to be tabulated in Sections 6301-6302 of this code for the ensuing and last preceding fiscal year, and the district tax requirement for the school year to which the publication budget is intended to apply and for the last preceding school year, shall be published by the county superintendent of schools at least once in a newspaper of general circulation published within the district, or if there is no newspaper in the district, then in a newspaper published nearest to the district, prior to its adoption. The cost of the publication shall be a proper and legal charge against the school district or districts

for which the publication is made, and shall not exceed the rate fixed by the board of supervisors for official advertising. Publication shall be made during the [last] second week in [July] May of each year, and shall contain a notice that a public hearing will be held before the governing board of the school district, in a school-house in the district, or in some other place conveniently accessible to the residents of the district, during the [first] third week [of August] in May, at which any taxpayer in the district may appear and object to the proposed budget or any item of the budget. The hearing may be concluded on such publication budget when there are no requests on file for further hearing. The budget shall not be finally adopted by the governing board of the district until after the public hearing has been held.

Sec. 18. Section 6352 of said code is amended to read:

6352. He shall determine this amount by deducting from the total estimated needs of the school district as shown by its budget the total estimated income of the school district from all sources other than a school district tax for the [current] ensuing school year as estimated in the budget. The remainder, if any, shall be the minimum amount of the school district tax to be levied by the board of supervisors for the particular school district.

Sec. 19. Section 6361 of said code is amended to read:

6361. All income accruing to the school district in excess of the amounts required to finance the total proposed expenditures, including transfers to other school districts and funds, as shown in the budget of the school district shall be added to the general reserve of the school district, and shall not be available for appropriation by the school district for the [current] fiscal year to which the budget is applicable except by the following procedure. The governing board of the school district shall, by formal action of the board, pass a resolution setting forth the need according to major classification of school district expenditures to be met from any portion of the general reserve derived from assured income in excess of the total amount anticipated in the budget. The resolution shall be submitted to the county superintendent of schools. If the resolution is approved by the county superintendent of schools it shall, if it involves a sum in excess of one thousand dollars (\$1,000), be published in the same manner as the budget of the school district concerned is published. Upon the approval of the resolution and, where its publication is required, following its publication, the amount named in the resolution shall be appropriated to the major classification or classifications from the general reserve as set forth in the resolution.

The county superintendent of schools shall approve any resolution for the appropriation of income provided from state or federal sources for emergency needs of the school district to the extent that such income was not anticipated in the budget of the school district. Nothing in this section shall be construed to authorize the appropriation for current year purposes of income which would deplete the general reserve for the next succeeding fiscal year as provided in the budget of the school district.

On the first day of July of each year, the general reserve together with unexpended balances of appropriations and income in excess of anticipated income for the preceding fiscal year shall be placed to the credit of the school district, and [the school district shall include] all money so credited [in the balance shown in] shall automatically become subject to the budget for the [ensuing] fiscal year then commencing.

Sec. 20. If any change in time made by this act for doing any act or for incurring any obligation results in any inconsistency with the time prescribed in any other provision of law for doing any act or for incurring any obligation, then the time prescribed in such other provision shall be deemed to be so changed as to be consistent with this act.

Sec. 21. This act shall become operative on the first day of the calendar year next succeeding that during which it takes effect."

#### Amendment No. 4

On page 1, strike out lines 2 to 27, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 123

Senator John F. McCarthy moved that Senate Bill No. 123 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 123**—An act to amend Section 14376 of the Government Code, relating to state contracts for public works.

Bill read second time.

**Motion to Amend**

Senator John F. McCarthy moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 10, 11, and 12, and insert "also provide for the payment of extra compensation to the contractor, as a bonus for completion prior to the specified time, such provision, if used, to be included in the specifications and to clearly set forth the basis for such payment."

**Amendment read, and adopted.**

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1466**

Senator Grunsky moved that Senate Bill No. 1466 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1466**—An act to amend Section 1202 of the Public Utilities Code, relating to intersections of streets, highways, and railroads.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 1202 of", and insert "add Section 1202.1 to".

**Amendment No. 2**

On page 1, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 1202.1 is added to the Public Utilities Code, to read:

1202.1. In any proceeding under Section 1202, where the application to the commission states that the parties are not in agreement as to apportionment of costs, but the applicant is willing to advance the amount of money reasonably necessary to enable the respondent to complete the work which must be done by it, the commission shall set the application for hearing as soon as its calendar permits on the questions of (a) the necessity for the project, (b) the approval of the location and the engineering plans, including provisions for handling traffic during construction and the work to be performed by each party, and (c) the sum to be advanced by the applicant for the work to be done by the respondent. The commission shall render as promptly as possible an interim decision effective within twenty (20) days on said questions, reserving for later hearing and decision the question of apportionment of costs. Said decision shall also order the respondent to proceed upon receipt of the sum to be advanced by applicant without delay to perform the work to be done by respondent, integrating such work with that of the applicant or its contractor in such manner that neither will unreasonably obstruct or delay the work of the other, to the end that the people of the State may have the use of the project at the earliest possible date.

In the event of the failure or refusal of the respondent to grant a right of entry to permit the applicant to proceed with the work to be performed by it or its contractor, applicant may, pursuant to Section 14 of Article I of the Constitution, obtain an order of immediate possession in a court of competent jurisdiction if a condemnation action has previously been filed in such court, or file such action and obtain an order of immediate possession in the event such action has not previously been filed, and upon obtaining such order, may proceed in the same manner as if a right of entry had been granted, and thereupon the same duties to proceed with



respondent's own work and integrate the same with that of applicant or its contractor, shall fall upon respondent.

In the final decision apportioning costs, the sum advanced by the applicant shall be credited against the applicant's share of said costs. In said final decision there shall also be credited against applicant's share of the costs any increases in said costs found by the commission to be directly attributable to respondent's wilful failure or refusal to proceed with its own work or to integrate said work with that of applicant or its contractor."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1559

Senator Teale moved that Senate Bill No. 1559 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1559**—An act to add Sections 32222.1, 32222.2, 32222.3 and 32222.4 to the Water Code, relating to county water districts.

Bill read second time.

#### Motion to Amend

Senator Teale moved the adoption of the following amendments:

#### Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of the title strike out "to", and insert "An act to amend Section 26901 of".

#### Amendment No. 2

In line 2 of the title, strike out "county water", and insert "irrigation".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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On page 1, strike out lines 1 to 27, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 26901 of the Water Code is amended to read:

26901. No land shall be included within a district unless [either] the owner has petitioned for its inclusion and [or] the board after an inclusion hearing determines that it can be irrigated by means of some of the works of the district or by means of practicable works connecting therewith and will be benefited by the irrigation."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Education

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 667

Senate Bill No. 1350

Assembly Bill No. 1405

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 676

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 675

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 1008

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Assembly Bill No. 1

Assembly Bill No. 1518

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1391

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; noes 3; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 868

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:  
Assembly Bill No. 1351

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which was referred:  
Senate Bill No. 1967

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 3; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 841

Assembly Bill No. 988

Senate Bill No. 948

Assembly Bill No. 1005

Senate Bill No. 1288

Assembly Bill No. 1007

Assembly Bill No. 735

Assembly Bill No. 3232

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## ADJOURNMENT

At 5.45 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 1.30 p.m., Thursday, April 21, 1955.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FIFTY-THIRD LEGISLATIVE DAY  
SEVENTY-SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, April 21, 1955

The Senate met at 1.30 p.m.

Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams— 38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. A. Beek of Newport Beach.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Donald G. Currie of Hemet and Robert D. Graber of Ontario.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal E. A. Hendrix and the following students from Live Oak Union High School, Live Oak: Ruth Wallace, Virginia Dupras, Roger Wiley, Jerry Newlin, Jerry Jones, Kenneth Micheli, Carl Johnson, Phillip



Almquest, Neal Dunn, Tom Melton, Gene Collins, Sherman Leland, Phillip Kuderer, and Arthur Cobeen.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher C. Fitch, principal J. R. Jordan, and the following students from eighth grade class from Adeline E. Kent School, Kentfield: Rolline Allen, Barbara Bray, Diane Brown, Melba Ford, Sandra Headly, Sharon Jones, Kay Powers, Karen Schrader, Lynne Scott, Janet Siemens, Ann Solinsky, Penny Varnes, Judy Webb, Wheatly Allen, Philip Beyman, Clinton Bidwell, Jon Bland, Dick Breyer, Stephan Brighton, Richard Cooley, Roger Cummings, Jeffrey Daly, Tom Leps, James Macey, Kenneth Pieri, Stephan Stock, Alfred Tichenor, Wm. Van der Ploeg, Eric Waldbillig, and Karr Wolfe.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Randolph, Mrs. Murie, and the following students from Edwin Markham Junior High School, San Jose: Alice Aguirre, Pat Andrews, Judy Arena, Jo Anne Badagliacca, Peggy Brooksher, Lani Brown, Marynatte Callahan, Joann Caropepe, Sandy Consentino, Grace D'Amelio, Sandra Dodge, Sandra Dorlarque, Rosemarie Foschini, Judy Graham, Sue Harris, Joan Harvey, Margie Hood, Carmen Leon, Grace Margherita, Hortencia Montoya, Patricia Moormann, Pat Nyberg, Susan Petretti, Carlene Rianda, Linda Roberts, Sharon Rolston, Margherite Trina, Diane Wesseling, Terry Barnes, Bill Beeson, Thiel Binau, Harvey Block, Bob Boyce, Rodney Briggs, Bob Britton, Bob Buchser, Joseph Caravelli, Ronald Chase, Jay Drury, Bob Edwards, Bob Eitzen, Bob Frazier, Bill Greco, Richard Hislip, Tony Keihl, Richard Monico, James Peters, Dave Petersen, David Self, Ronald Taroli, Bill VanLindt, John Wagle, Harvie Warren, Bill Wendt, and Dick Zaro.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Leonard Herman, teacher Maud Dickinson, and the following students from Oak Grove Elementary School, San Jose: June Arii, Linda Camacho, Wanda Easley, Nora Farley, Anita Gaines, Brenda Holmes, Shigeko Hosono, Karen Johnson, Josephine Josephs, Alice Kawazoe, Shari Kuesel, Rosemary Lara, Mary Matsucka, Carol Pallanes, Helen Rangel, Carolyn Salas, Maria Soto, Florence Uchiyama, Ruth Watanabe, Gregory Anchando, Phillip Anchando, Tony Barron, Billy Chappell, Verlyn Freitas, Salvador Gaseon, Valentine Hernandez, Michael Joice, Gilbert Labrucherie, John Leon, James Leon, Louis Leon, Bobby Lugo, Richard Macedo, Gary Matsuoka, Morris Miyabara, Stanley Nasciemento, Warren Nashihara, Andrew Rebozzi, Lee Rivers, Robert Ruiz, Raymond Subega, Paul Tanaka, Herschell Williams, and Calvin Zanelli.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Lillie and Eddie LeBaron of Stockton.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Walter J. Little and Mrs. Bertha Scovil from Los Angeles, and Mrs. Walter E. Burns from Hillsborough.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from Montezuma School, Stockton: Juanita Ancheta, Loye Anderson, Doyle Blair, Susanna Bayaca, John Colton, Billy Cowdrey, Donald Farley, Vincent Gerolaga, Harvey Hamblin, Luther Hanes, Allen Holloway, John Howell, Edward Janzen, Grace Johnson, David Lagomarsino, Carolyn Lane, Robert Martinez, Noletta McCollum, Peter Metaxes, Leona Nix, Sharon Osbon, Patricia Phillips, Anna Rasberry, Sylvia Shaw, Jane Thornburg, Earl Wadlow, and Richard Young.

On request of Senators Donnelly and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor Martha A. Robertson and the following students from Colony School, Elk Grove: Stanley Bode, Jack Jenkins, Reta Keogh and Charles Young.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Al Kock of Santa Ana and Preston Allen of Anaheim.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to president Mrs. Mel Nielsen and the following members of the Lafayette Republican Women's Club: Mesdames Lois A. Lindberg, S. H. McAllister, M. H. Frincke, John W. Brown, Fred Peglow, George N. Jensen, Arthur C. W. Ireton, E. H. Haase, R. O. Ong, Harry Martin, W. F. McGregor, Hubert N. Strouck, Jr., Alonzo W. Anderson, Harold L. Paige, Miss Gertrude Walker, Miss Marge Barnum, Mesdames Bill J. Harris, Lester W. Hink, Sr., D. P. Dowling, Howard Inman, John A. Sexson, O. Laakso, L. T. De Maeyer, Jack Pedder, Dave R. Sutch, T. Carroll Spencer, Herbert L. Lindsey, Lyman H. S. Blakesley, Burnett Hood, Kermit L. Lincoln, Donald D. Doyle, Louis Spott, and William L. Fry.

On request of Senator Richards and Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. and Mrs. William F. Brown of Los Angeles.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor John Butler and City Manager Hump Campbell of San Diego.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mildred Seawell of Roseville.

#### MESSAGES FROM THE GOVERNOR

##### STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, April 21, 1955

*To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

JOSEPH A. BALL, a resident and practicing attorney of Long Beach; received his B.A. degree from Creighton University of Omaha in 1925, and his LL.B. degree from University of Southern California in 1927; served as Deputy District Attorney in Los Angeles County, 1928, member of the Board of Trustees, Los Angeles Bar

Association, 1945-1946; served as President of the Long Beach Bar Association in 1951 and was a member of the Board of Governors, State Bar of California, 1954; to the California Law Revision Commission, vice Richard C. Fildew, resigned, for the term prescribed by law, ending October 1, 1955.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY, CALIFORNIA LEGISLATURE  
April 21, 1955

*Mr. Joseph A. Reek, Secretary of Senate  
Senate Chamber, State Capitol  
Sacramento 14, California*

DEAR MR. REEK: The Assembly this day has instructed me to request the Senate to return Senate Bill No. 93 to this House for further consideration.

Very truly yours,

ARTHUR A. OHNIMUS

Motion to Return Senate Bill No. 93 to the Assembly

Senator Grunsky moved that Senate Bill No. 93 be returned to the Assembly for further consideration, pursuant to their request.

Motion carried.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 61

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered to unfinished business file.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 53—An act to amend Section 204a of the Code of Civil Procedure, relating to jury and deputy jury commissioners;

Senate Bill No. 206—An act to amend Section 614 of the Agricultural Code, relating to cheese;

Senate Bill No. 207—An act to add Section 614.1 to the Agricultural Code, relating to cheese;

Senate Bill No. 302—An act to amend Sections 819, 828.65, 829.2 and 829.45 of the Agricultural Code, relating to agricultural containers;

Senate Bill No. 361—An act to add Sections 26516.4, 26516.5, 26516.6, 26516.7, and 26516.8 to the Health and Safety Code, relating to the adulteration, misbranding, and advertising of meat;

Senate Bill No. 699—An act to amend Sections 1203 and 11175 of the Penal Code, relating to the Uniform Act for Out-of-State Probationer or Parolee Supervision; And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 760—An act to amend Sections 13551, 13602, 13603, and 13607 and to repeal Sections 13553 and 13578 of the Government Code, relating to state printing;

Senate Bill No. 763—An act to add Section 16304.5 to the Government Code, relating to availability of funds appropriated for California State Fair and Exposition construction projects;

**Senate Bill No. 1228**—An act to amend Section 476a of the Penal Code, relating to passing checks and other commercial paper with insufficient funds;  
And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 58**—Relative to the initiation of the program of antipolio inoculation;

**Senate Concurrent Resolution No. 59**—Relative to Barbara Romack, women's national amateur golf champion;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twentieth day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 259**

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 384**

**Senate Bill No. 399**

**Senate Bill No. 543**

**Senate Bill No. 1279**

**Senate Bill No. 1728**

**Senate Joint Resolution No. 27**

**Senate Concurrent Resolution No. 52**

**Senate Constitutional Amendment No. 11**

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 156**

**Senate Bill No. 724**

**Senate Bill No. 925**

**Senate Bill No. 926**

**Senate Bill No. 1440**

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 279**

**Senate Bill No. 970**

And reports the same correctly re-engrossed.

WARD, Chairman

## CONSIDERATION OF DAILY FILE

### SECOND READING OF SENATE BILLS

**Senate Bill No. 683**—An act to amend Section 1159 of the Fish and Game Code, relating to cooperative hunting areas.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 25, of the printed bill, strike out "collect", and insert "set".

##### Amendment No. 2

On page 1, line 26, after "areas", insert ", any such fees to be collected by the department and deposited in the Fish and Game Preservation Fund".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1042**—An act to repeal Sections 132, 145, and 146 of the Fish and Game Code, relating to game refuge districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "145".

**Amendment No. 2**

On page 1, line 1, strike out "145".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 89**—An act to repeal Section 170.5 of, and to add Section 170.5 to, the Code of Civil Procedure, relating to disqualification of judges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "or criminal".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1707**—An act to amend Section 1963 of the Code of Civil Procedure, relating to disputable presumptions in actions at law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 3 of the printed bill, strike out lines 8 to 11, and insert "40. That property owned at the time of death by a person who had been divorced from his or her spouse more than four years prior thereto was not community property acquired during marriage with such divorced spouse, but is his or her separate property."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 460**—An act to amend Sections 1058, 1252, 2552, and 11415 of the Water Code, and to amend Section 18202 of the Education Code, relating to regulations of state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 461**—An act to add Section 21216 to the Public Utilities Code, relating to the California Aeronautics Commission.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 462**—An act to amend Sections 5255, 8701, 12300, 15801, 17400, 18800, 22400, and 24400 of the Financial Code; to amend Sections 10080 and 11001 of the Business and Professions Code; to

amend Sections 25308, 27003, and 28200 of the Corporations Code; to add Section 42 to the Insurance Code; and to amend Sections 383.5, 843, 1691.3, 1812, 1851, 10292, 10498.6, 11515, and 11751.5 of the Insurance Code, relating to regulations of state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 463**—An act to amend Sections 16, 254, 261, 262, 324, 333.3, 333.4, 351.2, 359.2, 380.5, 441, 617, 747.1, 762.8, 782, 841, 892, 917.5, 1012.6, 1044, 1068, 1082, 1106.1, 1232, 1248, 1260.1, 2649, 3149, and 3502 of, and to add Section 16.1 to, and to repeal Section 896 of, the Agricultural Code, and to amend Sections 8525, 8560, 8972.1, 12027, 12107, 19510, 19561, 19561.5, 19562 and 19590 of the Business and Professions Code, relating to regulations of state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 464**—An act to amend Sections 18624, 18682, 5526, 5015, 5021, 5022, 9533, 7606, 2119, 2558, 2630, 2715, 2736, 2854, 2882, 4808, 4849, 4009, 9630, 21243, 3025, 6866, 14231, 14248, 6716, 6717, 6754, 8710, 8745 of the Business and Professions Code; to amend Sections 1262, 11112, 11423, 11424, and 11426 of the Government Code; to amend Section 411 of the Unemployment Insurance Code; and to add Section 6751.5 to the Business and Professions Code, relating to regulations of state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 510**—An act to amend Section 7 of the Construction and Employment Act (Chapter 20 1946, First Ex. Session); Section 7706 of the Education Code; Section 55 of the Labor Code; Section 3502 of the Agricultural Code; Sections 1614, 1651, 5630, 7008, 7059, 7065, 7076, 7084, 8920, and 19089 of the Business and Professions Code; and Sections 13160, 13399, 13780, 13920, 13922, 13924, 13926, and 13951 of the Government Code, relating to regulations of state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 511**—An act to amend Sections 5517, 5701, 6602, 6725.5, 6726, 6727, 7302, 7502, and 7500.5 of the Welfare and Institutions Code; Sections 13108, 13116, 13120, 13126, 13143, 13252, 13552, and 19813 of the Health and Safety Code; Sections 156.6, 167, 237, 249.04, 249.11, 254.6, 422.6, and 422.7 of the Vehicle Code; Sections 12601, 13020, and 13022 of the Water Code; Sections 127, 305, and 306 of the Unemployment Insurance Code; Sections 72, 700, 1014, and 1023 of the Military and Veterans Code; and to add Section 19 to the Military and Veterans Code, relating to regulations of state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 512**—An act to add Section 2655.1 to the Labor Code, and to amend Sections 2666, 6407, 1646, and 1699 of the Labor Code, and to amend Sections 18600 and 18653 of the Health and Safety Code, relating to regulations of state agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 513**—An act to amend Sections 102, 208, 212, 271, 432.4, 435.2, 600, 1222, 1411, 1509, 1603, 1604, 1606, 1614, 1660, 1668, 21100, 24102, 26321, 26540, 26540.2, 26542, 28013, 28153, 28182, 28339, 28440, 28508, 28663.5, and 28739, and repeal Sections 26323 and 26544 of the Health and Safety Code, to amend Sections 1220 and 1221 of the Business and Professions Code, and to amend Section 1147 of the Agricultural Code, relating to rules and regulations pertaining to public health.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 514**—An act to add Section 103.1 to, and to amend Sections 103, 116, 118, 118.2, 119.5, 119.6, 1508, 1511.5, 1550, 1552.2, 1553, 1556, 1556.5, 1559, 1560, 1621, 2010, 2020, 2140, 2180, 2186, 2186.1, 2301, 2354, 3075, 3084, 3087, and 3087.3 to, the Welfare and Institutions Code, relating to administration procedure.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 521**—An act to amend Section 6078 of the Water Code, relating to rules and regulations of the Department of Public Works.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1254**—An act to add Section 486 to, and to amend Sections 488 and 488.5 of, the Vehicle Code, relating to accident reports.

Bill read second time.

#### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, line 6, of the printed bill, strike out "may be examined by", and insert "shall be made available upon request to".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1585**—An act to add Section 1219 to the Civil Code, and to amend Section 27287 of the Government Code, relating to acknowledgment and proof of execution, certification and recording of fictitious mortgages or deeds of trust and oil and gas leases.

Bill read second time.

#### Motion to Amend

Senator Robert I. McCarthy moved the adoption of the following amendment:

#### Amendment No. 1

On page 3, line 3, of the printed bill, strike out the second "of", and insert "or".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1747**—An act to amend Section 2466 of the Civil Code, relating to the use of fictitious names for transacting business.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1752**—An act to amend Section 26820 of the Government Code, relating to fees charged by the county clerk.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1363**—An act to amend Sections 4030 and 4050 of the Business and Professions Code, relating to pharmacy.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 12, of the printed bill, after "health", insert "; and provided further, that this section shall not apply to any laboratory subject to control or regulation by the National Institutes of Health".

##### Amendment No. 2

On page 1, line 27, after "health", insert "; and provided further, that this section shall not apply to any laboratory subject to control or regulation by the National Institutes of Health".

##### Amendment No. 3

On page 2, line 6, of the printed bill, strike out "\_\_\_\_\_ Bill No. \_\_\_\_\_", and insert "Senate Bill No. 1387".

##### Amendment No. 4

On page 2, line 8, strike out "\_\_\_\_\_ Bill No. \_\_\_\_\_", and insert "Senate Bill No. 1387".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 3**—An act to amend Section 2655 of the Business and Professions Code, relating to the compensation of members of the Physical Therapy Examining Committee.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 330**—An act to add Sections 14326, 14406, 17052, and 17503 to the Business and Professions Code, relating to the photographic industry.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1727**—An act to amend Sections 10106, 10450, 10452, and 10453 of, and to add Sections 10450.5 and 10451.5 to, the Business and Professions Code, relating to real estate.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1949**—An act to add Section 1603a to the Business and Professions Code, relating to the Board of Dental Examiners.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1951**—An act to amend Section 1625 of the Business and Professions Code, relating to dentistry.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 12**—An act to add Section 2626.1 to, and to amend Sections 2665 and 2668 of, the Business and Professions Code, relating to physical therapists, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 76**—An act to add Section 21292.2 to the Government Code, relating to the State Employees' Retirement System in respect to increases in the disability retirement allowance of certain retired members of the California Highway Patrol.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 476**—An act to add Section 803.2 to the Fish and Game Code, relating to clams.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 696**—An act to add Section 13109.1 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 711**—An act to amend Section 21364 of the Government Code, relating to the special death benefit under the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 831**—An act to add Section 4319.5 to the Agricultural Code, relating to appointment of persons to administer sales stimulation and consumer educational programs on fluid milk and fluid cream.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 949**—An act to add Chapter 8 to Part 4 of Division 6 of, and to amend Section 7409 of, the Welfare and Institutions Code, relating to the establishment and operation of the Neuropsychiatric Institute in the City of Los Angeles.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1092**—An act to amend Section 330 of the Fish and Game Code, relating to wildlife management areas.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1122**—An act to add Sections 10183, 10184, 10185, 10186, 10307, 10308, 10309, 10310, 10567, 10568, 10569, 10570 to the Business and Professions Code, relating to disciplinary powers of the Real Estate Commissioner.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1324**—An act to amend Section 8621 of the Water Code, relating to flood control.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 747**—An act to amend Sections 13551 and 13661 of the Government Code, relating to the distribution of state publications, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "but not limited to".

**Amendment No. 2**

On page 1, line 25, after "publication", insert "as selected by the State Archivist".

**Amendment No. 3**

On page 2, line 9, after "1955", insert ", and shall become inoperative on July 1, 1957 and thereafter shall have no force or effect".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1108**—An act to amend Sections 13391 and 13394 of, and to add Sections 13402, 13403, 13404, 13405, 13406, 13407 and 13408 to the Government Code, relating to the purchase of supplies for state agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 2, lines 35 and 36, of the printed bill, as amended in the Senate March 25, 1955, strike out "Joint Legislative Budget Committee", and insert "Board of Control".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1712**—An act to add Chapter 4 to Division 7 of the Vehicle Code, relating to motor vehicles involved in accidents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 4, line 5, of the printed bill, strike out "Nothing herein contained shall"; and strike out lines 6 and 7; and in line 8, strike out "possession thereof", and insert "Nothing in this chapter shall affect the interest of any legal owner holding a valid mortgage, conditional sales contract or other lien on the impounded vehicle nor any right or remedy of such legal owner, including the right to take possession thereof, nor the interest or rights of any lessor of such vehicle".

**Amendment No. 2**

On page 4, line 11, strike out "liens thereon", and insert "interests therein".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 667**—An act to amend Section 7713 of the Education Code, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read second time.



*The board may for such good cause as it shall determine, reduce the amount of, or modify any provisions relating to, any contribution required of a school district under the terms of an apportionment, other than any contribution required of such district under Section 5048 from the sale of bonds; provided, that the board may not, without the consent of the district, increase the amount of any district contribution under the terms of an apportionment, in the absence of mistake arising from any source, or misrepresentation, concealment, or omission, on the part of the district, intentional or otherwise. The provisions of this paragraph shall be applicable to apportionments heretofore or hereafter made.*

SEC. 4. Section 7737 of said code is amended to read:

7737. The board shall prescribe in such detail as it deems necessary, the purposes for which moneys apportioned by it [to a school district under this chapter may be expended and such prescription shall be binding upon the governing board of such district except as it may be, for good cause, modified by the board.] or which it requires the district to contribute toward, or in reduction of the cost of a project, may be expended, and such prescription shall be binding upon the governing board of the district, save as it may be changed or modified by the board for such cause as it sees fit. In determining funds which can be contributed by the district, the board may require the district to contribute unexpended balances of funds earmarked or encumbered by the district for furniture, equipment, or any other lawful purpose; provided, however, that changes or substitutions in the purposes for which such funds were earmarked or encumbered, with respect to such requirement under any apportionment heretofore or hereafter made, may be authorized by the board, or pursuant to its delegation, by the Director of Finance."

#### Amendment No. 3

On page 3, line 27, strike out "SEC. 2", and insert "SEC. 5".

#### Amendment No. 4

On page 3, strike out lines 39 to 41, inclusive, and insert "was approved.

School districts are required to contribute towards the cost of school building aid projects, any unused balance remaining from capital outlay funds which are earmarked or encumbered for specific purposes other than the state aid application. Such items are listed in detail in the application. There are a number of cases where such funds are later expended for slightly different purposes than those reported in the approved application. Where such deviations occur, it has been held that amounts spent for items and quantities other than those specifically listed, must be applied towards the cost of the state aided project and that the State Allocation Board cannot later approve such deviations, even though they would have been approved originally and represent an equally necessary or a better utilization of district funds. Many school districts are therefore required to contribute amounts already spent for essential purposes, towards the cost of state aided projects. As a result the amounts involved cannot be paid either by the district or the State to meet the cost of state aided projects. It is necessary that this act take effect immediately so that the financing of urgently needed school facilities can be completed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1350**—An act to add Section 7738.1 to the Education Code, relating to state building aid declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 4 through 19, and insert

"7738.1. Whenever it appears (1) that a district has received an apportionment between May 1 and May 30, 1954, conditioned upon the issuance and sale, as required by Section 7719, of not more than twenty thousand dollars (\$20,000) worth of bonds; (2) that, though the electors of the district authorized the issuance and sale of such bonds within nine months from the date of such apportionment, such bonds were not actually sold within such period; and (3) that as a result thereof said apportionment was voided pursuant to the provisions of Section 7738 of the Education Code, said apportionment is hereby reinstated, and anything in Section 7738 to the contrary notwithstanding, shall become final if the district



within 30 days of the effective date of this section has met all of the requirements otherwise imposed by this chapter upon such apportionment becoming final."

**Amendment read, and adopted.**

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 676**—An act to repeal Sections 1501, 1572, 1819, 4728, 7206, 7207, 9607.2, 9607.3, 9807, 9807.2, 9808, 9809.1, 10324, 10324.5, 10506, 10506.5, 13322, 13323, and 19131, and Article 5 of Chapter 1 of Division 2 (Sections 1101-1107, inclusive), Article 7 of Chapter 8 of Division 4 (Sections 9481-9485, inclusive), Article 2 of Chapter 9 of Division 4 (Sections 9641-9646, inclusive), Article 4 of Chapter 3 of Division 8 (Sections 16461-16463, inclusive), Article 10 of Chapter 4 of Division 8 (Sections 16791-16794, inclusive), Article 5 of Chapter 6 of Division 9 (Sections 18941-18946, inclusive), Article 3.5 of Chapter 7 of Division 9 (Sections 19101-19105, inclusive), and Article 4.5 of Chapter 7 of Division 9 (Sections 19141-19143, inclusive) of the Education Code; to add Chapter 8.1 to Division 4 of, and Section 364.1 to said code; and to amend Sections 9801.1, 9801.2, 9804, and 9807.1 of said code, relating to county school service funds and the Public School System.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

##### **Amendment No. 1**

In line 3 of the title of the printed bill, as amended in Senate April 14, 1955, after "13323," insert "16461, 16463,".

##### **Amendment No. 2**

Strike out lines 7 and 8 of the title, and insert "9641-9646, inclusive), Article 10 of Chapter 4".

##### **Amendment No. 3**

In line 16 of the title, after "code," insert "and to amend the article heading of Article 4, Chapter 3, Division 8 of said code,".

##### **Amendment No. 4**

On page 1, line 3, after "13323", insert "16461, 16463,".

##### **Amendment No. 5**

On page 1, strike out lines 7 and 8, inclusive, and insert "clusive), Article 10 of Chapter 4 of Division 8".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### **Amendment No. 6**

On page 18, between lines 13 and 14, insert  
"SEC. 8. The heading of Article 4, Chapter 3, Division 8 of said code is amended to read:

Article 4. [Employment of Nurses and Dental Hygienists]  
*Supervisor of Health*"

##### **Amendment No. 7**

On page 18, line 14, strike out "SEC. 8", and insert "SEC. 9".

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1391**—An act to amend Section 13583 of the Education Code, relating to certificated employees of school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, lines 4, 5 and 6 of the printed bill, strike out "which include all or part of a city of the first class or the first and one-half class and which have", and insert "having".

**Amendment No. 2**

On page 1, line 7, strike out "60,000", and insert "85,000".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 868**—An act to amend Section 406 of the Education Code, relating to the compensation of the county superintendent of schools of a county of the sixth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1967**—An act to add Section 13533.5 to the Education Code, relating to the dismissal of certificated employees of school districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 841**—An act to amend Section 20373, Education Code, to transfer to the State Personnel Board the responsibility for establishing and adjusting classification of state college employees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 948**—An act to amend Section 1822 of the Education Code, relating to school district elections.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1288**—An act to amend Sections 21601, 21602, 21604, 21612, and 21613 of, the Education Code, relating to the schooling and care of cerebral palsied and other similarly handicapped children.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1975**—An act to repeal Sections 118, 794, and 794.5 of, to amend Sections 792 and 802 of, and to add Section 802.1 to, the Fish and Game Code, relating to the taking of abalones for commercial purposes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 5 to 10, inclusive, and insert "(San Francisco County), District 18, and that portion of District 19 not included in paragraph (a) herein, provided that the Farallone Islands are included in paragraph (a) only."

**Amendment No. 2**

On page 2, line 18, after "abalone", insert "and green abalone".

**Amendment No. 3**

On page 2, lines 30 and 31, strike out "one hundred dollars (\$100)", and insert "forty dollars (\$40)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Assembly Bill No. 186**—An act to add Section 450.2 to the Fish and Game Code, relating to fish and game.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 940**—An act to add Section 23.6 to the Fish and Game Code, relating to the expenditure of funds for the purchase of evidence.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 665**—An act to add Sections 206.5 and 206.7 to the Civil Code and to amend Section 270c of the Penal Code, relating to the duty of a child to support its parents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after "of", strike out "two", and insert "three".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 529**—An act to amend Section 1711.5 of the Welfare and Institutions Code, relating to the action by the Department of the Youth Authority.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 530**—An act to amend Section 1767 of the Welfare and Institutions Code, relating to delegation of powers of the Department of the Youth Authority.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 532**—An act to amend Section 1381 of the Penal Code, relating to the time of trial of persons committed to the Youth Authority on charges other than that for which committed.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1608**—An act to amend Section 175 of the Civil Code, relating to the earnings of a husband abandoned by his wife.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 843**—An act to add Section 18654 to the Business and Professions Code, relating to amateur boxing contests and sparring or wrestling matches.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1432**—An act to amend Section 9502 of the Business and Professions Code, relating to dyeing.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1675**—An act to amend Section 850 of the Labor Code, relating to working hours of pharmacy employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1676**—An act to amend Section 851 of the Labor Code, relating to working hours of pharmacy employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2022**—An act to add Section 2615 to the Business and Professions Code, relating to registered physical therapists.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 23**—An act to add Section 1340.8 to the Fish and Game Code, relating to bears.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 516**—An act to amend Section 8 of Chapter 29 of the Statutes of 1946 (First Extraordinary Session), relating to the availability of moneys appropriated for the acquisition of housing facilities for veterans and families of servicemen.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1019**—An act to amend Section 963.5 of the Agricultural Code, relating to seed potato certification funds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1020**—An act to amend Section 785 of the Agricultural Code, relating to fruits, nuts, and vegetables not in compliance with law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1911**—An act to add Section 30.1 to the Agricultural Code, relating to production of trees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1405**—An act to amend Section 1029 of, and to add Section 1029.1 to, the Education Code, relating to liability insurance of school districts.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

##### **Amendment No. 1**

On page 1, line 18, of the printed bill, as amended in the Assembly March 25, 1955, after "may", strike out "establish a fund in the county treasury", and insert "provide, from its own funds,".

##### **Amendment No. 2**

On page 1, line 21, strike out "In such fund shall be placed such sums, to be provided in the budget of the district, as will create an amount, which together



with investments made from such fund, will be sufficient in the judgment of the board of education of the district to protect such districts, its officers, agents, and employees against liability for damages by reason of death, or injury to person or property, as a result of any negligent act by the district, or by a member of the board, or any officer, agent, or employee when acting within the scope of his office, agency, or employment."

#### **Amendment No. 3**

On page 2, line 9, strike out "such fund", and insert "its own funds".

#### **Amendment No. 4**

On page 2, line 11, strike out "Such fund shall be considered as separate and apart from all other funds of the district and the balance therein shall not be considered as being part of the working cash of the district in compiling annual budgets or fixing annual tax rates.

Warrants shall not be drawn on or transfers made from the fund so created except to reimburse the district, its officers, agents, and employees, for liability for damages by reason of death, or injury to person or property, as a result of any negligent act by the district, or by a member of the board, or any officer, agent, or employee when acting within the scope of his office, agency, or employment, and then only after resolution duly adopted by the board of education of the district.

The cash placed in such fund may be invested and reinvested by the county treasurer with the advice and consent of the board of education of the district in securities which are legal investments for surplus county funds in this State. The income derived from such investments together with interest earned on uninvested funds shall be considered revenue of and be deposited in such fund.

The county treasurer shall make quarterly reports to the board of education of the district as to the condition of the fund, using as a basis for such report the cost or market value, whichever may be the lower, of the securities held as investments plus the cash in such fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Assembly Bill No. 1008**—An act to add Sections 3401.1, 3401.2, and 8733 to, to repeal Articles 2, 3, and 4, comprising Sections 3431 through 3494, of Chapter 11 of Division 2 of, to add Article 2, comprising Sections 3410 through 3421, to Chapter 11 of Division 2 of, to repeal Articles 13, 13.5, 14, 15, 16, and 17, comprising Sections 3741 through 3841, of Chapter 11 of Division 2 of, to amend Sections 3896, 3897, and 3942 of, to repeal Section 3943 of, and to repeal Article 22, comprising Sections 3961 through 3973, of Chapter 11 of Division 2 of the Education Code, relating to high school district organization.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

#### **Amendment No. 1**

On page 3, line 20, of the printed bill, as amended in the Senate April 7, 1955, after "them", insert ", or in the event the plans and recommendations submitted by a county committee provide for the inclusion of an elementary district which is coterminous with the boundaries of the county in a high school district or a unified district the State Board of Education may postpone any action until such time as they deem it appropriate for action to be taken."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1**—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 3, and insert

"2421.5. (a) Territory annexed to a city which is not contiguous to a school district within the city shall not become a part of any school district within such city pursuant to Section 2421.

(b) Territory annexed to a city which is part of a unified school district formed under Chapter 16 of Division 2 of this code, shall not become a part of any school district within the city pursuant to Section 2421 unless prior to the annexation, the governing boards of the affected districts agree in writing that the territory shall become part of the city school district. In order for the agreement to be effective, a certified copy thereof shall be filed with the city council prior to the adoption of the resolution specified in Section 35117 or Section 35306 of the Government Code, and such resolution shall contain a statement that the annexed territory shall become part of the city school district.

(c) Territory annexed to a city which is contiguous to a city school district within such city, except as otherwise provided in subdivision (b) of this section, shall not become part".

**Amendment No. 2**

On page 1, line 15, strike out "this section", and insert "subdivisions (a), (b), or (c) of this section, as the case may be,".

**Amendment No. 3**

On page 1, line 18, strike out "this section", and insert "subdivisions (a), (b), or (c) of this section, as the case may be,".

**Amendment No. 4**

On page 1, line 20, after "of", insert "the amendment of".

**Amendment No. 5**

On page 1, line 20, after "section", insert "at the 1955 Regular Session of the Legislature".

**Amendment No. 6**

On page 2, line 11, strike out "This section", and insert

"The provisions of subdivisions (a), (b), or (c) of this section, as the case may be,".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1518**—An act to amend Section 5007 of the Education Code, relating to investment of school district funds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, lines 4 and 5 of the printed bill, strike out "accumulative building", and insert "reserve".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1351**—An act to amend Sections 12011.7, 12106, and 12752.1 of, and to add Section 12757 to, the Education Code, relating to the issuance, suspension, and revocation of certification documents issued by the State Board of Education.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 735**—An act to add Chapter 18.5 to Division 3 of the Education Code, relating to advance apportionments to junior college districts formed to include high school districts maintaining junior colleges, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 988**—An act to amend Section 13835 of the Education Code, relating to compensation of certificated employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1005**—An act to amend Sections 4901.2, 4902.05, 4905, 4911.1, 4912, 4915.3, 4917, 4920, 4941.1, and 4941.2 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1007**—An act to amend Sections 3661, 4661, 4662, and 4663 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3232**—An act to add Section 13526.1 to the Education Code, relating to compulsory leave of absence for employees of school districts.

Bill read second time, and ordered to third reading.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 512, 514, 3, 1727, 841, 1288, 156, 724, and Assembly Bills Nos. 940 and 735 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 512, 514, 3, 1727, 841, 1288, 156, 724, and Assembly Bills Nos. 940 and 735 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 279**—An act to add Section 11528.1 to the Business and Professions Code, relating to proposed subdivisions and real estate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Donnelly, Erhart, Gibson, Grunsky, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1684**—An act to add Sections 3208.1 and 3208.2 to the Labor Code, relating to workmen's compensation.

#### Motion to Refer Bill to Inactive File

Senator Abshire moved that Senate Bill No. 1684 be placed on the inactive file.

Motion carried.

**President of the Senate Presiding**

At 2.23 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Senate Bill No. 1082**—An act to add Section 9414 to the Government Code, relating to witnesses before legislative committees.

Bill read third time.

**Point of Order**

Senator Cunningham arose to a point of order and stated Senator Montgomery asked him a question and that he was prepared to answer the question.

The President ruled the point well taken.

**Previous Question**

Senator Kraft moved the previous question.

Motion carried.

**Point of Order**

Senator Abshire arose to a point of order stating Senator Miller rose to ask a question and was not asking a question but was discussing the bill after the previous question had been moved.

The President ruled the point well taken.

The President put the question.

The question being on the final passage of Senate Bill No. 1082.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Way, and J. Howard Williams—23.

**NOES**—Senators Collier, Cunningham, Dorsey, Erhart, Kraft, McBride, Miller, Regan, Short, Sutton, Teale, and Thompson—12.

Bill ordered transmitted to the Assembly.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 970**—An act to amend Section 4748 of, and to add Article 5.6 to Chapter 3, Part 3, Division 5 of, the Health and Safety Code, relating to an alternative method of issuing bonds of county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Motion to Retain Place on File**

Senator Murdy moved that Senate Bill No. 972 be passed on file and retain its place on file.

Motion carried.

**Senate Bill No. 259**—An act to repeal Chapters 1 to 9, inclusive, comprising Sections 17001 to 18305, inclusive, of, and to add Chapters 1 to 16, inclusive, comprising Sections 17001 to 18361, inclusive, to, and to renumber Chapters 10 to 18, inclusive, of, and to amend Sections



18402, 18408, 18410.7, and 18410.9 of, and to add Section 18411 to, and to amend Sections 18433, 18434 and 18451 of, and to add Section 18452 to, and to amend Section 18470 of, and to repeal Sections 18471 and 18472 of, and to amend Sections 18473, 18476 and 18477 of, and to repeal Section 18479 of, and to amend Sections 18581, 18586.1, 18586.4, 18586.5, 18588 and 18810 of, and to add Sections 18886 and 18887 to, and to amend Sections 19053.7 and 19061.1 of, and to repeal Article 1.5 of Chapter 13, comprising Sections 19071 to 19073, inclusive, of, and to add Sections 19261, 19262, 19263, 19264, 19265 and 19266 to, and to amend Section 19281 of, Part 10 of Division 2 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1147**—An act to amend Section 11013 of, and to add Sections 11013.1, 11013.2, 11013.3, 11013.4, and 11013.5 to, the Business and Professions Code, relating to real estate subdivisions.

Bill read third time.

#### Motion to Amend

Senator Breed moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate March 29, 1955, strike out "Section", and insert "Sections 11000 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 and 2 of said bill, and insert

"SECTION 1. Section 11000 of the Business and Professions Code is amended to read:

11000. "Subdivided lands" and "subdivision" refer to improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into five or more lots or parcels; provided, however, that *neither land or lands sold for agricultural purposes by lots or parcels of 40 acres or more nor land or lands sold by lots or parcels of not less than 160 acres which are designated by such lot or parcel description by government surveys and appear as such on the current assessment roll of the county in which such land or lands are situated shall [not] be deemed to be "subdivided lands" or "a subdivision" within the meaning of this section, unless such land or lands are divided or proposed to be divided for the purpose of sale for oil and gas purposes, in which case such land or lands shall be deemed to be "subdivided lands" or "a subdivision" within the meaning of this section.*

SEC. 1.5. Section 11013 of said code is amended to read: "

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Senate Bill No. 543**—An act to amend Section 13004 of the Health and Safety Code, relating to the use of fire extinguishers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1728**—An act to amend Sections 6844, 6876, 6885.7, 6890, 6891, and 6893 of, and to add Section 6893.1 to, the Health and Safety Code, relating to sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 925**—An act to add Sections 2401 to the Agricultural Code, relating to marketing of agricultural products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 926**—An act to amend Section 1300.18 of the Agricultural Code, relating to the uniform application of marketing order regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, John F. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 399**—An act to amend Sections 1552.4 and 1552.6 of the Welfare and Institutions Code, relating to the location and prosecution of parents of needy children.

Bill read third time, and presented by Senator Murdy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, John F. McCarthy, Miller, Montgomery, Murdy, Regan, Richards, Short, Teale, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1279**—An act to amend Section 2181 of the Welfare and Institutions Code, relating to income of responsible relatives of applicants for or recipients of aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 384**—An act to amend Section 650 of the Unemployment Insurance Code, relating to commission salesmen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Short, Teale, Thompson, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1440**—An act to amend Sections 35104, 35108, 35250, 35251, 35257, 35258, 35402, 35404, 35406, 35411, 35412, 35413, 35418, 35423, 35428, 35560, 35565, and 35704 of the Streets and Highways Code, to repeal Section 35401 of said code, and to add Sections 35113, 35108.5, 35275, 35276, 35402.1, 35402.2, 35402.3, 35414.1, 35566, and 35706 to said code, relating to districts formed under the Parking District Law of 1951, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Motion to Amend

Senator Kraft moved the adoption of the following amendments:

#### Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in Senate April 13, 1955, strike out “, declaring the urgency thereof, to take effect immediately”.

#### Amendment No. 2

On page 10, strike out lines 19 to 32, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 474**—An act to add Section 1133 to the Streets and Highways Code, relating to highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Teale, Thompson, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 27**—Relative to memorializing Congress to appropriate funds for the construction, modernization, additions and improvement of domiciliary or hospital buildings of state or territorial operated soldiers' homes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Byrne, Cobey, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—26.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 52**—Relative to accreditation of state colleges' engineering curricula.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Constitutional Amendment No. 11**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 17 to Article XVI thereof, relating to the issuance of bonds or the appropriation of money to provide loans and grants to school districts of the State, and prescribing the terms and conditions under which such grants and loans to school districts shall be made and repaid.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Way:

#### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 21, 1955

**MR. PRESIDENT:** In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend the Humboldt County Flood Control District Act (Chapter 939, Stats. 1945).

Respectfully submitted,

SENATOR WAY



**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 21, 1955

The Committee on Rules recommends that permission be granted to introduce the bills as requested, and that the bills be referred to Committee on Local Government.

WARD, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time:

**Senate Bill No. 1985:** By Senator Way—An act to amend the Humboldt County Flood Control District Act (Chapter 939, Stats. 1945).

Referred to Committee on Local Government.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator J. Howard Williams:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 10112 of the Health and Safety Code, relating to registration of vital statistics.

Respectfully submitted,

SENATOR J. HOWARD WILLIAMS

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 21, 1955

The Committee on Rules recommends that permission be granted to introduce the bills as requested, and that the bills be referred to Committee on Local Government.

WARD, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—31.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 1986:** By Senator J. Howard Williams—An act to amend Sections 10112 of the Health and Safety Code, relating to registration of vital statistics.

Referred to Committee on Local Government.

**Senate Concurrent Resolution No. 62:** By Senator Cobey—Relative to establishment of a junior college in Merced County.

Referred to Committee on Education.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS**

**Consideration of Assembly Amendments**

**Senate Bill No. 684**—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 684?

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "35", and insert "40."

**Amendment No. 2**

On page 1, line 9, after "effective", insert ", nor to departmental employees in the first examination held subsequent to the effective date of this section".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 684 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dorsey, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—28.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1973**—An act authorizing the State Lands Commission to exchange property of the State of California for property in Alameda County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1973?

**Amendment No. 1**

On page 1, lines 4 and 5 of the printed bill, as amended in Senate March 17, 1955, strike out "such grant to be conditioned upon the granting of", and insert "upon there being granted to the State of California".

**Amendment No. 2**

On page 1, line 5, strike out "by", and insert "of".

**Amendment No. 3**

On page 1, line 6, strike out "to the State of California", and insert "in other".

**Amendment No. 4**

On page 1, line 9, strike out "determination of said".

**Amendment No. 5**

On page 1, line 10, strike out ", as to", and insert "shall determine".

**Amendment No. 6**

On page 1, line 10, after "by", insert ", and granted to".

**Amendment No. 7**

On page 1, line 11, strike out "as to".

**Amendment No. 8**

On page 1, line 12, after the first comma, and insert "which determination".

**Amendment No. 9**

On page 1, strike out lines 16 to 20, inclusive, and insert  
"SEC. 2. This act shall apply only within Sections 12 and".

**Amendment No. 10**

On page 2, strike out lines 18 to 34, inclusive, and insert "mining the validity of such title so conveyed. Service of process in any such suit shall be made upon the Chairman of the State Lands Commission and the Attorney General, and it shall be the duty of the Attorney General to represent the State in such suit. In any such action, whether or not judgment is given against the State, no costs shall be recovered against the State. Any action brought under the provisions of this act shall be commenced prior to October 1, 1957."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1973 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—31.

NOES—None.

Above bill ordered enrolled.

Secretary J. A. Beek at the Desk

**MOTIONS TO RECONSIDER**

**Senate Bill No. 1473**—An act to amend Section 602 of the Code of Civil Procedure, relating to the qualifications of jurors.

**Motion to Reconsider Senate Bill No. 1473**

Pursuant to his motion previously made, Senator Desmond moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 1473 was refused passage.

The roll was called, and Senate Bill No. 1473 reconsidered by the following vote:

AYES—Senators Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Robert I. McCarthy, Miller, Montgomery, Parkman, Regan, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—Senators Abshire and Breed—2.

**Motion to Re-refer Senate Bill No. 1473**

Senator Grunsky moved that Senate Bill No. 1473 be re-referred to Committee on Judiciary.

Motion lost.

The President ordered Senate Bill No. 1473 placed on the third reading file.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1905**—An act to add Section 12648.1 to, and to amend Section 12657 of, the Water Code, relating to flood control, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Desmond.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky,

Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and J. Howard Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Cunningham, Desmond, Dilworth, Dorsey, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Richards, Short, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 366**—An act adding Sections 31470.7, 31478, 31479, 31480, 31641.1, 31641.2, 31641.3, 31641.4, 31641.8, and 31641.9 to, and amending Section 31641 of, the Government Code, relating to county retirement systems.

Bill read third time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate April 15, 1955, strike out "and 31641.9", and insert "31641.9, and 31641.95".

**Amendment No. 2**

On page 2, line 19, strike out "prior to January 1, 1957", and insert "within one year after this section becomes applicable in the county".

**Amendment No. 3**

On page 3, between lines 36 and 37, insert

"Sec. 10.5. Section 31641.95 is added to the Government Code, to read:

31641.95. Sections 31470.7, 31478, 31479, 31480, 31641.1, 31641.2, 31641.3, 31641.4, 31641.8, and 31641.9 may only be applicable in any county or district on the first day of the month after the governing board of such county or district adopts, by majority vote, a resolution providing that those sections shall become applicable in such county or district."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Constitutional Amendment No. 46**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XI thereof a new section to be numbered 7½a, relating to county charters.

Resolution read, and presented by Senator Brown.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Thompson, Ward, and J. Howard Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 563**—An act to amend Section 43605 of the Government Code, relating to the incurring of bonded indebtedness of cities.

Bill read third time, and presented by Senator Gibson.



The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Murdy, Parkman, Regan, Richards, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1110**—An act to amend Sections 2, 8, 10, and 11 of the Municipal Sewer District Act of 1939 (Chapter 24 of the Statutes of 1939), relating to the creation of sewer districts in municipalities, the calling of an election in said districts, and the issuance and sale of bonds of said districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Kraft.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

The roll was called and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Cobey, Collier, Coombs, Cunningham, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1611**—An act to amend Sections 6446 and 6448 of the Streets and Highways Code, relating to lien of the assessments represented by bond and the payment and cancellation of bond.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Donnelly, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1525**—An act to add Section 9266 to the Public Resources Code, relating to general powers of soil conservation districts.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Sutton, Teale, Thompson, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2596**—An act to amend Sections 25351 and 25450 of the Government Code, relating to the construction, alteration and repair of buildings and other structures.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2597**—An act adding Section 86.5 to the Agricultural Code, relating to the Sixth District Agricultural Association.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2934**—An act to amend Section 6462 of the Streets and Highways Code, relating to improvement bonds.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2935**—An act to amend Section 8651 of the Streets and Highways Code, relating to improvement bonds.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Robert I. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3345**—An act to add Section 5b to Division 6 of the Agricultural Code, relating to grain and seed cleaners.

Bill read third time, and presented by Senator J. Howard Williams.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson,

Kraft, Miller, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—25.

NOES—Senator Murdy—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2598**—An act to repeal Article 2 of Chapter 5, Division 7, Title 1 of the Government Code and to add Article 2 comprised of Sections 6540 and 6578, inclusive, to said Chapter 5, Division 7, Title 1 of said code, relating to the purposes, issuance, sale and payment of revenue bonds by an agency, commission or board created or provided for under Article 1 of said Chapter 5, the revenues derived from the project constructed from the bond proceeds, and authorizing the use of other revenues of the agency, commission or board for the payment of such revenue bonds.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2102**—An act to amend Section 4151 of the Revenue and Taxation Code, relating to redemption of a portion of a parcel of tax-sold property.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2103**—An act to amend Sections 4101, 4105, 4106, 4710, and 4711 of, and to add Sections 4105.1 and 4105.2 to the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2104**—An act to amend Sections 3552.28, 3716, 3811 and to repeal Sections 3552.30, 3717, and 3812 of the Revenue and Taxation Code, relating to the filing of tax deed notices with the recorder.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T.

Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2105**—An act to amend Sections 3511 and 3514.5 of the Revenue and Taxation Code, relating to recordation of tax deeds.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2106**—An act to amend Sections 3352, 3355, 3437, 3798.1, and 4839 of, and to add Section 4839.1 to, the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2107**—An act to amend Section 2921 of, and to add Section 3005 to, the Revenue and Taxation Code, relating to taxes on unsecured property.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2108**—An act to repeal Sections 133, 3515.5, Article 3 consisting of Sections 4256 to 4263 inclusive, and Article 4 consisting of Sections 4296 to 4306 inclusive of, and Section 4339 of the Revenue and Taxation Code, relating to property taxes.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.  
NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 2109**—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2293**—An act to amend Sections 2510, 2609, 2702, and 2807.3 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2294**—An act to amend Sections 3771, 3772, 3773, 3774, and 3775 of the Revenue and Taxation Code, relating to property tax deeds to public agencies.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Miller, Montgomery, Murdy, Parkman, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2163**—An act to amend Section 15402 of the Revenue and Taxation Code, relating to exclusions from exemption under the gift tax.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 562**—An act to add Chapter 5, comprising Sections 5400 to 5404, inclusive, to Division 6, Title 1, of the Government Code and to repeal Article 1, comprising Sections 50600, 50601 and 50602, of Chapter 3, Part 1, Division 1, Title 5 of said code, relating to the levy of taxes and assessments to pay principal and interest of bonds of public bodies authorized but unsold.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 314**—An act to add Section 1324 to the Fish and Game Code, relating to nutria permits.

Bill read third time, and presented by Senator Brown.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Cobey, Collier, Coombs, Desmond, Donnelly, Dorsey, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

## RESOLUTIONS

The following resolution was offered:

By Senator Collier:

### Senate Resolution No. 95

Relative to the creation of the Senate Interim Committee on Federal Highway Aid

**WHEREAS**, The President of the United States has recommended, and the Congress of the United States is considering, legislation for increased federal aid for highways within the respective states; and

**WHEREAS**, If such legislation is enacted, it will affect state legislation providing for the allocation of both federal and state funds for state highways, county roads, and city streets; and

**WHEREAS**, It is essential to the people of the State that the Legislature enact laws at the earliest possible time to facilitate the use of increased federal highway aid on state highways, county roads, and city streets; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Federal Highway Aid is hereby created and authorized and directed to ascertain, study and analyze all facts relating to federal aid for state highways, county roads, and city streets, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the recitals of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1956 Regular Session, with authority to file its final report not later than the fifth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act both within and outside the State of California in carrying out the duties imposed upon it by this resolution.

6. The sum of three thousand seven hundred fifty dollars (\$3,750) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 45  
Assembly Bill No. 380  
Assembly Bill No. 525  
Assembly Bill No. 597  
Assembly Bill No. 923  
Assembly Bill No. 929  
Assembly Bill No. 960  
Assembly Bill No. 1379  
Assembly Bill No. 1563  
Assembly Bill No. 1564

Assembly Bill No. 1906  
Assembly Bill No. 1912  
Assembly Bill No. 2031  
Assembly Bill No. 2121  
Assembly Bill No. 2198  
Assembly Bill No. 2871  
Assembly Bill No. 2913  
Assembly Bill No. 2929  
Assembly Bill No. 2930

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 45**—An act to amend Section 69588 of the Government Code, relating to superior court judges in the County of Marin.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 380**—An act to repeal Section 628.5 of the Unemployment Insurance Code, relating to unemployment insurance with respect to services excepted from coverage thereunder.

Referred to Committee on Social Welfare.

**Assembly Bill No. 525**—An act to add Sections 12814 and 12815 to the Public Utilities Code, relating to the addition of fluorine and fluorine compounds to public water supplies by municipal utility districts and the calling of a special election in such districts to vote on such addition.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 597**—An act to amend Section 39.7 of the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 923**—An act to amend Sections 20330, 20561, 20565, 20602.6, 20606, 20608.1, 20609, 20609.1, 20609.2, 20812, 20837,

20867, 21021, 21264, 21294, and 21362 of, and to add Sections 20986 and 21210 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 929**—An act to amend Section 74181 of the Government Code, relating to the number and compensation of the judges of the municipal court established in a district embracing the City of Sacramento.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 960**—An act to amend Section 69606 of the Government Code, relating to the superior court of the County of Ventura.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1379**—An act to amend Section 72602 of the Government Code, relating to municipal court districts in the County of Los Angeles.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1563**—An act to amend Section 72602 of the Government Code, relating to municipal courts in Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1564**—An act to amend Section 72602 of the Government Code, relating to municipal courts in Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1906**—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to the feeding of garbage to swine.

Referred to Committee on Agriculture.

**Assembly Bill No. 1912**—An act to amend Section 161 of the Agricultural Code and Section 1155.5 of the Fish and Game Code, relating to predatory animal control.

Referred to Committee on Agriculture.

**Assembly Bill No. 2031**—An act to add Section 69590.5 to the Government Code, relating to the Superior Court of the County of Napa.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2121**—An act to amend Sections 1116, and 1117 of and add 1121 and 1122 to the Labor Code, relating to jurisdictional strikes.

Referred to Committee on Labor.

**Assembly Bill No. 2198**—An act to add Section 4555.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.



**Assembly Bill No. 2871**—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance to veterans' dependents.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 2913**—An act to amend Section 19425 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2929**—An act to add Section 19569 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2930**—An act to amend Section 19592 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 32

ARTHUR A. O'HINIMUS, Chief Clerk of the Assembly  
By PAUL F. CROM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Constitutional Amendment No. 32**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Elections.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1592

Senator Short moved that Senate Bill No. 1592 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1592**—An act to amend Sections 830.3 and 830.5 of, and to add Section 830.35 to, the Agricultural Code, relating to standards for agricultural products.

Bill read second time.

#### Motion to Amend

Senator Short moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 12, 1955, strike out "and 830.5", and insert "830.5 and 830.6".

#### Amendment No. 2

In line 3 of the title, strike out "standards for".

**Amendment No. 3**

On page 2, strike out lines 25 to 29, inclusive, and insert "A permittee".

**Amendment No. 4**

On page 2, strike out lines 47 to 51, inclusive; and on page 3, strike out lines 1 to 43, inclusive, and insert

"830.35. Any commissioner may refuse to issue or to endorse a permit described in Section 830.3 of this code, or may revoke or suspend any permit or endorsement issued by him, if after investigation and in his judgment the permittee or applicant for permit does not have available proper and adequate facilities with which to pack, process or otherwise dispose of the commodities described in Section 830 of this code in accordance with the provisions of this chapter, or if the permittee or applicant for permit has previously violated any of the provisions of this chapter or the terms of any permit issued hereunder, or has failed or refused to furnish the evidence required by the commissioner, as hereinabove provided in said Section 830.3. Any order of the commissioner refusing to endorse or issue a permit, or suspending or revoking the same shall be in writing.

Any person may appeal to the director, within 10 days, for a hearing upon a written order of the commissioner refusing to endorse or issue a permit, or suspending or revoking the same. The proceedings for such hearing shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, except that the provisions of Sections 11505 and 11506 thereof shall not apply, and the statement of issues or accusation, as the case may be, shall be delivered or mailed to the parties as provided in Section 11509 of said code.

Nothing herein contained shall be construed to allow a permittee or applicant to operate pending the disposition of his application or petition. Nothing herein contained shall be construed to prevent the commissioner from suspending or revoking a permit forthwith, and without notice or hearing; provided, however, that such peremptory action must be supported by previous investigation, the results of which reasonably indicate to said commissioner that to allow an existing permit to remain in use pending a hearing would encourage, allow or permit additional or other violations of the provisions of this chapter."

**Amendment No. 5**

On page 3, line 51, strike out "substandard".

**Amendment No. 6**

On page 3, line 52, after "vegetables", insert "which do not conform to such standards".

**Amendment No. 7**

On page 4, line 1, strike out "substandard".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 8**

On page 4, after line 14, insert

"SEC. 4. Section 830.6 of said code is amended to read:

830.6. It is unlawful to sell or offer for transportation or delivery any fruits, nuts or vegetables failing to conform to the standards of this chapter to any person required to have a permit under the provisions of Section 830.5 of this code unless such person has such permit. Every person selling, [or] delivering or receiving any such nonconforming fruits, nuts or vegetables must keep an accurate record of all such transactions in such form as the commissioner shall require. All such records shall be kept for at least one year and shall be delivered to the commissioner for his inspection on demand at any time within that period."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 215**

Senator Brown moved that Senate Bill No. 215 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 215**—An act to amend Section 28147 of the Government Code, relating to compensation for public service in counties of the forty-seventh class.

Bill read second time.

## Motion to Amend

Senator Brown moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "and to amend Section 447 of the Education Code,".

## Amendment No. 2

On page 1, lines 6 and 7, strike out "two hundred eighty dollars (\$5,280)", and insert "four hundred dollars (\$5,400)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 3

On page 1, after line 24, insert

"SEC. 2. Section 447 of the Education Code is amended to read:

447. The annual salary of the county superintendent of schools of a county of the forty-seventh class is [six thousand dollars (\$6,000)] *seven thousand two hundred dollars (\$7,200)*, and he shall possess a valid elementary administrative credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 288

Senator Burns moved that Senate Bill No. 288 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 288**—An act to amend Section 409 of the Education Code, relating to compensation for public service in counties of the ninth class.

Bill read second time.

## Motion to Amend

Senator Burns moved the adoption of the following amendments:

## Amendment No. 1

On page 1, line 5, of the printed bill, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "ten thousand eight hundred dollars (\$10,800)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1831

Senator Burns moved that Senate Bill No. 1831 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1831**—An act to amend Sections 55104, 55150, 55152, 55180, 55350, 55374, 55520, 55522 and 55523 of the Water Code, relating to county water works districts.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, after line 25, insert

"(e) Said petition may contain the further provision that petitioners request that a board of directors be appointed for the district immediately upon its creation, said board of directors to have all of the qualifications and powers required under Chapter 1 of Part 3 of this division. The original and subsequent terms of office of the members of such board shall be as provided in Section 55305."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 311**

Senator J. Howard Williams moved that Senate Bill No. 311 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 311**—An act to amend Section 60600 of the Government Code, relating to the purposes and powers of community service districts.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, between lines 21 and 22, insert

"(i) To supply the inhabitants of the district with water for irrigation. If the sole purpose of the district, as designated in the petition for formation, is to supply the inhabitants of the district with water for irrigation, the taxes levied by such".

**Amendment No. 2**

On page 1, strike out lines 22 to 25, inclusive; and on page 2, strike out line 1.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 870**

Senator Thompson moved that Senate Bill No. 870 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 870**—An act to amend Section 9575.5 of the Business and Professions Code, relating to the State Board of Dry Cleaners, making an appropriation therefor, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "processes", insert "; and the sum of twenty five thousand dollars (\$25,000) is hereby appropriated annually from the balance of the Dry Cleaners' Fund available under subdivision 2 of Section 9575, for expenditure for support of the State Board of Dry Cleaners, to be expended during the 1955-1956, 1956-1957, 1957-1958, 1958-1959, and 1959-1960 Fiscal Years for the purpose of contracting with any college or university supported, in whole or in part, by the State of California, for conducting research and to disseminate to the dry cleaning industry and the general public information on the factors involved in the cleaning and the maintenance of fabrics, including those made from or containing synthetic fibers as well as natural fibers, such as wool, cotton, or other such fibers, and the effect of cleaning procedures on the properties, life, and wearing qualities of fabrics".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1271**

Senator Thompson moved that Senate Bill No. 1271 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1271**—An act to amend Section 7381 of the Business and Professions Code, relating to cosmetological establishments.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 8 and 9, and insert "The applicant shall specify in the application whether the proposed establishment is situated in a residence, and if so, whether it is a single-family or multiple-family type of dwelling, or is situated in a commercial building. The board shall not issue a certificate of registration and license to operate a cosmetological establishment in a residence unless the proposed".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 859**

Senator Miller moved that Senate Bill No. 859 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 859**—An act to repeal Article 6 of Chapter 1, Title 1, Part 3 of the Penal Code and to provide for the reappropriation of certain funds in connection therewith, relating to the establishment of penal institutions.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "Statutes of 1948", insert "and any other funds heretofore or hereafter appropriated for property acquisition by the Department of Corrections,".

**Amendment No. 2**

On page 1, after line 6, insert

"The funds made available by this act shall not be expended except for the acquisition and establishment of a prison farm meeting the following conditions:

(a) It must comprise not less than 1,500 nor more than 2,000 acres acquired at a total cost not to exceed four hundred dollars (\$400) per acre.

(b) At least 50 percent of said acreage must be level and irrigable and the balance of said acreage must be farm land which can be made irrigable by leveling and grading through expenditure of a reasonable sum, not to exceed one hundred fifty dollars (\$150) for each acre made irrigable thereby.

(c) It must have available a water supply of not less than one second-foot continuous flow for each 80 acres of land, either from a dependable surface supply or from wells which will provide said amount with a maximum drawdown not to exceed 120 feet, or from both such sources.

(d) It must be located in an area where thermal conditions will permit the growing of truck crops, deciduous orchards, alfalfa, permanent pasture, grain, corn, livestock and poultry.

In selecting said farm preference shall be given to a site on which utilities, including gas, electricity and sewage disposal facilities, are available.

The money appropriated by this act shall cease to be available for expenditure after one year has elapsed and the unobligated and unexpended balance thereof shall revert to the General Fund at the expiration of said period."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1981**

Senator Coombs moved that Senate Bill No. 1981 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1981**—An act to add Chapter 3.6 to Division 10 of the Education Code, relating to the expansion of publicly supported higher education by the establishment of a state college in the area of Napa County and Solano County.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1, 2, and 3 of the title of the printed bill, strike out "add Chapter 3.6 to Division 10 of the Education Code, relating to the expansion of publicly supported higher education by", and insert "provide for a study of the need for".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. The State Department of Education of California is hereby authorized and directed to make a study of the need for the establishment of a state college in the areas of Napa County and Solano County and to set forth the results of the study and its recommendations in a report to be made to the Legislature not later than the fifth legislative day of the 1957 Regular Session of the Legislature."

**Amendment No. 3**

On page 1, strike out lines 2 to 15, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 88**

Senator Gibson moved that Senate Bill No. 88 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 88**—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "seven thousand eight hundred dollars (\$7,800)".

**Amendment No. 2**

On page 1, line 9, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "eight thousand dollars (\$8,000)".

**Amendment No. 3**

On page 1, line 11, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "four thousand eight hundred dollars (\$4,800)".

**Amendment No. 4**

On page 1, line 16, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "five dollars (\$5)".

**Amendment No. 5**

On page 1, lines 18 and 19, strike out "\_\_\_\_\_ cents (\$\_\_\_\_\_)", and insert "ten cents (\$0.10)".

**Amendment No. 6**

On page 1, line 20, strike out "\_\_\_\_\_ dollars (\$\_\_\_\_\_)", and insert "five dollars (\$5)".

**Amendment No. 7**

On page 1, line 24, strike out "\_\_\_\_\_ cents (\$\_\_\_\_\_)", and insert "ten cents (\$0.10)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1144**

Senator McBride moved that Senate Bill No. 1144 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1144**—An act to add Section 12256.5 to the Revenue and Taxation Code, and Chapter 7.5 to Part 1 of Division 4 of the Labor Code, relating to rehabilitation of industrially disabled workers, and providing funds therefor.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out “.04”, and insert “.4”.

**Amendment No. 2**

On page 1, line 6, after “premiums”, insert “for workmen’s compensation insurance and the premium rate of any such insurer shall not be increased more than .4 percent by reason of said tax”.

**Amendment No. 3**

On page 1, line 21, strike out “commission”, and insert “Department of Education”.

**Amendment No. 4**

On page 1, line 22, strike out “Department of Education”, and insert “commission or the Director of Industrial Relations”.

**Amendment No. 5**

On page 1, line 23, strike out “disabled in industry pursuant to”, and insert “who have been disabled in industrial accidents and who may be in need of rehabilitation services, including those provided in”.

**Amendment No. 6**

On page 1, after line 26, insert

“4101. Every employer shall file with the department a report with respect to employees disabled in industrial accidents in addition to any other reports which may be otherwise required, at such times and containing such information as the department shall deem necessary in order that it may make referrals to the Department of Education for purposes of vocational rehabilitation. The department may authorize the payment of a fixed fee for such reports in partial payment of the costs of filing.

4102. The Department of Education shall reimburse the Department of Industrial Relations out of the Disabled Employees Rehabilitation Fund, for the costs of such agency in making referrals pursuant to this chapter.”

**Amendment No. 7**

On page 2, strike out line 1, and insert

“4103. The Department of Education shall provide for the”.

**Amendment No. 8**

On page 2, line 3, after “employee”, insert “covered by a policy of workman’s compensation insurance at the time of injury who is found to be in need of vocational rehabilitation and”.

**Amendment No. 9**

On page 2, line 4, after “injury,” insert “such rehabilitation services to be rendered”.

**Amendment No. 10**

On page 2, line 5, strike out “employee”, and insert “applicant. The one-year residence requirement contained in Chapter 12, of Division 4 of the Education Code shall not apply to applicants under this chapter”.

**Amendment No. 11**

On page 2, between lines 8 and 9, insert

“4104. The Department of Education may provide for the payment of maintenance as provided in Chapter 12, Division 4 of the Education Code, to an applicant under this chapter; provided, that the amount thereof shall not be less than the workman’s compensation allowance he would be entitled to under this division. The net earning from employment under a plan of rehabilitation shall be deducted from the maintenance allowance which the individual would otherwise be eligible to receive.

No payment of temporary disability compensation as provided in this division shall be paid to an employee for any period for which he is receiving maintenance under a plan for vocational rehabilitation.”



**Amendment No. 12**

On page 2, line 9, strike out "4102", and insert "4105".

**Amendment No. 13**

On page 2, between lines 14 and 15, insert

"4106. No information furnished to the Department of Industrial Relations or the Department of Education by an employer or an insurer pursuant to this chapter shall be open to public inspection or made public, nor admissible as evidence in any proceeding under this division."

**Amendment No. 14**

On page 2, line 15, strike out "4103", and insert "4107".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 2501**

Senator Gibson moved that Assembly Bill No. 2501 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 2501**—An act to amend Section 51890 of the Water Code, relating to reclamation districts.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, as amended, strike out lines 9 through 13, and insert "When any parcel located in a district upon which an assessment has been levied is subdivided, the board".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1117**

Senator Dilworth moved that Senate Bill No. 1117 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1117**—An act to amend Sections 7033, 7034, 7035, 7037, and 7091 of, and to add Sections 7037.3, 7091.1, 7092.2, 7156, and 7707.2 to, the Education Code, relating to school apportionments, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senators Byrne and Sutton moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to repeal Sections 7032.1, 7035, and 7036 of, to amend Sections 7032, 7033, 7034, 7036.1, 7091, 7109.21, 7121.1, and 7121.2 of, and to add Sections 7091.1 and 7156".

**Amendment No. 2**

In line 3 of the title, after "apportionments", strike out the comma; and strike out line 4 of the title, and insert a period.

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Sections 7032.1, 7035, and 7036 of the Education Code are repealed.

SEC. 2. Section 7032 of said code is amended to read:

7032. [(a)] For each elementary school district [which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time,] he shall compute [five thousand three hundred dollars (\$5,300)] *an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school and pupils in isolated small schools as defined in Section 7033, by two hundred twelve dollars (\$212).*

[(b)] For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the day school was maintained, he shall compute ten thousand six hundred dollars (\$10,600).

(c) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least three teachers were hired full time for more than one-half of the days school was maintained, he shall compute fifteen thousand nine hundred dollars (\$15,900).

(d) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 76 or more but less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least four teachers were hired full time for more than one-half of the days school was maintained, he shall compute twenty-one thousand two hundred dollars (\$21,200).]

SEC. 3. Section 7033 of said code is amended to read:"

**Amendment No. 4**

On page 1, line 7, strike out "maintained by an ele-"; and strike out all of line 8.

**Amendment No. 5**

On page 1, line 10, strike out "1955", and insert "1956".

**Amendment No. 6**

On page 1, strike out lines 12 to 14, inclusive, and insert "ized to adopt, that any of the conditions set forth in subdivisions (a) through (d) apply. Once a school is determined to be an isolated small elementary school, such determination shall not be changed. Any school may be designated as an isolated small elementary school at any time the Superintendent of Public Instruction determines that any of the conditions set forth in subdivisions (a) through (d) apply."

**Amendment No. 7**

On page 2, line 17, strike out "(a) or", and insert "subdivision".

**Amendment No. 8**

On page 2, line 18, strike out "during the fiscal year".

**Amendment No. 9**

On page 2, line 44, strike out "2", and insert "4".

**Amendment No. 10**

On page 2, line 46, after "small", insert "elementary".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 11

On page 3, strike out lines 27 to 35, inclusive, and insert

"Sec. 5. Section 7036.1 of said code is amended to read:

7036.1. The foundation program for each elementary school district [maintaining two or more schools] shall be the total of the amounts computed for the district pursuant to Sections 7032, 7034, [7035,] and 7035.1 [, and 7036]".

#### Amendment No. 12

On page 3, line 36, strike out "4", and insert "6".

#### Amendment No. 13

On page 4, line 7, strike out "1955-56", and insert "1956-57".

#### Amendment No. 14

On page 4, line 7, strike out "having", and insert "maintaining any school which had".

#### Amendment No. 15

On page 4, line 13, strike out "7032.1", and insert "7032".

#### Amendment No. 16

On page 4, line 14, strike out "1955-56", and insert "1956-57".

#### Amendment No. 17

On page 4, line 18, after "section", insert "had the school or schools been determined to be "isolated small schools" and provided that the appropriate number of teachers had been hired".

#### Amendment No. 18

On page 4, line 20, strike out "7032.1", and insert "7032".

#### Amendment No. 19

On page 5, line 11, strike out "5", and insert "7".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 20

On page 5, strike out lines 21 to 51, inclusive; strike out all of page 6; and on page 7, strike out lines 1 to 14, inclusive, and insert

"Sec. 8. Section 7109.21 of said code is amended to read:

7109.21. Notwithstanding any provisions of this article to the contrary, allowances for growth for elementary school districts maintaining only one elementary school with a total average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall be computed pursuant to this section.

The provisions of subdivisions (a), (b), (c), and (d) of Section [7032] 7034 for average daily attendance and number of teachers hired shall apply to such districts.

No allowance for growth shall be made for such a district unless the excess units of average daily attendance for the period of the current fiscal year over units of average daily attendance of the corresponding period of the preceding fiscal year is sufficient to place the district within the requirements of a different subdivision of Section [7032] 7034, or is sufficient to place the district outside of the requirements of any of the subdivisions of Section [7032] 7034.

If the excess is sufficient to place the district within the requirements of a different subdivision of Section [7032] 7034 an apportionment for growth shall be made only if there has been employed for the school during the period of the current fiscal year the number of teachers required by the subdivision of Section [7032] 7034 which is applicable to the district according to its average daily attendance during the period of the current fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school.

The Superintendent of Public Instruction shall allow, for each period for each district which was in existence for all purposes during the preceding fiscal year an amount equal to the difference between the amount of basic state aid and state

equalization aid which was apportioned on account of average daily attendance in such district during the preceding fiscal year and the amount of basic state aid and state equalization aid which would have been apportioned had the total average daily attendance in such district during such year been equal to the total average daily attendance during the period of the current year, multiplied for the first period by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175, and for the second period by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

If the excess is sufficient to place the district outside of the requirements of any of the subdivisions of Section [7032] 7034, the Superintendent of Public Instruction shall deem the average daily attendance of the district during the preceding fiscal year to have been 100 and he shall compute an allowance pursuant to Section 7109.2 with respect to the units of average daily attendance during the period of the then current fiscal year which are more than 100.

The Superintendent of Public Instruction shall allow to each school district for each unit by which the average daily attendance for each period of the then current fiscal year in the seventh and eighth grades of a junior high school exceeds such average daily attendance for the same period during the preceding fiscal year the following: for the first period, the sum of two hundred twelve dollars (\$212) multiplied by the ratio of days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175 and, for the second period, the sum of two hundred twelve dollars (\$212) multiplied by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

SEC. 9. Section 7121.1 of said code is amended to read:

7121.1. The Superintendent of Public Instruction shall withhold from the apportionment made to each district for which a computation was made under Section [7032 or] 7034 as follows:

If the district had fewer teachers than prescribed by the subdivision of Section [7032 or] 7034 under which the computation was made, the Superintendent of Public Instruction shall withhold an amount determined as the difference between the amount allowed under Articles 7 and 11 and the amount that would have been allowed had the computation for the district under Section [7032 or] 7034 been made by multiplying the total average daily attendance by two hundred twelve dollars (\$212).

SEC. 10. Section 7121.2 of said code is amended to read:

7121.2. (a) If by November 10th of any current fiscal year, an additional teacher or teachers are hired for a school in a district from which a withholding was made pursuant to Section 7121.1 and the school fully meets the requirements of the appropriate subdivision of Section [7032 or] 7034, the Superintendent of Public Instruction shall apportion at the time the apportionment under Section 7122 is made to the district the amount withheld.

(b) In the event that more money is withheld pursuant to Section 7121.1 than is apportioned pursuant to subdivision (a) of this section, the balance shall be allowed proportionately by the Superintendent of Public Instruction to elementary school districts receiving state equalization aid during the then current year and apportioned at the time the apportionment under Section 7124 is made."

#### **Amendment No. 21**

On page 7, line 15, strike out "9", and insert "11".

#### **Amendment No. 22**

On page 7, line 31, strike out "7".

#### **Amendment No. 23**

On page 7, line 32, strike out "9".

#### **Amendment No. 24**

On page 7, lines 37 and 38, strike out "7, 8, 9, and 11", and insert "8 and 11".

#### **Amendment No. 25**

On page 7, strike out lines 43 to 52, inclusive, and insert  
"SEC. 12. This act shall be operative July 1, 1956."

#### **Amendment No. 26**

On page 8, strike out lines 1 to 10, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 474

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 95

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

WARD, Chairman

Above reported resolution ordered to third reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 71

Senate Bill No. 766

Senate Bill No. 731

Senate Bill No. 809

Senate Bill No. 752

Senate Bill No. 1030

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 132

Senate Bill No. 142

Senate Bill No. 759

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 739

Assembly Bill No. 994

Senate Bill No. 743

Assembly Bill No. 1413

Senate Bill No. 1982

Assembly Bill No. 1444

Assembly Bill No. 392

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1004

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

#### Committee on Elections

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Senate Bill No. 1111

Assembly Bill No. 248

Assembly Bill No. 2124

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bills ordered to second reading.

#### Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 2

Senate Bill No. 327

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee votes: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

#### Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 1519

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

REGAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1062

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

REGAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 221

Senate Bill No. 815

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; noes 1.

REGAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 62

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 3.

REGAN, Chairman

Above reported bill ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Elections, to which were referred:

Senate Bill No. 770

Assembly Bill No. 442

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bills ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 1689

Senate Bill No. 1683

Senate Bill No. 1691

Senate Bill No. 1682

Senate Bill No. 1692

Senate Bill No. 1688

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1582

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 4; noes 1; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Assembly Bill No. 3774

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 20, 1955

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 749

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill re-referred to Committee on Finance.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1762	Assembly Bill No. 1138
Senate Bill No. 55	Assembly Bill No. 2123
Senate Bill No. 145	Assembly Bill No. 2411
Senate Bill No. 988	Assembly Bill No. 2720
Senate Constitutional Amendment No. 28	Assembly Bill No. 2728
Assembly Bill No. 2130	Assembly Bill No. 3081
Assembly Bill No. 177	Assembly Bill No. 932
Assembly Bill No. 1064	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bills ordered to second reading.

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 945

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1674	Senate Bill No. 50
Senate Bill No. 537	Senate Bill No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 374  
Assembly Bill No. 521

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bills ordered to second reading.

**ADJOURNMENT**

At 5.18 p.m., on motion of Senator Ward, the President declared the Senate adjourned until 10 a.m., Friday, April 22, 1955.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY

SEVENTY-THIRD CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 22, 1955

The Senate met at 10 a.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—34.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Ward, due to legislative business.

Senator Dale C. Williams, on motion of Senator Ward, due to illness.

Senator Regan, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Teale, on motion of Senator Harold T. Johnson, due to legislative business.

Senator Miller, on motion of Senator McBride, due to legislative business.

### REQUEST FOR UNANIMOUS CONSENT

Senator Ward asked for, and was granted, unanimous consent to have Senators Breed, Burns, Collier, Dilworth, Gibson, Hulse, Kraft, McBride, and Parkman, members of the Senate Committee on Revenue and Taxation, excused to attend a meeting of the committee.

On request of Senators Richards and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George T. Jeffers of Sacramento.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students, principal and parents from the Dunnigan School, Yolo County: principal, D. L. Van Lanen; parents, Mrs. Catherine Tucker, Mrs. Vern Youngmark, Mrs. Ines Finch, Mrs. Ida Sisson, Mrs. Elizabeth Goodman, and Mrs. Mary Lou Hester; Clifford Finch, Woodrow Miller, Dural Salmon, Nancy Youngsmark, Eddie Linton, Jerry Boatman, Jerry Rumsey, Coy Sisson, Wanda Dodd, Patricia Hester, Daniel Gonzales, Patrick Robinson, Lois Pryor, Johnny McGrew, Linda McAravy, Vernon Davis, Melton Sisson, Brian Stout, Robert Martinez, Gloria Dodd, and Tommy Boatman.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to president Mrs. Harold Greene and the following members of the Riverside P.-T.A. of Sacramento: Mesdames Carl Fraser, Robert Moore, James McDonnell, Joseph Wilson, Lloyd Dale, Victor Zito, Anthony Schiro, William MacDougall, Wendell Baker, Alston Sutton, Ken Blankenberg, and Harry Starkey.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Ralph R. Cowper, bus driver Mr. King, and the following students from McDonnell-Walker School: Marisan Benedetti, Jo Ann Cabrall, Hugh T. Cargill, Carol Carpenter, Jim L. Curry, Joan Heise, Lewis Hillman, Toni Neiderost, Ernest Satow, Fumiko Suyenaga, Nancy Takamoto, and Gary Teske.

On request of Senator Cobey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following adults and students from the Cressey Elementary School, Cressey: Leon Biggers, Roger Blakeman, Gaytha Brewer, Alvin Brown, Gwynne Chandler, Charles Cochran, Paul Forkey, Wiley Harding, Paul Hoppman, Angela Linan, Esther Okano, Jackie Rase, Eloiza Raymundo, Billy Roberts, Hillis Sawyer, Linda Seebeck, Perry Thomas, Rosaline Vierra; adults--August C. Leal, principal; Joseph L. Vierra, trustee; and Richard Kawasaki, trustee.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructors Mrs. J. Washner, L. Webber, and the following students from James Denman Junior High School, San Francisco: Barbara Anderson, Marilyn Anglim, Linda Baker, Barbara Becknell, Martha Bernzott, Jose Hoe Bronson, Karen Campbell, Geraldie Carlson, Deanna Cortapass, Jackaline Delago, Pat Derlemiak, Beverly Millier, Mary Morillon, Elizabeth Munoz, Florene Perazzo, Marie Piazzo, Jeannene Prince, Frances Rogers, Enequina Santos, Jean Shurko, Lois Faormina, Georgett Tracy, Sanda Sandoval, Gene Alvarez, Henry Branco, Timothy Delury, Larry Dehart, Roberts Desmond, James Elliot, Ray Haight, Philip Harris, Eric Lyons, Richard Pence, Donald Peterson, Rhea Posedel, John Shields, Rote Slembrouch, Robert Turage, Charles Watt, and Charles Wise.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following group concerned with the inaugural flight of United Air Lines between Fresno and Sacramento: *Sacramento group*—Mayor H. H. Hendren, Nicholas G. Culjis, Don Smith, Frank MacBride, Thomas Yates, Fred Links, George Leney, Myron Depew, Leo Ricketts, Kenneth Hammaker, Colonel William J. Ely, William Wright, Keith Collins, Doctor Guy West, Frank Durkee; *Fresno Group*—Mayor Gordon Dunn, L. W. Clark, James Townsend, Richard Moore, Raymond C. Johnson, William Lockwood, Ramsay Elliott, Dean Mell, Ed Frech, Louis Lampe, Chas. Overton, Scott Wood, Kerne Anderson, Claude Nuss, Al J. Brown, Frank Easton, D. C. Johnston, Austin Healey, Ed Rutherford, Bert Schwarz, Paul Gregg, Lloyd Harnish; *U. A. L. personnel*—S. R. Newman, W. R. Thigpen, J. S. Crawford, S. W. Nelson, O. Judd Ground, D. J. McConnell, G. W. Campbell, C. T. Wrightson, Bruce Bolton, Milo Kopp, captain; Jimmie Johnson, first officer; and Pat Adams, stewardess.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bill Rutherford and Mark Wright of Marin County; the following teachers and students from Notre Dame High School, Belmont: Sister Catharine Julie, principal, Sister Marion, Sister Loretta Julie, Sister Gregory, Sister Ernestine, Sister Ann Dolores, Sister Ann Michael; Marianne Ahern, Maria Alber, Mary Baier, Norma Breeden, Linda Bristol, Shirley Browne, Sharon Cain, Sallie Chamberlin, Anne Cianciarulo, Mary Coffey, Margaret Connell, Marianne DuBois, Patricia Duffy, Jeannine Dunlap, Margaret Dwyer, Kathleen Feeley, Joleen Flynn, Joan Fotopulos, Karen Gardiner, Catherine Giusti, Stephanya Harris, Valerie Hartung, Sally Homan, Sonja Huber, Deane Hughson, Elaine Lawrence, Virginia Lee, Noel Lemos, Sherry Longero, Carole Lencioni, Patricia Lunny, Mary Mainland, Carole McCarthy, Alice Merryman, Marcia Miles, Helene Mlandenka, Mary Moran, Sherry Morse, Donna Newsom, Jacqueline Nogue, Joyce Nunziati, Deanne Pearson, Joanne Pearson, Barbara Pesco, Jonnie Phillips, Elizabeth Rancy, Rita Razzetto, Frances Rosiles, Marlene Schwerin, Phyllis Sessions, Rita Vogl, Barbara Williams, Helen Wuesterfeld, Judith Barnwell, Jane Blankenship, Virginia Browne, Sue Burrows, Elaine Casanova, Emma Cortopassi, June Dawson, Sue Derzay, Ellen Doyle, Sara Doyle, Donna Fisch, Judy Fischer, Antoinette Fournier, Diane Gersmeier, Mary Haggerty, Carol Ann Hege, Barbara Higgins, Carolyn Jonas, Joan Kara, Dorothy Knapp, Earlene Laurey, Joan LeClercq, Rowe Anne Lockhart, Deanna Malerbi, Carol Martin, Constance Martin, Patricia Maxwell, Phyllis McMullen, Joyce Micheletti, Bernadine Miller, Patricia Morey, Carol Moroney, Judy Morsette, Karen Morsette, Patricia Murray, Karey Pedersen, Diane Perry, Carol Ruggiero, Rosanne Stradeutter, Sheila Thomas, Maureen Thurtle, Barbara Unger, Barbara Vinciguerra, Lorraine Wallace, and Nancy Wisdom.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Allan Beek of Newport Beach and Mrs. J. A. Beek of Newport Beach.



## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 87**—An act to amend Sections 3, 4 and 6 and to repeal Section 5 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District;

**Senate Bill No. 224**—An act to amend Section 407 of the Education Code, relating to the salary of the superintendent of schools of a county of the seventh class;

**Senate Bill No. 530**—An act to amend Sections 3013, 3014, 3014.5, and 3016.9 of the Civil Code, relating to trust receipts;

**Senate Bill No. 679**—An act to amend Section 16302.1 of the Government Code, relating to the disposition of amounts less than two dollars (\$2) paid to state agencies determined to constitute overpayments of taxes, penalties, interest, license fees, or other revenues due the State of California;

**Senate Bill No. 1099**—An act to amend Section 16474 of the Government Code, relating to investment of Surplus Money Investment Fund money, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 1100**—An act to amend Section 16305.5 of the Government Code, relating to deposit or investment of treasury trust accounts funds, declaring the urgency thereof to take effect immediately;

**Senate Bill No. 1679**—An act to amend Sections 24476 and 24955 of the Water Code, relating to irrigation district revenue bonds;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 60**—Relative to the passing of Joseph M. Lannon;

**Senate Joint Resolution No. 18**—Relative to memorializing Congress to appropriate funds for the construction and improvement of highways necessary for civil defense purposes;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-first day of April, 1955, at 4 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 21, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 12	Senate Bill No. 711
Senate Bill No. 76	Senate Bill No. 831
Senate Bill No. 330	Senate Bill No. 868
Senate Bill No. 460	Senate Bill No. 948
Senate Bill No. 461	Senate Bill No. 949
Senate Bill No. 462	Senate Bill No. 1092
Senate Bill No. 463	Senate Bill No. 1122
Senate Bill No. 464	Senate Bill No. 1324
Senate Bill No. 476	Senate Bill No. 1747
Senate Bill No. 510	Senate Bill No. 1752
Senate Bill No. 511	Senate Bill No. 1949
Senate Bill No. 513	Senate Bill No. 1951
Senate Bill No. 521	Senate Bill No. 1967
Senate Bill No. 696	

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 89  
Senate Bill No. 683  
Senate Bill No. 1042

And reports the same correctly engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1147

Senate Bill No. 1440

Senate Bill No. 747

And reports the same correctly re-engrossed.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1254

Senate Bill No. 1363

Senate Bill No. 1391

Senate Bill No. 1585

Senate Bill No. 1707

And reports the same correctly engrossed.

WARD, Chairman

**Call of the Senate**

Senator Ward moved a call of the Senate.

Motion carried.

Time, 10.10 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS****Senate Bill No. 484**—An act to amend Section 4103 of the Government Code, relating to public works contracts and the subcontracting and subletting thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**On page 1, line 8, of the printed bill, strike out "work", and insert "portion or portions in excess of one-half ( $\frac{1}{2}$ ) of one percent (1%) himself".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 132**—An act to amend Section 28146 of the Government Code, relating to compensation for public services in counties of the forty-sixth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, lines 6 and 7, of the printed bill, strike out "three thousand one hundred twenty dollars (\$3,120)", and insert "three thousand five hundred twenty dollars (\$3,520)".

**Amendment No. 2**

On page 1, lines 8 and 9, strike out "four thousand five hundred dollars (\$4,500)", and insert "five thousand four hundred dollars (\$5,400)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 142**—An act to add Section 70045.6 to the Government Code, relating to court reporters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "seven thousand two hundred dollars (\$7,200)", and insert "six thousand dollars (\$6,000)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 759**—An act to add Sections 11256, 11257, 11258, 11259, 11260, 11261, and 11262; to repeal Sections 11310, 11311, 11312, 11313, and 11314; and to amend Sections 11044 and 15104 of the Government Code, relating to the interagency services and transactions in the State Government, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate April 15, 1955, strike out "11261 and 11262", and insert "11261, 11262 and 11263".

**Amendment No. 2**

In line 5 of the title, strike out "the".

**Amendment No. 3**

On page 1, line 3, strike out "11261 and 11262", and insert "11261, 11262 and 11263".

**Amendment No. 4**

On page 1, line 5, strike out ", including the Department of Finance,".

**Amendment No. 5**

On page 1, line 8, after "determine", strike out the comma.

**Amendment No. 6**

On page 2, line 14, strike out "expects to perform", and insert "normally, as a part of its regular operating functions, is engaged in the business of performing".

**Amendment No. 7**

On page 2, line 15, strike out "or to furnish", and insert "or furnishing".

**Amendment No. 8**

On page 2, line 16, strike out "pursuant to Section 11256".

**Amendment No. 9**

On page 2, lines 19 and 20, strike out "designated period", and insert "period designated by the state agency requesting said estimate,".

**Amendment No. 10**

On page 2, line 20, after "Controller", insert "from time to time".

**Amendment No. 11**

On page 2, line 23, after "Finance", strike out the comma, and insert "on the basis of such estimate or otherwise,".

**Amendment No. 12**

On page 2, lines 29 and 30, strike out “, except advances or transfers under Sections 11257 and 11258,”.

**Amendment No. 13**

On page 2, line 30, after “agency”, insert a comma.

**Amendment No. 14**

On page 2, line 31, strike out “in payment of”, and insert “, for”.

**Amendment No. 15**

On page 2, line 33, after “and”, insert “, except advances or transfers under Sections 11257 and 11258,”.

**Amendment No. 16**

On page 2, line 45, strike out “in accordance with a system of accounting to be”; and strike out all of line 46, and insert “to”.

**Amendment No. 17**

On page 2, line 47, strike out “periodic”, and after “crediting”, insert “from time to time”.

**Amendment No. 18**

On page 2, line 51, strike out “claims presented to him and shall”, and insert “as provided in Section 12410, and”.

**Amendment No. 19**

On page 2, line 51, strike out “pursuant”.

**Amendment No. 20**

On page 3, line 1, strike out “to such claims”.

**Amendment No. 21**

On page 3, lines 7 and 8, strike out “, with the approval of the Director of Finance,”.

**Amendment No. 22**

On page 3, line 14, strike out “The Director of Finance”; and strike out all of lines 15 and 16.

**Amendment No. 23**

On page 3, between lines 26 and 27, insert  
“11263. The term “state agency” or “state agencies” as used herein includes the Department of Finance.”

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 739**—An act to amend Section 25905 of the Government Code, relating to agricultural fairs.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 743**—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1982**—An act to amend Sections 23038 and 23039 of the Business and Professions Code, relating to alcoholic beverage control.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1004**—An act relating to the voluntary adjustment of farm obligations; providing for the creation of the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Bill read second time.



**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 13, of the printed bill as amended in Senate March 16, 1955, strike out "first 12 months", and insert "1955-1956 Fiscal Year".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1111**—An act to amend Section 9702 of the Elections Code, relating to campaign financial statements by candidates for municipal offices.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 2**—An act to amend Section 2674 of the Business and Professions Code, relating to the annual renewal fee for a license to practice physical therapy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 2674", and insert "Sections 2674 and 2686".

**Amendment No. 2**

On page 1, lines 16 and 17, strike out "forfeiture", and insert "suspension".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, after line 17, insert

"SEC. 2. Section 2686 of said code is amended to read:

2686. Any license [forfeited] *suspended* under this chapter for failure of the license holder to pay a renewal fee may be reinstated by the board at any time on payment of a reinstatement fee of twenty-five dollars (\$25)."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 327**—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, lines 8 to 10, inclusive, of the printed bill, strike out "within one year after the effective date of the amendment made to this section at the 1955 Regular Session of the Legislature" and insert "on or before December 31, 1955,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1062**—An act to add Section 1714.1 to the Civil Code, relating to liability of parents and guardians for torts of minors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 2, of the title of the printed bill, after "parents", strike out "and guardians".

**Amendment No. 2**

On page 1, line 3, after "any", strike out "negligent act or".

**Amendment No. 3**

On page 1, line 9, strike out "negligence or".

**Amendment No. 4**

On page 1, strike out all of lines 10 through 16.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 221**—An act to add Section 1110a of the Penal Code, relating to crimes involving stolen property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 815**—An act to add Sections 416.1, 416.2, and 416.3 to, and to amend Sections 422, 581a, 585, 586, and 1014 of, the Code of Civil Procedure, relating to motions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 62**—An act to amend Section 199 of, to repeal Sections 241 and 242 of, and to add Sections 241, 242, and 242a to, the Code of Civil Procedure, relating to grand jurors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 770**—An act to amend Section 2672 of the Elections Code, relating to the disposition of filing fees of candidates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 16 and 17, and insert "a judicial office."

**Amendment No. 2**

On page 1, strike out lines 19 and 20; and on line 21, strike out "court", and insert "candidate for a county office other than a judicial office".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1689**—An act to repeal Section 5500.5 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

On page 1, line 1, of the title of the printed bill, strike out the word "repeal".

**Amendment No. 2**

On page 1, line 1, of the title after "to", insert "amend."

**Amendment No. 3**

On page 1, line 1, strike out "repealed".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 4**

On page 1, line 1, after "is", insert "hereby amended to read as follows:

5500.5. Where a claim for compensation benefits is made on account of an occupational disease which may have arisen out of more than one employment, the application shall state the names and addresses of all employers, the places of employment, and the approximate periods of employment where the employee was exposed to the hazards of the occupational disease. If the application is not so prepared or omits necessary and proper employers, any interested party, at or prior to the first hearing, may request the commission to join as defendant any necessary or proper party. If such request is made prior to the first hearing on the application, the commission shall forthwith join the employer as a party defendant and cause a copy of the application together with a notice of the time and place of hearing to be served upon such omitted employer; provided, such notice can be given within the time specified in this division. If such notice cannot be timely given or if the motion for joinder is made at the time of the first hearing, then the commission, panel, commissioner, or referee before whom the hearing is held, if it is found that the omitted employer named is a necessary or proper party, may order a joinder of such party and continue the hearing so that proper notice may be given to the party or parties so joined. [Only one continuance shall be allowed for the purpose of joining additional parties.] Subsequent to the first hearing the commission shall join as a party defendant any additional employer when it appears that such employer is a proper party. [but the liability of such employer shall not be determined until supplemental proceedings are instituted.]

In any case involving a claim of occupational disease contracted as a result of more than one employment, the employee making the claim, or his dependents, may elect to proceed against any one or more of the employers named in the application. Where such an election is made, the employee must successfully prove his claim against any one or more of the employers [named,] *against whom he has so elected to proceed* and any award which the commission shall issue awarding compensation benefits shall be a joint and several award as against any two or more employers who may be held liable for compensation benefits. If, during the pendency of any claim wherein the employee or his dependents has made an election to proceed against one or more employers, it should appear that there is another proper party not yet joined, such additional party shall be joined as a defendant by the commission on the motion of any party in interest. [but the liability of such employer shall not be determined until supplemental proceedings are instituted. Any employer joined as a defendant subsequent to the first hearing or subsequent to the election provided herein shall not be entitled to participate in any of the proceedings prior to the commission's final decision, nor to any continuance or further proceedings, but may be permitted to ascertain from the employee or his dependents such information as will enable the employer to determine the time, place, and duration of the alleged employment. On supplemental proceedings, however, the right of the employer to full and complete examination or cross examination shall not be restricted.]

At any time within one year after the commission has made an award for compensation benefits in connection with an occupational disease, any employer held liable under such award may institute proceedings before the commission for the purpose of determining an apportionment of liability or right of contribution. Such a proceeding shall not diminish, restrict, or alter in any way the recovery previously allowed the employee or his dependents, but shall be limited to a determination of the respective contribution rights, interests or liabilities of all the employers joined in the proceeding, either initially or supplementally; provided, however, if the commission finds on supplemental proceedings for the purpose of determining



an apportionment of liability or of a right of contribution that an employer previously held liable in fact has no liability, it may dismiss such employer and amend its original award in such manner as may be required.

[In any proceeding before the commission for the purpose of determining an apportionment of liability or of a right of contribution where any employee incurred a disability or death resulting from silicosis in underground metal mining operations, the determination of the respective rights and interests of all of the employers joined in the proceedings either initially or supplementally shall be as follows:

(a) All employers whose underground metal mining operations resulted in a silicotic exposure during the period of the employee's employment in such operations shall be jointly and severally liable for the payment of compensation and of medical, surgical, legal and hospital expense which may be awarded to the employee or his estate or dependents as the result of disability or death resulting from or aggravated by such exposure.]

[(b) If any of the employers who have not contributed to payment of the original award shall be without the commission's jurisdiction, or are dead, insolvent, or not subject to enforcement of awards against them for such contributions, either directly or through solvent insurance carriers, then upon such showing being made to the satisfaction of the commission, it shall make an award in favor of the employer or employers who have paid the original award, payable out of the fund used for payment of the additional compensation provided for in Section 4751 of this code, in an amount equal to the unreimbursed portions of the original payment or payments to which such employer or employers are found entitled as aforesaid. The use of the fund for such reimbursement in addition to the purposes specified in Section 4751 of this code is hereby authorized. The Legislature finds that as a matter of public policy and public welfare, sufferers from silicosis [resulting from employment in underground metal mines] should be compensated for such disability; that due to the peculiar nature of this disease it often does not manifest itself until long after periods of exposure have expired; that this frequently results in disability occurring in or after the last of a series of employments where such exposure existed; [that underground metal mining is a class of industry having special character, both as to silicotic hazard and investment hazard; that the latter hazard has resulted in the past in closure of mines, disappearance or financial nonresponsibility of former owners or lessees of such mines and consequent inability of the commission to enforce against them compensation awards for proportionate liability in silicosis cases.] It is inequitable that total ultimate liability should fall on one or more such employers who happen to be solvent or have solvent insurance carriers within the commission's jurisdiction or in reach of its process. Therefore the Legislature finds that, to the extent that the commission determines that proper contributions to a joint and several award for compensation for silicosis cannot be enforced against an employer [who is or was engaged in underground metal mining for any of the above reasons,] it shall direct that contribution shall be paid, either directly or by way of reimbursing any employer or employers who have paid said award, by payment from the fund provided for in Section 4751 of this code. Such payments or reimbursement for payments the Legislature finds will protect employees [in the metal mining industry] and will promote the general public welfare [in mining communities.]

[(c) In making its determination in the supplemental proceeding for the purpose of determining an apportionment of liability or of a right of contribution of percentage liabilities of the various employers engaged in underground metal mining operations the commission shall consider as a rebuttal presumption that employment in underground work in any mine for a continuous period of more than three calendar months will result in a silicotic exposure for the employee so employed during the period of employment if the underground metal mine was driven or sunk in rock having a composition which will result in dissemination of silica or silicotic dust particles when drilled, blasted or transported.

Any employer shall be entitled to rebut such presumption by showing to the satisfaction of the commission, or its referee, that the mining methods used by the employer in the employee's place of employment did not result during his employment in the creation of silica dust in sufficient amount or concentration to constitute a silicotic hazard. Dust counts, competently made, at such intervals and in such locations as meet the requirements of the Division of Industrial Safety for safe working conditions may be received as evidence of the amount and concentration of silica dust in the workings where such counts have been made at the time when they were made. The commission may from time to time, as its experience may indicate proper, promulgate orders as to the frequency with which such dust counts shall be taken in different types of workings in order to justify their acceptance as evidence of the existence or nonexistence of a silicotic hazard in the property where they have been taken.]"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.



**Senate Bill No. 1691**—An act to amend Section 5313 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "facts".

**Amendment No. 2**

On page 1, line 7, after "upon", insert "all issues of fact".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1692**—An act to amend Section 3202 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after the word "construed", strike out lines 4 through "employment" on line 7, inclusive.

**Amendment No. 2**

On page 1, line 7, before "The facts", insert "Such liberal construction shall not be used by the courts or by the commission to effect a liberal interpretation of the evidence."

**Amendment No. 3**

On page 1, line 10, after "truth", strike out lines 10 through 12, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1683**—An act to amend Section 4750 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill, strike out "permanent disability, disease, or ascertainable coronary impairment", and insert "disease, impairment, or disability".

**Amendment No. 2**

On page 1, lines 9 and 10, strike out "the previous disability, disease, or coronary impairment", and insert "such disease, impairment, or disability".

**Amendment No. 3**

On page 1, lines 13 and 14, strike out "prior disability, disease, or impairment", and insert "such disease, impairment, or disability".

**Amendment No. 4**

On page 1, after line 14, insert "The commission in such case shall in its findings as to permanent disability find specifically and determine:

(a) The extent and nature of the previous disease, physical impairment or disability and which factors of the entire permanent disability suffered by the employee are attributable thereto;

(b) Which factors of the employee's entire permanent disability are directly attributable to the compensable injury considered by itself and not in conjunction with or in relation to the previous disease, impairment or disability; and  
(c) The percentage of the employee's entire permanent disability and the proportion thereof attributable to (a) and (b) respectively."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Com. on Labor.

**Senate Bill No. 1682**—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

##### Amendment No. 1

On page 1, line 9, of the printed bill, strike out lines 9 through 14, inclusive.

##### Amendment No. 2

On page 1, line 9, insert

"4663. (a) In any case in which a compensable injury combines with a disease or impairment not caused by such injury to cause disability, compensation shall be allowed for such disability only in the same proportion that such injury is a cause of such disability.

(b) In any case in which it is claimed that paragraph (a) of this section applies, upon demand of any party, special findings of fact shall be made finding the proportion in which such disease or impairment and such injury respectively were the causes of such disability."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1688**—An act to add Section 135 to the Labor Code, relating to records of the Industrial Accident Commission.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

##### Amendment No. 1

On page 1, line 2, of the printed bill, strike out "The", and insert "In accordance with rules of practice and procedure which it may adopt, the".

##### Amendment No. 2

On page 1, line 4, after "4", insert "or Division 4.5".

##### Amendment No. 3

On page 1, lines 5 and 6, strike out "except a file in connection with a life pension or lifetime medical care award,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1582**—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

##### Amendment No. 1

On page 1, line 16, of the printed bill, as amended in Senate March 25, 1955, strike out the comma and insert "or".

**Amendment No. 2**

On page 1, lines 17 and 18, strike out “, or the commission, or any member or agent of the commission,”.

**Amendment No. 3**

On page 1, line 23, after “nation”, insert “; provided, however, that he shall be entitled to reimbursement for such wage loss only if he is employed at the time he is requested to submit to such examination, and the amount of reimbursement shall be limited to the amount of disability compensation he would receive during the period of his absence from work for the purpose of such examination if he were disabled”.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1762**—An act to amend Sections 8, 10, and 17 of the Storm Water District Act of 1909 (Chapter 222 of the Statutes of 1909), relating to storm water districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 55**—An act to amend Sections 3, 7, 17, 21, and 22 of the San Benito County Water Conservation and Flood Control District Act, relating to the San Benito County Water Conservation and Flood Control District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 145**—An act to amend Section 433 of the Education Code, relating to the compensation of public officers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 988**—An act to amend Section 31671 of the Government Code, relating to retirement for county employees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 945**—An act to add Sections 50 and 51 to the Construction and Employment Act (Statutes of 1946 (First Extraordinary) Session, Chapter 20), relating to the allocation of funds to cities, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 22, of the printed bill strike out “\_\_\_\_\_”, and insert “fifty thousand dollars (\$50,000)”.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1674**—An act to amend Section 28140 of the Government Code, relating to compensation for public service in a county of the fortieth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 5 of the printed bill, strike out "----- (\$-----)", and insert "three thousand dollars (\$3,000)".

**Amendment No. 2**

On page 1, after line 21, insert

"The compensation provided by this section shall be payable to incumbent officers."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 537**—An act to add Section 21337 to the Government Code, relating to the State Employees' Retirement System in respect to benefits payable upon the deaths of local fireman members.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after the word "fireman", insert "or policeman".

**Amendment No. 2**

On page 2, line 4, of the printed bill as amended in Senate March 24, 1955, after "elect", insert "before the first monthly allowance is paid".

**Amendment No. 3**

On page 2, after line 14, insert

"This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to its provisions by amendment to its contract with the board, made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 50**—An act to amend Section 444 of the Education Code, relating to compensation of the county superintendent of schools in a county of the forty-fourth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, strike out line 5, and insert "seven thousand dollars (\$7,000), and he shall".

**Amendment No. 2**

On page 1, line 6, strike out "elementary or secondary teaching", and insert "general administrative".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 49**—An act to amend Section 28144 of the Government Code, relating to compensation for public service in counties of the forty-fourth class.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "----- dollars (\$-----)", and insert "one thousand four hundred dollars (\$1,400)".

##### Amendment No. 2

On page 1, line 9, strike out "----- dollars (\$-----)", and insert "four thousand twenty dollars (\$4,020)".

##### Amendment No. 3

On page 1, line 11, strike out "----- dollars (\$-----)", and insert "one thousand eight hundred dollars (\$1,800)".

##### Amendment No. 4

On page 1, line 15, strike out "and trial jurors in the superior court".

##### Amendment No. 5

On page 1, between lines 22 and 23, insert "(e) Trial jurors in the superior court, five dollars (\$5) for each day's attendance while engaged in the performance of the duties required of them, and fifteen cents (\$0.15) for each mile actually traveled on the first day of attendance, in going only, while acting as such jurors. The judge of the superior court shall make an order directing the auditor to draw his warrant on the treasurer in favor of the juror for the per diem and mileage, and the treasurer shall pay the warrant."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 374**—An act to amend Sections 12, 15, 16, 17, 22, 23, 24, and 33 of, and to add Section 16.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

On page 12, line 11, of the printed bill, after the word "series," insert "The maximum term which the bonds of any series shall run before maturity shall not exceed 40 years from the date of each series respectively."

##### Amendment No. 2

On page 12, line 17, strike out "bonds," and insert "bonds or the date of the bonds of each series respectively."

##### Amendment No. 3

On page 13, line 14, after "moneys", insert "remaining from the sale of bonds of the district".

##### Amendment No. 4

On page 13 after line 51, insert "principal of or interest on any bonded debt of the district, or any improvement district thereof, as it becomes due and also the".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 392**—An act to amend Section 1228.5 of the Government Code, relating to leaves of absence for service to the United States Government in technical cooperation programs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 994**—An act to amend Section 14310 of the Government Code, relating to the procedure of performing state construction work.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1413**—An act to amend Sections 17005 and 17006 of the Government Code, relating to registers of state warrants issued.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1444**—An act to amend Sections 19360 and 19365 of the Government Code, relating to transfer in the state civil service.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 248**—An act to amend Section 1 of Chapter 12 of the 1950 Third Extraordinary Session, to repeal Section 2 of Chapter 291 of the Statutes of 1953, and to amend Section 48 of the Elections Code, relating to war voter provisions of the Elections Code.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2124**—An act to amend Sections 220 and 230 of the Elections Code, relating to affidavits of registration.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1519**—An act to add Section 69751 to the Government Code, relating to sessions of the superior court in places other than the county seat.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 442**—An act to amend Sections 7201, 7202, and 7203 of the Elections Code, relating to the disposition of election supplies by the county clerk.

Bill read second time.

## Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "7201, 7202, and 7203" and insert "7200, 7201, 7202, 7203, 7204, 7207, and 7209".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "supplies by the county clerk", and insert "records".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 7200 of the Elections Code is amended to read:  
7200. The records and supplies of election when received by the county clerk as defined in Section 18 of this code shall be disposed of as set forth in this article.  
SEC. 1.5. Section 7201 of said code is amended".

**Amendment No. 4**

On page 1, line 4, after "clerk", insert "as defined in Section 18 of this code".

**Amendment No. 5**

On page 2, after line 6, insert

"SEC. 4. Section 7204 of said code is amended to read:

7204. The package containing the spoiled, canceled and unused ballots shall remain unopened in the custody of the county clerk *as defined in Section 18 of this code*, and shall be held and disposed of as are the voted ballots.

SEC. 5. Section 7207 of said code is amended to read:

7207. The county clerk *as defined in Section 18 of this code* shall retain in his custody the package or packages described in Section 7104.

The tally lists shall be made available to the body charged with the canvass of the returns of the election. All voters may inspect the contents of the package or packages at all times following commencement of the official canvass of the votes. The package or packages shall be disposed of in the same manner as voted ballots.

SEC. 6. Section 7209 of said code is amended to read:

7209. Whenever any packages have been inspected and examined by any court in an election contest, and a record made of the evidence therein contained, they shall be restored to the exclusive control and custody of the county clerk *as defined in Section 18 of this code* who shall reseal the packages with the ballots contained therein, and keep them until he destroys them pursuant to this article."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3774**—An act to amend Section 224 of the Labor Code, relating to payment of wages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2130**—An act to amend Sections 3, 9, 10, 11, 12 and 13 of, and to add Sections 6.2 and 8.1 to, the Alameda County Flood Control and Water Conservation District Act, relating to the Alameda County Flood Control and Water Conservation District.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 177**—An act to amend Section 416 of the Education Code and Sections 28116, 73562, and 74222 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1064**—An act to amend Section 28115 of the Government Code, relating to compensation for public service in a county of the fifteenth class.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1138**—An act to amend Section 28112 of the Government Code, and to amend Section 412 of the Education Code, relating to compensation for public service in counties of the twelfth class.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2123**—An act to amend Section 22 of the Alameda County Flood Control and Water Conservation District Act, relating to contracts for improvements.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2411**—An act to amend Section 27550 of the Government Code, relating to the qualifications of the county surveyor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2720**—An act to add Section 27383 to the Government Code, relating to fees charged by county recorders.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2728**—An act to amend Section 11616 of the Business and Professions Code, relating to the rescission of rejection of offers of dedication of streets and the termination of dedication offers previously rejected.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3081**—An act to amend Section 7 of the American River Flood Control District Act (Chapter 808 of the Statutes of 1927), relating to the American River Flood Control District.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 932**—An act to amend Section 54382 of the Government Code, relating to the authorization revenue bonds under the Revenue Bond Law of 1941.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 521**—An act to amend Sections 5402 and 5422 of the Public Resources Code, relating to recreation, park and parkway districts.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

##### **Amendment No. 1**

On page 1, line 20, of the printed bill, strike out "period," and insert "period, and all indebtedness shall be repaid within a period of time not exceeding five years from its incurrence."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### **ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator J. Howard Williams announced that he was advised by the Legislative Counsel that Senate Bills Nos. 683, 1363 and Assembly Bill No. 1008 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 683, 1363 and Assembly Bill No. 1008 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### **UNFINISHED BUSINESS**

##### **Consideration of Assembly Amendments**

**Senate Concurrent Resolution No. 61**—Relative to the passing of John H. Doran.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 61?

##### **Amendment No. 1**

On page 1, line 22, of the printed measure, after "daughter," insert "Mrs. Tatem Wofford,".



**Amendment No. 2**

On page 1, line 23, after "grandchildren", insert ", Gail and Tassie".

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 61 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

**NOES**—None.

Above resolution ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1042**—An act to repeal Sections 132 and 146 of the Fish and Game Code, relating to game refuge districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—21.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 462**—An act to amend Sections 5255, 8701, 12300, 15801, 17400, 18800, 22400, and 24400 of the Financial Code; to amend Sections 10080 and 11001 of the Business and Professions Code; to amend Sections 25308, 27003, and 28200 of the Corporations Code; to add Section 42 to the Insurance Code; and to amend Sections 383.5, 843, 1691.3, 1812, 1851, 10292, 10498.6, 11515, and 11751.5 of the Insurance Code, relating to regulations of state agencies.

Bill read third time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 7, line 26, of the printed bill, as amended in Senate April 14, 1955, after "regulations", insert "of the commissioner".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 463**—An act to amend Sections 16, 254, 261, 262, 324, 333.3, 333.4, 351.2, 359.2, 380.5, 441, 617, 747.1, 762.8, 782, 841, 892, 917.5, 1012.6, 1044, 1068, 1082, 1106.1, 1232, 1248, 1260.1, 2649, 3149, and 3502 of, and to add Section 16.1 to, and to repeal Section 896 of, the Agricultural Code, and to amend Sections 8525, 8560, 8972.1, 12027, 12107, 19510, 19561, 19561.5, 19562 and 19590 of the Business and Professions Code, relating to regulations of state agencies.

Bill read third time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill, strike out "3149 and 3502", and insert "and 3149".

**Amendment No. 2**

On page 8, strike out lines 22 to 25, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 510**—An act to amend Section 7 of the Construction and Employment Act (Chapter 20, 1946, First Ex. Session); Section 7706 of the Education Code; Section 55 of the Labor Code; Section 3502 of the Agricultural Code; Sections 1614, 1651, 5630, 7008, 7059, 7065, 7076, 7084, 8920, and 19089 of the Business and Professions Code; and Sections 13160, 13399, 13780, 13920, 13922, 13924, 13926, and 13951 of the Government Code, relating to regulations of state agencies.

Bill read third time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, line 43, after "necessary", insert "general".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1525**—An act to add Section 1219 to the Civil Code, and to amend Section 27287 of the Government Code, relating to acknowledgment and proof of execution, certification and recording of fictitious mortgages or deeds of trust and oil and gas leases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Collier, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1747**—An act to amend Section 2466 of the Civil Code, relating to the use of fictitious names for transacting business.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1752**—An act to amend Section 26820 of the Government Code, relating to fees charged by the county clerk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 330**—An act to add Sections 14326, 14406, 17052, and 17503 to the Business and Professions Code, relating to the photographic industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—21.

NOES—Senator Berry—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1949**—An act to add Section 1603a to the Business and Professions Code, relating to the Board of Dental Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1951**—An act to amend Section 1625 of the Business and Professions Code, relating to dentistry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 76**—An act to add Section 21292.2 to the Government Code, relating to the State Employees' Retirement System in respect to increases in the disability retirement allowance of certain retired members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 476**—An act to add Section 803.2 to the Fish and Game Code, relating to clams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 696**—An act to add Section 13109.1 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 831**—An act to add Section 4319.5 to the Agricultural Code, relating to appointment of persons to administer sales stimulation and consumer educational programs on fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 949**—An act to add Chapter 8 to Part 4 of Division 6 of, and to amend Section 7409 of, the Welfare and Institutions Code, relating to the establishment and operation of the Neuropsychiatric Institute in the City of Los Angeles.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

#### President pro Tempore of the Senate Presiding

At 11 a.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

#### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Busch:

#### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 23954.5 and 24070.5 to the Business and Professions Code, relating to alcoholic beverage licenses.

Respectfully submitted,

SENATOR BUSCH



**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 22, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Governmental Efficiency.

WARD, Chairman

The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, DeWorth, Donnelly, Erhart, Gibson, Grunsky, Huise, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murry, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

**NOES**—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time:

**Senate Bill No. 1987:** By Senator Busch—An act to add Sections 23954.5 and 24070.5 to the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Governmental Efficiency.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1122**—An act to add Sections 10183, 10184, 10185, 10186, 10307, 10308, 10309, 10310, 10567, 10568, 10569, 10570 to the Business and Professions Code, relating to disciplinary powers of the Real Estate Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, DeWorth, Donnelly, Erhart, Gibson, Grunsky, Huise, Ed. C. Johnson, Kraft, Miller, Montgomery, Murry, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Robert I. McCarthy:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, April 22, 1955

**MR. PRESIDENT:** In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 16444 to the Education Code, relating to the administering of poliomyelitis vaccine to pupils of the public schools, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

SENATOR ROBERT I. MCCARTHY

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 22, 1955

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Education.

WARD, Chairman.

The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

**Senate Bill No. 1988:** By Senator Robert I. McCarthy—An act to add Section 16444 to the Education Code, relating to the administering of poliomyelitis vaccine to pupils of the public schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 57

And respectfully requests your honorable body to concur in said amendments.

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **PAUL F. CRUM**, Assistant Clerk

**REQUEST FOR UNANIMOUS CONSENT**

Senator Collier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 57, at this time, for consideration of Assembly amendments.

**Consideration of Assembly Amendments**

**Senate Concurrent Resolution No. 57**—Relative to the creation of the Joint Committee on Federal Highway Aid.

The question being: Shall the Senate concur in the following amendment to Senate Concurrent Resolution No. 57?

**Amendment No. 1**

On page 1, line 27, strike out the period after "thereof", and insert ", together with one member of the Assembly Committee on Interstate Cooperation designated by the chairman of said committee."

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 57 by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Above resolution ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1324**—An act to amend Section 8621 of the Water Code, relating to flood control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 747**—An act to amend Sections 13551 and 13661 of the Government Code, relating to the distribution of state publications, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 868**—An act to amend Section 406 of the Education Code, relating to the compensation of the county superintendent of schools of a county of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, McBride, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Thompson, Ward, and Way—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 948**—An act to amend Section 1822 of the Education Code, relating to school district elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Thompson, Ward, and Way—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1473**—An act to amend Section 602 of the Code of Civil Procedure relating to the qualifications of jurors.

**Motion to Refer Bill to Inactive File**

Senator Desmond moved that Senate Bill No. 1473 be placed on the inactive file.

Motion carried.

**Senate Resolution No. 95**—Relative to the creation of the Senate Interim Committee on Federal Highway Aid.

**Motion to Re-refer Senate Resolution No. 95**

Senator Collier moved that Senate Resolution No. 95 be re-referred to Committee on Rules.

Motion carried.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 366**—An act adding Sections 31470.7, 31478, 31479, 31480, 31641.1, 31641.2, 31641.3, 31641.4, 31641.8, 31641.9, and 31641.95 to, and amending Section 31641 of, the Government Code, relating to county retirement systems.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, and Way—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2077**—An act to amend Sections 31664.4 and 31720.5 of, to add Section 31787 to, and to repeal Section 31787 of, the Government Code, relating to retirement for county employees.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2078**—An act to amend Sections 31652 and 31780 of the Government Code, relating to retirement for county employees.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 2079**—An act to amend Sections 31468, 31527, 31553, 31554, 31648, 31651, 31760 of, and to repeal Sections 31469.5, 31553.5, Article 8.5 consisting of Sections 31690 to 31692, inclusive, of, the Government Code, relating to retirement for county employees.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Thompson, Ward, Way, and J. Howard Williams—28.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2080**—An act to amend Section 31470.6 of, to add Section 31664.6 to, and to repeal Sections 31664.6 and 31678, of the Government Code, relating to retirement for county employees.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Ward, Way, and J. Howard Williams—30.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2081**—An act to add Section 31452.5 to the Government Code, relating to retirement for county employees.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cobey, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Richards, Short, Sutton, Thompson, Ward, Way, J. Howard Williams—30.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 365**—An act to add Section 31559 to the Government Code, relating to public retirement systems.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.  
 NOES—None.

Bill ordered transmitted to the Assembly.

#### Point of Personal Privilege

Senator Abshire rose to a point of personal privilege and stated that when the roll was called on reconsideration of Senate Bill No. 1473 by Senator Desmond, he was busily engaged and inadvertently voted "no" and had fully intended to vote "aye."

**Senator Cobey Presiding**

At 12.05 p.m., Senator James A. Cobey of the Twenty-fourth District, presiding.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 12.06 p.m., on motion of Senator Ward, further proceedings under the call of the Senate were dispensed with.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 714

Assembly Bill No. 1976

Assembly Constitutional Amendment No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 256

Assembly Bill No. 258

Assembly Bill No. 259

Assembly Bill No. 264

Assembly Bill No. 267

Assembly Bill No. 277

Assembly Bill No. 279

Assembly Bill No. 281

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 28

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

**President pro Tempore of the Senate Presiding**

At 12.12 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 773**

Senator Montgomery moved that Senate Bill No. 773 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 773**—An act to add Section 45.1 to, and to amend Section 45 of, the Vehicle Code, relating to use of public highways.

Bill read second time.

**Motion to Amend**

Senator Montgomery moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 20, of the printed bill, as amended in Senate March 29, 1955, strike out "at the time it is used", and insert "when it is being operated".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1073**

Senator Richards moved that Senate Bill No. 1073 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1073**—An act to amend Section 31 of the Vehicle Code, relating to vehicles and vehicular traffic.

Bill read second time.

**Motion to Amend**

Senator Richards moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 31 of", and insert "add Section 171 to".

**Amendment No. 2**

Strike out line 2 of the title, and insert "the issuance of special license plates to press photographers."

**Amendment No. 3**

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 171 is added to the Vehicle Code, to read:

171. Issuance of Special Plates to Press Photographers. Any person who is regularly employed or engaged as a bona fide newspaper, newsreel, or television photographer or cameraman, may, at the time he makes application for an original or renewal registration of a vehicle required to be registered, also apply for special license plates, to be affixed to the vehicle for which registration is sought, on which, in addition to the numbers otherwise prescribed by law, shall be inscribed the letters "PP" enclosed by a shield.

The director shall provide for the issuance of special license plates specified in this section upon the applicant's showing of satisfactory proof that he is a bona fide newspaper, newsreel, or television photographer or cameraman, and may, in addition to the regular annual registration fee, charge an annual fee not exceeding three dollars (\$3) for each set of plates so issued.

The department shall make such rules and regulations as necessary to ascertain compliance with all state license and registration laws relating to use and operation of a motor vehicle before issuing such plates in lieu of the regular license plates, and all applications for such plates shall be made to the department. The department shall not issue more than one set of such special plates to any person."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 5**

Senator Coombs moved that Senate Bill No. 5 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 5**—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "\_\_\_\_\_ (\$\_\_\_\_\_)", and insert "six thousand three hundred dollars (\$6,300)".

**Amendment No. 2**

On page 1, line 9, strike out "----- (\$-----)", and insert "six thousand dollars (\$6,000)".

**Amendment No. 3**

On page 1, lines 10 and 11, strike out "----- (\$-----)", and insert "four thousand dollars (\$4,000)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 973**

Senator Murdy moved that Senate Bill No. 973 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 973**—An act to amend Section 44 of the Orange County Water District Act, relating to the Orange County Water District.

Bill read second time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 44 of", and insert "Sections 1, 2, 6, 9, 10, 12, 13, 14, 15, 16, 26, 29 and 30 of, and to add Section 14.1 to,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out lines 1 to 22, inclusive, and insert

"SECTION 1. Section 1 of the Orange County Water District Act is amended to read:

Section 1. A district is hereby created to be known and designated as "Orange County Water District," located entirely within Orange County, California, including and comprising all of the land within the exterior boundaries of said district, which said boundaries are described as follows:

Beginning at the intersection of the boundary line between Los Angeles and Orange Counties, as officially established by the California Legislature in 1919, see Chapter 470 of the 1919 Statutes and Amendments to the codes, or Sections 3927 and 3938 of the Political Code as enacted in 1919, with the high-tide line of the Pacific Ocean; thence northerly along said boundary line the following courses and distances: north 33° 00' 00" east to Station 1. (Los Angeles-Orange County); thence north 57° 10' 40" east 8238.78 feet; thence north 2° 48' 35" west 2207.94 feet; thence north 16° 46' 45" west 1444.82 feet; thence north 27° 12' 00" west 2106.16 feet; thence north 31° 22' 50" west 1296.25 feet; thence north 27° 55' 55" east 8375.40 feet; thence north 11° 36' 55" east 2241.41 feet; thence north 39° 48' 20" east 5650.97 feet; thence north 59° 07' 40" east 3391.48 feet; thence north 0° 11' 50" west 4330.76 feet; thence north 44° 34' 00" east 1873.54 feet; thence north 0° 11' 10" west 3996.39 feet; thence north 89° 37' 10" east 1320.92 feet; thence north 0° 23' 25" west 1318.92 feet; thence north 89° 34' 55" east 1320.00 feet; thence north 0° 25' 25" west 1341.64 feet; thence north 89° 21' 35" east 1303.75 feet; thence north 0° 47' 15" west 1850.84 feet to the southeast corner of Section 32, Township 3 South, Range 11 West San Bernardino Base and Meridian; thence leaving said boundary easterly four miles along the township line to the southwest corner of Section 31, Township 3 South, Range 10 West S. B. B. & M.; thence northerly one-half mile to the west quarter section corner of said Section 31; thence following the boundary of the City of Fullerton, as said boundary line existed on March 6, 1953, westerly one-fourth mile to the southwest corner of the southeast quarter of the northeast



quarter of Section 36, Township 3 South, Range 11 West S. B. B. & M.; thence northerly one-fourth mile to the northwest corner of the southeast quarter of the northeast quarter of said Section 36; thence westerly along the boundary line of the City of Fullerton to the southeast corner of the north half of the west two-thirds of the west half of the northeast quarter of said Section 36; thence northerly one-quarter mile to the northeast corner of the north half of the west two-thirds of the west half of the northeast quarter of said Section 36; thence following the boundary line of said City of Fullerton the following courses and distances; easterly to the northwest corner of Section 31, Township 3 South, Range 10 West S. B. B. & M.; thence northerly one-half mile to the west quarter section corner of Section Thirty (30), Township Three (3) South, Range Ten (10) West, San Bernardino Base and Meridian; thence leaving said boundary line of the City of Fullerton, easterly five and one-half (5½) miles along the east-west quarter section lines of Sections Thirty (30), Twenty-nine (29), Twenty-eight (28), Twenty-seven (27), Twenty-six (26) and Twenty-five (25) in Township Three (3) South, Range Ten (10) West, San Bernardino Base and Meridian; to the center of Section Twenty-five (25), Township Three (3) South, Range Ten (10) West, San Bernardino Base and Meridian; thence northerly along the boundary line of said City of Fullerton to the northwest corner of the south half of the southwest quarter of the northeast quarter of Section Twenty-four (24), Township Three (3) South, Range Ten (10) West, San Bernardino Base and Meridian; thence leaving said boundary line of the City of Fullerton east one-eighth mile to the southwest corner of the northwest one-quarter of the southwest one-quarter of the northeast one-quarter of said Section Twenty-four (24); thence north three-eighths mile to the northwest corner of the east one-half of the northwest one-quarter of the northeast one-quarter, of said Section Twenty-four (24); thence east one-eighth mile to the northeast corner of the northwest one-quarter, of the northeast one-quarter, of said Section Twenty-four (24); thence south one-quarter mile to the northwest corner of the southeast one-quarter, of the northeast one-quarter, of said Section Twenty-four (24); thence east one-quarter mile to the southwest corner of Lot Five Tuffree's subdivision, as recorded in Book 3, pages 1 and 2 of Miscellaneous Maps, Records of Orange County, California; thence north one-quarter mile to the northwest corner of Lot Four (4) of said Tuffree's Subdivision; thence east one-quarter mile to the northwest corner of Lot Three (3) of said Tuffree's Subdivision; thence southeasterly and northeasterly along the southerly line of that certain parcel of land described as Parcel 2 in deed recorded in Book 180, page 97 of Deeds, Records of Orange County, California, to a point in the north line of said Lot Three (3); lot lines of Tuffree's Subdivision being considered as in the center line of adjacent streets; thence east to the northeast corner of said Lot Three (3); thence northerly one-quarter mile to the northwest corner of the southwest one-quarter of the southeast one-quarter of Section Eighteen (18), Township Three (3) South, Range Nine (9) West, San Bernardino Base and Meridian; thence east one-quarter mile to the northeast corner of said southwest one-quarter of the southeast one-quarter of said Section Eighteen (18); thence south one-quarter mile to the southeast corner of said southwest one-quarter of the southeast one-quarter; thence east one-eighth mile to the southwest corner of the east one-half of the southeast one-quarter of the southeast one-quarter, of said Section Eighteen (18); thence north one-quarter mile to the northwest corner of said east one-half; thence east one-eighth mile to the northeast corner of said east one-half; thence south one-eighth mile to the northwest corner of the south one-half, of the south one-half of the south one-half of fractional Section Seventeen (17), Township Three (3) South, Range Nine (9) West, San Bernardino Base and Meridian; thence east along the north line of the said south one-half of the south one-half of the south one-half of said fractional Section Seventeen to the west line of the Rancho San Juan Cajon de Santa Ana; thence northerly along the said west rancho line to the northwest corner of Block One (1) of Yorba Linda Tract as per map recorded in Book 5, pages 17 and 18 of Miscellaneous Maps, Records of Orange County, California; thence easterly along the northerly boundary of said Yorba Linda Tract to the northeast corner of Lot One (1) in Block Two (2) of said tract; thence southerly to the southeast corner of said Lot One (1) in Block Two (2); thence westerly to the southwest corner of said Lot One (1) in Block Two (2); thence southerly to the southeast corner of Lot Two (2) in Block Two (2) of said Yorba Linda Tract; thence westerly to the southwest corner of said Lot Two (2) in Block Two thence southerly to the northwest corner of Lot Three (3) of said Block Two (2); thence easterly to the northeast corner of said Lot Three (3) in Block Two (2); thence southerly along lot lines to the northwest corner of Lot Five (5) of said Block Two (2); thence easterly along the north line of said Lot Five (5) to the center line of Fifth Street, as shown on the map of Carlton recorded in Book 29, pages 9 and 10 of Miscellaneous Records of Los Angeles County, California; thence south along said center line of Fifth Street to the center line of Pacific Avenue as shown on said map of Carlton, thence east along said center line of Pacific Avenue to the center line of Fourth Street as shown on said map of Carlton; thence north along the said center line of Fourth Street to the center line of Orange Street as shown on said map of Carlton; thence east along the said center line of Orange

Street to the west line of Second Street as shown on said map of Carlton; thence north along the said west line of Second Street to the center line of Walnut Street as shown on said map of Carlton; thence west along the said center line of Walnut Street to the center line of Third Street as shown on said map of Carlton; thence north along the said center line of Third Street to the center line of Chicago Avenue as shown on said map of Carlton; thence east along the said center line of Chicago Avenue to the center line of said Second Street; thence south along the said center line of Second Street to the said center line of Pacific Avenue; thence east along the said center line of Pacific Avenue to the west line of Block Six (6) of said Yorba Linda Tract; thence northerly, easterly, southerly, easterly, southerly, easterly, southerly, westerly, and southerly along the exterior boundary lines of said Yorba Linda Tract to the southeast corner of Lot Three (3) in Block Twenty-four (24) of said Yorba Linda Tract; thence west along the south line of said Lot Three (3) to the southwest corner of said Lot Three (3); thence southerly along the westerly line of Lot Four (4) of said Block Twenty-four (24) and its southwesterly extension to the northerly corner of Lot Five (5) in Block Thirty-four (34) of said Yorba Linda Tract; thence southerly along the westerly line of said Lot Five (5) to its intersection with the center line of the Anaheim Ditch, of the Anaheim Union Water Company; thence easterly along center line of said ditch to corner number three of allotment of first class land to Wolf Kalisher and Henry Wartenberg in partition of Rancho Canon de Santa Ana being the southwest corner of that certain 1.26 acre parcel as described in deed recorded in Book 357, page 102 of Deeds, Records of Orange County, California; thence following the westerly, northerly and easterly line of said 1.26 acre parcel to a point in the north line of said allotment of first class land to Kahsher and Wartenberg in partition of Rancho Canon de Santa Ana; thence following said northerly line of said allotment to its intersection with southerly line of right of way of Atchison, Topeka, and Santa Fe Railway Company; thence following said southerly right of way line to its intersection with west line of the allotment of second class land to V. Yorba in partition of said Rancho Canon de Santa Ana; thence northerly, westerly and northerly along said allotment line to the center line of Anaheim Union Water Company's Canon Canal; thence easterly following center line of said Canon Canal to the east line of said allotment to V. Yorba; thence northerly along said east line of allotment to V. Yorba, to a point 2,800 feet northerly measured along said east line from its intersection with the center line of the Atchison, Topeka, and Santa Fe Railway Company's main track; thence easterly to a point in the east line of the allotment of second class land to W. McKee in partition of said Rancho Canon de Santa Ana, said point being 2,400 feet northerly measured along said east line of allotment to W. McKee, from its intersection with the center line of the Atchison, Topeka and Santa Fe Railway Company's main track; thence southerly along the said east line of allotment to W. McKee and its southerly extension to an intersection with the center line of Santa Ana Valley Irrigation Company's main canal; thence following the center line of said canal westerly to its intersection by the northerly extension of the east line of Tract 117 as per map recorded in Book 11, page 15 of Miscellaneous Maps, Records of Orange County, California; thence southerly 660 feet measured along the said easterly line to a point; thence southwesterly in a direct line to a point in the west line of Lot Twenty-two (22) of said Tract 117, said point being 500 feet southeasterly measured along said west line from the intersection of said west line of Lot Twenty-two (22) with the center line of the Santa Ana Valley Irrigation Company's main canal; thence northwesterly along said southwesterly line of Lot Twenty-two (22) to the center line of the Santa Ana Valley Irrigation Company's main canal; thence westerly along said center line of canal to its intersection with the center line of the state highway known as the Santa Ana Canyon Road; thence southwesterly along center line of said highway to its intersection with the north line of Lot Twenty (20) of said Tract 117; thence along the northerly and easterly lines of Lots Twenty (20) and Nineteen (19) of said Tract 117, to the southeast corner of said Lot Nineteen (19); thence in a direct line to a point in the south line of said Tract 117, said point being 600 feet westerly measured along said south line from the southeast corner of said Tract 117 and also being in the north line of Section Six (6), Township Four (4) South, Range Eight (8) West, San Bernardino Base and Meridian; thence westerly along section line to the northwest corner of said Section Six (6); thence southerly along the west line of said Section Six (6), 1,446.14 feet; thence southwesterly in a direct line to the most easterly corner of that certain 2.50 acre parcel as described in deed recorded in Book 262, page 73 of Deeds, Records of Orange County, California; thence southwesterly and northwesterly following the boundary line of said 2.50 acre parcel to the most westerly corner thereof; thence north to the center line of the Santa Ana Valley Irrigation Company's main canal; thence westerly along said center line of canal to the northeast corner of that 22.78 acre parcel described in deed recorded in Book 220, page 220, of Deeds, Records of Orange County, California; thence southerly along the easterly line of said 22.78 acre parcel to the northeast corner of that certain 5.75 acre parcel described in deed recorded in Book 261, page 208 of Deeds, Records of Orange County, California; thence southerly to the

north corner of that certain 1.298 acre parcel described in deed recorded in Book 486, page 205 of Deeds, Records of Orange County, California; thence southerly and westerly along the easterly and southerly boundaries of said 1.298 acre parcel to the southeast corner of said 5.75 acre parcel; thence westerly to the southeast corner of that certain 12.12 acre parcel as described in deed recorded in Book 261, page 206 of Deeds, Records of Orange County, California; thence westerly along the south line of said 12.12 acre parcel to the southeast corner of Domingues Estate as shown on map filed in Records of Survey Book 2, page 15, Records of Orange County, California; thence westerly along the south line of said Domingues Estate and south line of Tract 936 as per map recorded in Book 30, pages 1 and 2, Miscellaneous Maps, Records of Orange County, California, to the most southwest corner of Lot Seven (7) of said Tract 936; thence northerly and westerly along the westerly and southerly boundaries of said Lot Seven (7) to the most northerly corner of Lot Six (6) of said Tract 936; thence following the boundary of said Lot Six (6) southerly 113.94 feet, southwest 45.90 feet, southwest 242.05 feet to a corner in the easterly boundary of Lot Five (5) of said Tract 936; thence northwesterly in a direct line to a corner in the westerly boundary of said Lot Five (5), said corner being the northern terminus of a course in said westerly boundary of Lot Five (5) whose length is 1,623.87 feet; thence following the said westerly boundary of Lot Five (5), northwesterly 158.18 feet and northerly 494.72 feet to the northwest corner of said Lot Five (5); thence north to the center line of the Santa Ana Valley Irrigation Company's main canal; thence westerly following the center line of said Santa Ana Valley Irrigation Company's main canal to its intersection with the northerly extension of the most northerly course on the easterly boundary of Tract 59 as per map recorded in Book 10, page 18 of Miscellaneous Maps, Records of Orange County, California; thence southerly following the said northerly extension of said easterly boundary and the easterly and southerly boundary lines of said Tract 59 to the most southwest corner thereof; thence along the southerly boundary of Tract 59 as per map recorded in Book 10, page 6 of Miscellaneous Maps, Records of Orange County, California, to the most easterly corner of that certain 1.19 acre parcel as described in deed recorded in Book 311, page 213 of Deeds, Records of Orange County, California; thence following the southerly and westerly boundaries of said 1.19 acre parcel to the most northwesterly corner thereof; thence following the southerly boundary of said Tract 58 to the most westerly corner of said Tract 58, said corner being considered in the center line of the state highway known as the Santa Ana Canyon Road; thence following the center line of said state highway to its intersection with the northerly line of Olive Heights as per map thereof recorded in Book 19, page 18 of Miscellaneous Records of Los Angeles County, California; thence easterly along the northerly boundary of said Olive Heights to its intersection with the center line of Santa Ana Valley Irrigation Company's main canal; thence following the said center line of main canal to the most northwesterly corner of that certain district described in that certain agreement by Villa Park Mutual Water Company as recorded in Book 359, page 473 of Official Records of Orange County, California; thence easterly following the northerly boundary of said district to the westerly line of Lot Two (2) of Tract 166 as per map recorded in Book 12, pages 9, 10 and 11 of Miscellaneous Maps, Records of Orange County, California; thence following the westerly, northerly, and easterly boundary lines of said Tract 166 to Station 52 as described in deed recorded in Book 355, page 98 of Deeds, Records of Orange County, California, said station being in the northerly boundary line of Serrano Irrigation District as described in Book 76, page 60 of Official Records of Orange County, California; thence in a general easterly direction following the boundary of said Serrano Irrigation District to its most easterly corner, being a common corner with the most northerly corner of the Carpenter Irrigation District as described in Book 74, page 223 of Official Records of Orange County, California; thence southeasterly, southerly and easterly following the boundary line of said Carpenter Irrigation District to its intersection with the north line of Tract 944 as per map recorded in Book 29, page 41 of Miscellaneous Maps, Records of Orange County, California; thence easterly, southerly and westerly following the northerly, easterly and southerly boundaries of said Tract 944 to the northeast corner of Tract 918 as per map recorded in Book 28, pages 41, 42, and 43 of Miscellaneous Maps, Records of Orange County, California; thence southerly, westerly southerly and easterly following the boundary of said Tract 918 to the northwest corner of Tract 931 as per map recorded in Book 29, page 27 of Miscellaneous Maps, Records of Orange County, California; thence easterly, southerly, and westerly following the northerly, easterly and southerly boundary of said Tract 931, to the southwest corner of Lot Eleven (11) of said Tract 931; thence southerly parallel to the east line of said Tract 918 one-half mile more or less to an intersection with the center line of the County Park Road; thence westerly along said center line of County Park Road to the said east line of said Tract 918; thence southerly, southwesterly, northwesterly, northerly, westerly, northwesterly, northeasterly, following the exterior boundary of said Tract 918, to an intersection with the exterior boundary



of said the Carpenter Irrigation District, said point being 90 feet southeasterly of the northwest corner of Lot Seventy (70) of said Tract 918; thence following the exterior boundary of said Carpenter Irrigation District southwesterly and southerly, to the west corner of Lot One (1) of El Modena Citrus Lands, as per map thereof recorded in Book 6, page 32 of Miscellaneous Maps, Records of Orange County, California, said point being northeast corner of Lot Two (2) of said El Modena Citrus Lands; thence along the east line of said Lot Two (2) and Lots Four (4) and Five (5), the center line of adjacent road being considered as lot line, to the most northerly corner of Lot Six (6) of said El Modena Citrus Lands; thence southeasterly along the northeasterly line of Lots Six (6), Seven (7), Eight (8) and Nine (9) of said El Modena Citrus Lands, to the most westerly corner of that certain 2.75 acres parcel as described in deed recorded in Book 209, page 184 of Official Records of Orange County, California; thence northeasterly and southeasterly along the boundary of said 2.75 acre parcel to the most easterly corner of said parcel; thence northeasterly along the northwesterly line of Lot Eleven (11) of said El Modena Citrus Lands, to the most northerly corner of said Lot Eleven (11); thence southeasterly along the northeasterly line of Lots Eleven (11) and Twelve (12) of said El Modena Citrus Lands, to the most easterly corner of said Lot Twelve (12); thence northeasterly along the northwesterly boundary of Irvine's Subdivision of Ranchos San Joaquin and Lomas de Santiago and Flint and Bixby's allotment in Rancho Santiago de Santa Ana, as per map recorded in Book 1, page 88 of Miscellaneous Maps, Records of Orange County, State of California, to a point on said boundary line and located southwesterly a distance of one and one-half miles from the westerly corner of Block Twenty (20) of said Irvine's Subdivision; thence within said Irvine's Subdivision southeasterly to the most easterly corner of the northerly one-quarter of the westerly one-quarter of Block Sixteen (16) of said Irvine's Subdivision; thence southwesterly along the southeasterly line of said northerly one-quarter of the westerly one-quarter of said Block Sixteen (16) to the most southerly corner thereof; thence southeasterly along the northeasterly line of the southwesterly one-half of the southwesterly one-half of said Block Sixteen (16) to the southeasterly line of said block; thence southwesterly to the most southerly corner of said Block Sixteen (16); thence southeasterly along the northeasterly line of Block Forty-one (41) a distance of one quarter mile, thence southwesterly one and one-half miles to the southerly corner of the northwesterly one-half of the northerly one-quarter of Block Forty-two (42); thence southeasterly one-half mile to the westerly corner of the southerly one-quarter of the easterly one-quarter of said Block Forty-two (42); thence northeasterly one-quarter mile to the northerly corner of said southerly one-quarter of the easterly one-quarter of said Block Forty-two; thence southeasterly three-fourths of a mile to the easterly corner of the southwesterly one-half of the northerly one-quarter of Block Sixty-six (66); thence southwesterly one-half mile to the northerly corner of the southwesterly one-half of the southerly one-quarter of said Block Sixty-six (66); thence southeasterly one-half mile to the easterly corner of said southwesterly one-half of the southerly one-quarter of said Block Sixty-six (66); thence southwesterly one-quarter mile to the southerly corner of said Block Sixty-six (66); thence southeasterly two miles to the easterly corner of Block One Hundred Six (106); thence southwesterly one-half mile to the southerly corner of the easterly one-quarter of said Block One Hundred Six (106); thence southeasterly one and one-quarter mile to the westerly corner of southeasterly one-half of the northerly one-quarter of Block One Hundred Forty-two (142); thence northeasterly three-fourths mile to the northerly corner of the southerly one-quarter of the westerly one-quarter of Block One Hundred Forty-three (143); thence southwesterly one-quarter mile to the easterly corner of said southerly one-quarter of the westerly one-quarter of Block One Hundred Forty-three (143); thence southwesterly one-quarter mile to the southerly corner of said southerly one-quarter of westerly one-quarter of Block One Hundred Forty-three (143); thence southeasterly one-quarter mile to the easterly corner of the northwesterly one-half of the easterly one quarter of said Block One Hundred Forty-two (142); thence southwesterly one-half mile to the southerly corner of said northwesterly one-half of the easterly one-quarter of Block One Hundred Forty-two (142); thence southeasterly one-quarter mile to the easterly corner of the southerly one-quarter of said Block One Hundred Forty-two (142); thence southwesterly one mile to the southerly corner of the easterly one-quarter of Block One Hundred Forty-one (141); thence southeasterly one-half mile to the center of Block One Hundred Fifty-four (154); thence southwesterly three miles to the center of Block One Hundred Fifty-seven (157); thence northwesterly one-half mile to the westerly corner of the northerly one-quarter of said Block One Hundred Fifty-seven (157); thence northeasterly one-quarter mile to the southerly corner of the easterly one-quarter of the easterly one-quarter of Block One Hundred Thirty-eight (138); thence northwesterly one-quarter mile to the westerly corner of said easterly one-quarter of the easterly one-quarter of Block One Hundred Thirty-eight (138); thence southwesterly one-half mile to the southerly corner of the northerly one-quarter of



the southerly one-quarter of said Block One Hundred Thirty-eight (138); thence northwesterly one-half mile to the westerly corner of the easterly one-quarter of the westerly one-quarter of said Block One Hundred Thirty-eight (138); thence northeasterly one-eighth mile to the southerly corner of the northeasterly one-half of the northerly one-quarter of the westerly one-quarter of said Block One Hundred Thirty-eight (138); thence northwesterly one-half mile to the westerly corner of the northeasterly one-half of the easterly one-quarter of the southerly one-quarter of Block One Hundred Twenty-four (124); thence southwesterly three-eighths mile to the southerly corner of the northwesterly one-half of the said southerly one-quarter of Block One Hundred Twenty-four (124); thence northwesterly one and one-quarter mile to the westerly corner of the southerly one-quarter of Block One Hundred Two (102); thence southwesterly three-fourths mile to the southerly corner of the northeasterly one-half of the westerly one-quarter of Block One Hundred One (101); thence northwesterly one-half mile to the westerly corner of said northwesterly one-half of the westerly one-quarter of Block One Hundred One (101); thence southwesterly one-quarter mile to the southerly corner of Block Eighty-eight (88); thence northwesterly one-quarter mile to the easterly corner of the northerly one-quarter of the easterly one-quarter of Block Eighty-nine (89); thence southwesterly one-quarter mile to the southerly corner of the said northerly one-quarter of the easterly one-quarter of Block Eighty-nine (89); thence northwesterly one mile to the center of the easterly one-quarter of Block Fifty-nine (59); thence northeasterly one-quarter mile to the northerly corner of the easterly one-quarter of said easterly one-quarter of Block Fifty-nine (59); thence northwesterly one mile to the easterly corner of the northwesterly one-half of the easterly one-quarter of Block Forty-nine (49); thence southwesterly three-fourths of a mile to the easterly corner of the westerly quarter of the southerly quarter of said Block Forty-nine (49); thence northwesterly three-fourths of a mile in a direct line to the northerly corner of the southwesterly half of Lot 136 in Block Forty-nine (49) of said Irvine's Subdivision; thence northwesterly one-quarter mile in a direct line to the southerly corner of the northerly quarter of Lot 135 in Block Forty-nine (49) of said Irvine's Subdivision; thence northeasterly one-quarter mile to the easterly corner of the northerly quarter of said Lot 135; thence northwesterly one-half mile to the southerly corner of the northwesterly half of Lot 133 in Block Seven (7) of said Irvine's Subdivision; thence northeasterly one-half mile to the easterly corner of the northwesterly half of said Lot 133; thence northwesterly one-quarter mile to the northerly corner of said Block Seven (7) on the northwesterly boundary of said Irvine's Subdivision; thence southwesterly and following the boundary of Coastal Municipal Water District, one mile to the westerly corner of said Block Seven (7); thence southwesterly along said northwesterly boundary to a point 1259.6 feet northeasterly from the westerly corner of Block Six (6) of said Irvine's Subdivision; thence southeasterly to the most northerly corner of Tract 456 as shown on a map recorded in Book 17, page 9 of Miscellaneous Maps, Records of Orange County, California; thence following the courses by distances and bearing along the easterly exterior boundary of said Tract 456 to an intersection with the center line of Santa Ana Avenue as shown on said map; thence northeasterly to the westerly corner of the southerly one-quarter of said Block Six (6); thence three-fourths mile southeasterly to the easterly corner of the northwesterly one-half of the northerly one-quarter of Block Fifty-one (51) of said Irvine's Subdivision; thence southwesterly along the southeasterly boundary of the northwesterly one-half of the northwesterly half of said Block Fifty-one (51) to the northeasterly line of the southwesterly half of the southwesterly half of Block Fifty-one (51); thence northwesterly following the boundary of Coastal Municipal Water District along the said northeasterly line of the southwesterly half of the southwesterly half of Block Fifty-one (51) to the easterly corner of the southerly quarter of Lot 151 in Block Five (5) of said Irvine's Subdivision; thence following the boundary of Coastal Municipal Water District, southwesterly along the southeasterly line of said Lot 151 to the mean high-tide line as established by decree of the Superior Court of Orange County in Case No. 20436 as recorded in Book of Judgments No. 19, page 309; thence westerly and southwesterly following the courses by distances and bearings along said mean high-tide line to an intersection with the southeasterly boundary line of Block Four (4) of said Irvine's Subdivision; thence southwesterly along the southeasterly boundary of said Block Four (4) to the intersection of the center line of Irvine Avenue with the center line of Twenty-third Street as shown on a map of Newport Heights recorded in Book Four (4), page 83 of Miscellaneous Maps, Records of Orange County, California; thence north 50° west one mile, along the center line of said Twenty-third Street to the northerly corner of Lot 155, in Block Four (4) of said Irvine's Subdivision, said corner being the intersection of the center line of Newport Avenue and Twenty-third Street, as shown on said map of said Newport Heights; thence north 40° east along the northwesterly line of said Irvine's Subdivision to an intersection of the center line of Newport Avenue, 60.00 feet in width lying southeasterly of and adjacent to the Southern Pacific Company right of way as shown on a map of Fairview Farms, recorded in Book 8, page 71 of Miscellaneous Maps, Records of Orange County, California, with the easterly prolongation of the north line of said Fairview

Farms; thence westerly along the north line of said Fairview Farms to the center line of Harbor Boulevard, formerly known as Fairview Avenue, as shown on said map of Fairview Farms; thence northerly along the center line of said Harbor Boulevard to the north line of Lot A of the Banning Tract as shown on a map attached to the report of the referee's filed April 14, 1890, in the action of Hancock Banning et al. vs. Mary H. Banning, Case No. 6355 on the Register of Actions of the Superior Court of the State of California in and for the County of Los Angeles; thence westerly along the north line of Lot A of said Banning Tract to the east boundary line of the Talbert Drainage District; thence southerly along said east boundary line of the Talbert Drainage District to the north line of said Fairview Farms; thence westerly along the north line of said Fairview Farms to the northwest corner of Lot 75 of said Fairview Farms; thence southwesterly along the northwesterly line of said Lot 75 to the southwest corner thereof; thence easterly along the south line of said Fairview Farms to the northwest corner of land deeded to Edna Race Capron recorded in Book 1281, page 199 of Official Records, said corner being in the south line of said Fairview Farms and distant thereon 264.00 feet easterly from the intersection of said south line with the center line of Valley Road as shown on a map of Tract No. 653, recorded in Book 49, page 42 of Miscellaneous Maps, Records of Orange County, California; thence southerly along the west line of the last aforesaid land of Edna Race Capron to the southwest corner thereof; thence easterly along the westerly prolongation of the center line of Nineteenth Street, as shown on a map of First Addition to Newport Mesa Tract, recorded in Book 8, page 6, of Miscellaneous Maps, Records of Orange County, California (said center line being the north line of said First Addition to Newport Mesa Tract) to the northwest corner of said First Addition to Newport Mesa Tract; thence south 19° 46' 00" west along the northwesterly line of said First Addition to Newport Mesa Tract to the most westerly corner of Lot 1304 of said First Addition to Newport Mesa Tract; thence south 29° 09' 00" east along the southwesterly line of said First Addition to Newport Mesa Tract and along the southeasterly extension of the southwesterly lines of Lot 919 of said First Addition to Newport Mesa Tract to the northwesterly line of said Irvine's Subdivision; thence south 40° 00' 00" west along the northwesterly line of said Irvine's Subdivision and along the southwesterly prolongation thence to the ordinary high tide line of the Pacific Ocean in Newport Bay and designated "North Line" and North Bank of the Santa Ana River, as established by a decree in Court Case No. 23686 of the Superior Court in and for Orange County, California, a certified copy of which decree was recorded September 19, 1928 in Book 201, page 253, of Official Records; thence along the said north bank of the Santa Ana River the following courses and distances: North 74° 17' 11" west to an angle point therein; thence north 58° 28' 28" west 1,985.28 feet; thence north 66° 44' 18" west 584.61 feet; thence north 60° 19' 50" west 577.07 feet to the former southerly line of the California state highway having a width of 80.00 feet; said point bears south 5° 55' 18" east 1,113.01 feet from the northwest corner of the northeast quarter of Section 29, Township 6, South Range 10, West, S. B. B. & M.; said point of intersection also being 10.00 feet southerly of Engineer's Station 683 + 40.95 on the center of said highway; thence northwesterly in a straight line to the southerly end of that certain course in the boundary line of the Coastal Municipal Water District described as "South 4° 31' 33" east 139.77"; thence following the boundary line of said Coastal Municipal Water District the following courses and distances: north 4° 31' 33" west 439.77 feet; thence north 1° 35' 57" east 857.80 feet; thence north 21° 30' 03" west 544.00 feet; thence north 27° 46' 03" west 319.00 feet; thence north 44° 46' 33" west 337.15 feet; thence south 74° 07' 27" west 511.05 feet; thence south 51° 48' 28" west 194.20 feet; thence south 20° 07' 27" west 511.05 feet; thence south 44° 22' 57" west 241.88 feet; thence south 81° 50' 57" west 223.05 feet; thence north 76° 50' 03" west 225.30 feet; thence north 68° 22' 03" west 756.00 feet; thence south 84° 43' 27" west 258.27 feet to the intersection of the northeasterly prolongation of the southeasterly line of Summit Street as said street is laid out and shown on a map of Seashore Colony Tract, as recorded in Map Book 7, page 25 of Miscellaneous Maps Records of Orange County, California with the north bank of the Santa Ana River; thence southwesterly along the northeasterly prolongation of the southeasterly line of said Summit Street and along said Summit Street and along the southwesterly prolongation of the southeasterly line of said Summit Street to the ordinary high tide line of the Pacific Ocean; thence northwesterly along the ordinary high tide line of the Pacific Ocean to the intersection of said line of ordinary high tide with the northwesterly line of the Santa Ana Outfall Sewer right of way, said northwesterly line of the Santa Ana Outfall Sewer right of way being described as the northwesterly line of the strip of land 30.00 feet in width described in "Parcel-e" in the complaint in that certain action in the Superior Court of the State of California in and for the County of Orange, in the entitled "The City of Santa Ana vs. J. N. Hearn et al.," being Case No. 13753 in said court, said strip of land 30.00 feet in width being shown on the map attached to said complaint, and said northwesterly line of the Santa Ana Outfall Sewer right of way also being described in the order of possession entitled "Order," made and entered in said action on November 21, 1922, said "Order" being recorded in Book 1836, page 429 of Official Records of Orange County, California; thence South

40° 00' 00" west three miles more or less to a point in the Pacific Ocean, said point being three miles from the said line of ordinary high-tide; thence northwesterly and parallel with the said line of ordinary high-tide and distant three miles therefrom to a point on the southwesterly extension of the northwesterly line of Rancho La Bolsa Chica, as shown on licensed surveyor's map filed in Book 3, page 45 of Records of Survey in the Office of the County Recorder of Orange County, California; thence northeasterly along the said extension of the northwesterly line of said Rancho La Bolsa Chica to the line of ordinary high tide of the Pacific Ocean; thence northwesterly along said ordinary high-tide line of the Pacific Ocean to the point of beginning.

Said district is hereby divided into 10 divisions which shall be numbered first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth, and one director shall be elected or appointed as hereinafter provided from each division. Said 10 divisions are more particularly bounded and described as follows, to wit:

First Division: Division No. 1 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Loara, Katella and Garden Grove School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

Second Division: Division No. 2 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Olive, Villa Park, Orange, El Modena and that portion of Tustin School District lying [within the Fourth Supervisorial District as said district boundary existed July 8, 1949] *Northwesterly of Newport Boulevard or any extension thereof.*

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

Third Division: Division No. 3 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Yorba Linda, Placentia, Fullerton and Anaheim School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

Fourth Division: Division No. 4 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Buena Park, Orangethorpe, Centralia, Magnolia, Savanna, Cypress, Laurel, Alamitos, Westminster and Seal Beach School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

Fifth Division: Division No. 5 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: [Tustin,] San Joaquin [and El Modena] School Districts *and that portion of the Tustin School District lying Southeasterly of Newport Boulevard or any extension thereof.*

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

Sixth Division: Division No. 6 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Ocean View, Fountain Valley and Huntington Beach School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

Seventh Division: Division No. 7 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Costa Mesa, Paularino, Santa Ana, Diamond and Greenville School Districts.



Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known the the Cities of Santa Ana, Anaheim and Fullerton.

Eighth Division: Division No. 8 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the municipal corporation known as the City of Santa Ana as it existed at 12 o'clock noon, March 6, 1953, or as it may hereafter exist.

Ninth Division: Division No. 9 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the municipal corporation known as the City of Anaheim as it existed at 12 o'clock noon, March 6, 1953, or as it may hereafter exist.

Tenth Division: Division No. 10 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the municipal corporation known as the City of Fullerton as it existed at 12 o'clock noon, March 6, 1953, or as it may hereafter exist.

Annexations to or enlargements of municipal corporations which constitute Divisions 8, 9 and 10 shall become part of the division which said municipal corporation constitutes without further act of said district; provided, however, that if said annexations or enlargements include land which is not already a part of said district, such land may be included within said district and said division only by inclusion proceedings as provided in this act.

SEC. 2. Section 2 of said act is amended to read:

Sec. 2. The "Orange County Water District" shall have power:

1. To have perpetual succession;
2. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals;
3. To adopt a seal and alter it at pleasure;
4. To take by grant, purchase, gift, devise, or lease, to hold, use and enjoy, and to lease, convey or dispose of, real and personal property of every kind, within or without the district, necessary or convenient to the full exercise of its power;
5. Within or outside of the district to construct, purchase, lease, or otherwise acquire, and to operate and maintain necessary waterworks and other works, machinery and facilities, canals, conduits, waters, water rights, spreading grounds, lands, rights and privileges useful or necessary to replenish the underground water basin within said district, or to augment the common water supplies of said district;
6. For the common benefit of said district, to store water in underground water basins or reservoirs within or outside of said district, to appropriate and acquire water and water rights within or outside of said district, to purchase and import water into said district, and to conserve water within or outside of said district; *to sell water imported from outside the district from sources other than the Santa Ana River or its tributaries for beneficial use within said district, at such rates as shall be determined by the board of directors of the district, provided that such rates shall not be less than the cost thereof, including the cost of delivery;*
7. To carry out the purposes of this act, to commence, maintain, intervene in, defend and compromise, in the name of said district, or otherwise, and to assume the costs and expenses of any and all actions and proceedings now or hereafter begun to prevent interference with water or water rights used or useful to lands within said district, or diminution of the quantity or pollution or contamination of the water supply of said district, or to prevent unlawful exportation of water from said district, or to prevent any interference with the water or water rights used or useful in said district which may endanger or damage the inhabitants, lands or use of water in said district; provided, however, that said district shall not have power to intervene or take part in, or to pay costs or expenses of actions or controversies between the owners of lands or water rights all of which are entirely within the boundaries of said district and which do not involve pollution or contamination of water within said district or exporting water outside of said district's boundaries or any threat thereof.

8. To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to the exercise of any of the powers granted by this act, except that said district shall not have the right of eminent domain as to water, water rights, reservoirs, pipe lines, water distributing systems, waterworks, or power plants, all or any of which are already devoted to beneficial or public use and located within the watershed of the Santa Ana River, and excepting further from the exercise of the right of eminent domain by said district any property maintained and actually used for the scientific propagation and study of plant life. No language or provision of this act, or of this subdivision, shall be interpreted or construed so as to limit or abridge the right of said district, or its board of directors, to exercise its right of eminent domain to condemn property at any place within the Santa Ana River watershed for rights of ways upon and across and under which to construct pipe lines, conduits, tunnels and/or aqueducts necessary or convenient for any of the purposes of said district provided the property sought to be condemned for said purposes is not already being used by other corporations, municipalities, districts



or individuals for similar purposes; providing, however, that neither said district nor its board of directors shall have power to enter in or upon the Mojave River or any of its tributaries or appropriate, take or condemn any of the water or the right to the use of any of the water of said Mojave River or any of its tributaries; nor shall anything in this act be deemed as authorizing or empowering said district or its board of directors to so do. Subject to the express limitations hereinbefore set out, in any proceedings relative to the exercise of such right of eminent domain, said district shall have the same rights, powers and privileges as a municipal corporation;

9. The district, shall in addition to the other powers herein granted by this act, have the following rights and powers: To act jointly with or cooperate with the United States or any agency thereof, the State of California or any agency thereof, any county of the State of California, districts of any kind, public and private corporations, and any person or persons, to carry out the provisions and purposes of this act; in such joint or cooperative activities, said district may act within or outside of its boundaries;

10. To cause assessments and or charges to be levied as hereinafter provided to accomplish the purposes of this act;

11. To make contracts, to employ labor and to do all acts necessary for the full exercise of the foregoing powers;

12. To carry on technical and other investigations of all kinds, necessary to carry out the provisions of this act, and for this purpose said district shall have the right of access through its authorized representative to all properties within said district.

SEC. 3. Section 6 of said act is amended to read:

Sec. 6. *A majority of the members of the board shall constitute a quorum for the transaction of business. The board of directors shall act only by resolution or motion. Resolutions and orders may be adopted by a voice vote, but on demand of any member the roll shall be called. No motion or resolution shall be passed or become effective without the affirmative vote of a majority of the members of the board. Any hearings or meetings held by said district or its board of directors as required by this act or in carrying out the provisions of this act may be continued or adjourned from time to time. [The board of directors shall act only by resolution. The ayes and nays shall be taken upon the passage of all resolutions and entered upon the minutes of the proceedings of the board of directors. No resolution shall be passed or become effective without the affirmative vote of at least a majority of the members of the board.] Each director shall receive the sum of ten dollars (\$10) and a reasonable sum for mileage to be fixed by the board from time to time for each meeting of the board of directors attended by him. A director shall receive additional compensation not exceeding twenty dollars (\$20) per day as shall be fixed and allowed by the board from time to time for his services while otherwise employed by authority of the board on the business of the district; also subject to approval of the board, reasonable compensation for all traveling and other expenses, including mileage incurred by him in such employment.*

SEC. 4. Section 9 of said act is amended to read:

Sec. 9. The provisions of this section shall not apply to Divisions 8, 9 and 10 of said district, where the directors therefrom are appointed as provided elsewhere in this act.

Only the holders of title to lands situated within said district or to assessable rights in said lands, or to improvements on said lands, shall be entitled to vote at any election held under the provisions of this act, and every such holder of title shall be entitled to vote in person or by proxy as hereinafter provided in each division of said district in which any of the lands, including assessable rights therein or improvements thereon, owned by him are situated, and to cast one vote for each one hundred dollars (\$100) or fraction thereof worth of land including assessable rights therein or improvements thereon, in each said division so owned by him.

*The boundaries of the respective divisions, for the purpose of nomination and election of directors, as provided in this section, shall be the boundaries of said divisions as they shall exist as provided by Section 1 of this act, on the first Tuesday of December preceding the date of election.*

Such ownership and value shall be determined from the last equalized assessment roll of said Orange County, and the board of supervisors of said county, prior to each election held under the provisions of this act, at the expense of said district, shall cause to be prepared and certified and furnished to the board of election at each voting place, a true and correct copy of the entries upon the last equalized assessment rolls of said county, so far as such assessment rolls apply to the lands within said district, to the extent of showing the names of each owner, and the assessed value of the land owned by each in each division in said district, which said certified entries from said rolls shall be used by said boards of election in determining the number of votes each voter is entitled to cast.

Where land is owned by two or more persons, the votes shall be divided in accordance with the interests of each owner. Where land is assessed to unknown owners or anyone other than the true owner, any person producing a certificate of a title insurance or abstract company certifying the true ownership of such land at

the date of the election, or at any time within five days previous thereto, accompanied by an affidavit of the person certified to be the owner that he is the owner of the property at the time of the election, said person so certified to be the owner shall be entitled to vote in like manner as if his name appeared upon the assessment rolls as above mentioned.

Where corporations or partnerships appear as the owners of property, the votes of such owners shall be cast by any person holding a proxy from such corporation or firm. Executors, administrators, special administrators and guardians and trustees may cast the votes of the estates represented by them upon filing with the board of election a certified copy of their letters testamentary or of administration or guardianship or of appointment as trustee. No person shall vote by proxy at such election unless authority to cast such vote shall be evidenced by an instrument in writing duly acknowledged and certified in the same manner as grants of real property, and filed with the board of election.

If any voter qualifies under this act in more than one voting precinct in any division of said district, he shall cast all of the votes which he is entitled to cast in said division at one voting precinct therein.

Said election shall be conducted in accordance with the general election laws of this State so far as applicable, and except as herein otherwise provided. The election officer in delivering to each voter his ballot shall ascertain and write upon the ballot the number of votes the holder of the ballot is entitled to cast, and in canvassing the returns shall see to it that the number of votes cast does not exceed the number of votes such voter was entitled to cast, but if there is an excess, the ballot shall not be disregarded or invalidated, but only the number which the voter was entitled to cast shall be counted. The election officers shall publicly count the votes immediately after the close of the election, and forthwith make a report of the result of said election to the board of directors of said district.

Sec. 5. Section 10 of said act is amended to read:

Sec. 10. Not less than [15] 60, nor more than [30] 90 days before any election held for the purpose of electing directors for said district from Divisions 1 to 7, inclusive, 25 or more qualified voters under this act residing in such a division of said district may file with the secretary of said district, a petition, requesting that the name of a certain person, specified in said petition, be placed on the ballot as candidate for the office of director from said division of said district. Any number of candidates may be so nominated. *In the event there is more than one person so nominated, in any of said divisions, the names proposed by the various petitions so filed, and no others, shall be printed on the ballots, but there shall be a blank space left in which voters may at the election write in other names if they so desire.* The petitions shall be preserved at least one year after they are filed in the office of the secretary of said district.

Sec. 6. Section 12 of said act is amended to read:

Sec. 12. *Subject to the provisions of Sec. 14.1 hereof*, an election shall be held on the first Tuesday in [February] March of each odd numbered year, in those Divisions of 1 to 7 inclusive, at which directors for said district shall be elected to fill the offices of the directors whose terms of office shall expire on the second Wednesday in March thereafter, in accordance with the provisions of this act. The person receiving the highest number of votes for the office of director in a division is elected director from that division.

In Divisions 8, 9 and 10 of said district, the governing body of the city comprising each such division shall appoint the director to represent such division upon the board of directors, to serve at the pleasure of such governing body. Within 60 days after the amendment to this act shall take effect, the governing bodies of all of such cities shall appoint such director who shall qualify in all matters as an elected director.

Vacancies occurring in the board of directors by reason of death, resignation or otherwise, shall be filled by appointment by the remaining directors in office, except that if the vacancy is that of an appointed director, the appointing body shall appoint a successor. A director so appointed shall hold office for the unexpired term of his predecessor. Within 10 days after receiving their respective certificates of election, or notice of appointment, each person who shall be elected or appointed to the office of director shall qualify as such by taking and subscribing an official oath of office and filing the same with the secretary of said district.

Each director shall execute an official bond in the sum of [ten thousand dollars (\$10,000)] one thousand dollars (\$1,000) which shall be approved by a judge of the Superior Court of the County of Orange, and shall be recorded in the office of the county recorder of such county, and then, together with his official oath, filed with the secretary of the board of directors. All official bonds herein provided for shall be in the form prescribed by law for the official bonds of the county officers.

Premiums for bonds required by this act shall constitute a proper charge against said district.

Sec. 7. Section 13 of said act is amended to read:

Sec. 13. On the second Wednesday in March next following their election, the directors elected [or appointed] at the election, those whose terms have not expired and those appointed, shall meet and organize as a board, elect a president and vice

president, and may appoint a secretary or assistant secretary, who shall each hold office during the pleasure of the board. Each director appointed or elected shall hold office until his successor is elected, or appointed, and has qualified. The term of office of each elected director is hereby fixed at four years, except as herein otherwise provided. The office of said district shall be established by the board of directors at some proper and convenient place within the County of Orange, but does not have to be established or maintained within said district. After the office is once established, it shall not be changed without giving notice thereof by posting in three public places within said district and by publishing a similar notice at least once a week for two weeks in some newspaper of general circulation published in said Orange County.

The secretary and assistant secretary of said district need not be one of the directors. The salary of the secretary and assistant secretary and amount of the bond to be given for the faithful performance of his duties shall be fixed by the board of directors. The bond of the secretary and assistant secretary of said district shall be recorded in the office of the recorder of said Orange County and then filed with the president of the board of directors of said district.

Sec. 8. Section 14 of said act is amended to read :

Sec. 14. *If more than one director is nominated for the office of a member of the board of directors for any division where a director is to be elected as provided in this act, [at a meeting of] the board of directors of said district at a meeting of said board to be held not less than [20] 30 days before the time for a biennial election of the director, shall [the board], by resolution duly adopted, [shall] call an election to be held in the division of said district where a director is [directors are] to be elected for the purpose of electing a director therefor [directors thereof, and shall give notice to the governing body in divisions where directors are appointed]. In the resolution the board shall designate the day of said election, a convenient election precinct or precincts in each division, and the polling place in each precinct. The board shall appoint an election board for each precinct consisting of one inspector, one judge and one clerk, and shall prescribe the hours during which the polls shall be open on the day of the election which shall not be less than eight hours. The board shall cause notice of said election to be given by posting notices thereof in three public places in each such division, to be posted at least 20 days prior to said election, and by publication of said election notice for at least three successive weeks previous to the day of election in a newspaper published in said district. Said election shall be conducted as nearly as practicable in accordance with the general election laws of the State, but no particular form of ballot shall be required, and no sample ballots need be mailed. The board of directors shall provide ballots and election supplies for each precinct.*

Sec. 8a. Section 14.1 is added to said act to read :

Sec. 14.1. If, on the sixtieth day prior to the date fixed for the biennial election of directors, only one person has been nominated for election as director for any division, as provided in Section 10 hereof, the board of directors of the district shall, at the next regular meeting, by resolution entered in their minutes, order that an election shall not be held for such division, and shall declare the person nominated, if otherwise qualified, the director for said division. The person shall thereupon qualify, take office, and serve exactly as if elected at a regular biennial election.

In such case the posting and publication of notice provided for in Section 14 shall, instead of giving notice of an election in such division, state that no election is to be held, but that the board of directors of the district has declared the person so nominated a director of said division for the ensuing term, as provided by the act.

Sec. 9. Section 15 of said act is amended to read :

Sec. 15. The board of directors shall meet [on the first Monday succeeding said election] *on the second Wednesday in March next following said election* and canvass the votes cast thereat and shall declare the persons receiving respectively the highest number of votes in each division at said election to be duly elected directors of said district from the respective divisions, and in the event of a tie vote, in the same manner and with like notice, shall call another election in any division where the vote is tied and so proceed until a director is elected from said division.

At the first meeting of the board of directors of said district following receipt of a certificate of appointment of a director from Division 8, 9 or 10, the board of directors shall declare to be duly appointed as a director of said district, all such directors certified as appointed by the governing body of the city comprising each such division.

Sec. 10. Section 16 of said act is amended to read :

Sec. 16. The board of directors at their regular monthly meeting in [August] *September* of each year shall render and immediately thereafter cause to be filed with the secretary and posted conspicuously in the office of said district a verified statement of the financial condition of said district, showing in detail the receipts and disbursements during the last preceding year, together with the sources of said receipts and purposes of said disbursements. A summary of said statement shall be published at least once a week for two weeks in some newspaper published in said



district, and shall refer to the itemized statement filed and posted in the office of said district for further particulars.

For the purpose of rendering such statement, said district shall designate a certified public accountant who shall make an independent audit of the accounts and other evidences of financial transactions of the district during the preceding year. Such certified public accountant shall have no personal interest directly or indirectly in the financial affairs of said district.

SEC. 11. Section 26 of said act is amended to read:

Sec. 26. On the second Wednesday in March of each year, the engineering investigation and report shall be delivered to the secretary of said district in writing. Said secretary shall publish a notice of the receipt of such report *and of the public hearing to be held on the second Wednesday of April* in a newspaper of general circulation, printed and published within said district, at least 10 days prior to the date at which the public hearing regarding ground water conditions shall be held. Said notice, among other information which the district may provide therein, shall contain an invitation to all operators of water producing facilities within said district to call at the offices of said district to examine said engineering investigation and report.

There shall be held, by the board of directors, on the second Wednesday of April of each year, at the district offices a public hearing at which time any operator of a water producing facility within said district or any person interested in the condition of the ground water supplies of said district may in person or by representative appear and submit evidence concerning the ground water conditions of said district. Appearances, also, may be made supporting or protesting said written engineering investigation and report. Said board of directors shall, before the levy of the replenishment assessments, find and determine the average annual overdraft for the immediate past 10 water years; the estimated annual overdraft for the current water year; the estimated annual overdraft for the ensuing water year; the accumulated overdraft as of the last day of the preceding water year; the estimated accumulated overdraft as of the last day of the current water year; the amount of water which should be purchased for the replenishment of the ground water supplies of said district for the ensuing water year, and the sum of money necessary therefor.

Such finding and determination by said board shall be conclusive and binding upon all persons and parties.

SEC. 12. Section 29 of said act is amended to read:

Sec. 29. Each operator of a water producing facility within said district shall file with said district on or before the thirty-first day of January, 1955, and on or before the thirty-first day of July, 1955, and thereafter on a semiannual basis on or before the last day in January and July of each year, a [sworn] statement setting forth the total production in acre-feet of water for the preceding six months period (excluding the month in which the statement is due), a general description or number locating each water producing facility and the method or basis of the computation of such water production. *Said statement shall be verified by a written declaration that it is made under the penalties of perjury.* The replenishment assessment is payable to said district on or before the last date which the water production statements shall be filed and is computed by multiplying the production in acre-feet of water as disclosed in the statement, by the replenishment assessment rate.

If any operator of a water producing facility shall fail to pay the replenishment assessments when due, said district shall charge interest at a rate of 1 percent each month on the delinquent amount of the replenishment assessment.

Should any operator of a water producing facility fail to register each water producing facility or fail to file [in] *on or before the 31st day of January and the 31st day of July* of each year the water production statement, said district shall in addition to charging interest as provided herein assess a penalty charge against such operator in an amount of 10 percent of the amount found by said district to be due.

The board of directors may, at the time of fixing the replenishment assessment rate, provide by resolution that the operator of any water producing facilities having a discharge opening not greater than two inches in diameter and which do not provide domestic or irrigation water for an area in excess of one acre may pay a fixed amount as their replenishment assessment, in lieu of filing a sworn statement as to the production of ground water.

SEC. 13. Section 30 of said act is amended to read:

Sec. 30. Upon good cause shown an amended statement of water production may be filed or a correction of the records may be made at any time prior to the final date for filing the next semiannual water production statement.

[Any hearings or meetings held by said district or its board of directors as required by this act or in carrying out the provisions of this act may be continued or adjourned from time to time.]

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1385**

Senator Kraft moved that Senate Bill No. 1385 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1385**—An act to add Chapter 13.5, comprising Sections 8200 to 8361, inclusive, to Division 3 of the Business and Professions Code, relating to limited building designers, providing for the regulating and licensing thereof, and making an appropriation therefor.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 17, of the printed bill, strike out "three", and insert "two".

**Amendment No. 2**

On page 1, line 19, strike out "three", and insert "two".

**Amendment No. 3**

On page 1, strike out lines 20 to 24, inclusive, and insert "and basement in height, but the preparation of the structural engineering drawings for such other buildings and their execution during construction shall be under the sole control and approval of a civil engineer or an architect where such other buildings are more than one story in height or have spans between bearing walls exceeding 25 feet or employ steel frame or are of concrete or steel frame and concrete construction."

**Amendment No. 4**

On page 2, line 9, after "architecture", insert "as defined in Chapter 3 of Division 3 of this code".

**Amendment No. 5**

On page 2, after line 11, insert

"8205. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable."

**Amendment No. 6**

On page 2, line 30, strike out "1956", and insert "1957".

**Amendment No. 7**

On page 2, line 30, strike out "1957", and insert "1958".

**Amendment No. 8**

On page 2, line 31, strike out "1958", and insert "1959".

**Amendment No. 9**

On page 2, line 35, strike out "1956", and insert "1957".

**Amendment No. 10**

On page 2, line 36, strike out "1957", and insert "1958".

**Amendment No. 11**

On page 4, line 1, after "industry", insert ", a minimum of three years of which shall be".

**Amendment No. 12**

On page 4, line 21, strike out "or a civil engineer", and insert "a civil engineer, or a structural engineer".

**Amendment No. 13**

On page 4, strike out lines 28 to 30, inclusive, and insert

"8252. General building contractors, duly licensed to perform contracting in this State, are exempt from the provisions".

**Amendment No. 14**

On page 4, line 31, after "chapter", insert "; provided, that they do not represent themselves by advertising or otherwise as limited building designers".

**Amendment No. 15**

On page 4, line 43, after "of the", insert "original".

**Amendment No. 16**

On page 4, line 44, strike out "a", and insert "an original".

**Amendment No. 17**

On page 7, between lines 18 and 19, insert  
 "(f) The reinstatement fee is thirty dollars (\$30)."

**Amendment No. 18**

On page 7, line 39, strike out "satisfactory evidence", and insert "evidence satisfactory".

**Amendment No. 19**

On page 7, line 41, after the period, insert "The board shall not issue temporary certificates to architects from other states."

**Amendment No. 20**

On page 7, line 48, strike out "the effective date of this chapter", and insert "September 1, 1956".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1108

Senate Bill No. 1712

Senate Constitutional Amendment No. 28

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Assembly Bill No. 1065

Assembly Bill No. 1068

Assembly Bill No. 1066

Assembly Bill No. 1669

Assembly Bill No. 1067

Assembly Bill No. 2962

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 200

Assembly Bill No. 1069

Assembly Bill No. 2891

Assembly Bill No. 3601

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:  
Assembly Bill No. 1075

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; noes 1; absent 1.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:  
Senate Bill No. 1493

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; noes 1.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Agriculture, to which was referred:  
Senate Bill No. 1157

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; noes 2.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 1090

Senate Bill No. 1159

Senate Bill No. 1163

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 13.

DESMOND, Chairman

Above reported bills ordered to second reading.

#### ADJOURNMENT

At 12.12 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 2 p.m., Monday, April 25, 1955.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY  
SEVENTY-SIXTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Monday, April 25, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—33.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

## PLEDGE OF ALLEGIANCE

Senator John F. McCarthy led the Senate in pledging allegiance to the Flag.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Teale, due to illness.

Senator Byrne, on motion of Senator Ed. C. Johnson, due to legislative business.

Senator Collier, on motion of Senator Montgomery, due to legislative business.

Senator Cunningham, on motion of Senator Montgomery, due to legislative business.

Senator Harold T. Johnson, on motion of Senator Montgomery, due to legislative business.

Senator Miller, on motion of Senator Montgomery, due to legislative business.



**REQUESTS FOR UNANIMOUS CONSENT**

Senator Ward asked for, and was granted, unanimous consent to have the record show that Senators Collier, Cunningham, and Harold T. Johnson were excused on this legislative day because they are in Washington, D. C., to further the highway program for California.

Senator Ward asked for, and was granted, unanimous consent to have the record show that Senators Byrne and Miller was excused on this legislative day because they are away on civilian defense program work.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. B. Stevenson and Laron Mowrey of Oakland.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ann Honker of Long Beach.

On request of Senators Richards and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Eva Banfield of Sacramento.

On request of Lieutenant Governor Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul Collet, permanent secretary of the Foreign Affairs Committee, French Chamber of Deputies.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David L. Strathearn of Simi.

On request of Senators Montgomery and Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the California League of Women Voters from Richmond: Mesdames William Griffiths, Howard Schachman, Frank West, Merritt Roberts, and Gordon Langlois.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vincent J. Miller of Tulare.

On request of Senator Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mr. Slevin, Mrs. Belt, and the following students from Woods School, Woodbridge: Ann Diaman, Barbara Cheney, Barbara Frey, Benita Gomez, Betty Crum, Beverly Wilson, Carol Ison, Carol Schopp, Connie Locke, Edean Beechthold, Faye Litz, Geraldine Welch, Harriet Nishizaki, Judy McAdoo, Lenora Klevan, Margaret Witt, Marilyn Morrill, Oma Greenmyer, Ruth Young, Susan Laidlaw, Elaine Bonnet, Casey Parsons, Charlie Slover, Fred Gschweg, Gerald Williams, Gerald Sinapfenderfer, Gerry Chambers, Jack Hall, Jay Havel, Lester Maple, Lonnie Grever, Louie Maurino, Pee Wee, Ralph Bain, Ray McGarrah, Ronnie Wahl, Tom Honda, and Jim Donadio.

On request of Senator J. Howard Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students and adults from Richgrove Elementary School, Tulare County: Rosetta Atkison, Charles Avants, Ann Barrett, Pat

Bell, Yvonne Bottoms, Omir Bradford, Crystal Carlson, Bernitta Conrad, Irma Corrales, Richard Diaz, Jimmy Fleetwood, Marilyn Ford, Allen Goodell, Joe Guerrero, Judy Hamilton, Reba Hargis, Dick Harr, Peggy Harris, Roberta Hendry, Alice Hernandez, Carmen Hidalgo, Pamela Hunnicutt, Lana Kelly, Phillip Marro, Gloria Martain, Douglas Mason, David McPhetridge, Alton Moore, Johnnie Moore, Ted Nickells, Geneva Odem, Dale Poynter, Lupe Renteria, Norma Rodriguez, Bobbie Ross, Edwina Segler, Edwin Segler, Jerry Sims, Barbara Thomas, Linda Wade, Patricia Wesson, Robin Kiggins; chaperones Mary Thomas, Mrs. Luella Hendry, Mr. and Mrs. G. L. Hamilton, Marian Lopes, Robert Allen, and Ronald S. Bessey.

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Haug, teacher in charge, and the following students from the Calaveras Union High School: Harry Aderhold, James Anderson, Peggy Ball, Sheldon Bissell, Denny Boles, Barbara Beam, Jimmy Carley, Lucille Carlton, Clifford Carr, Raymond Cavagnaro, Robin Dragomanovich, Bill Fischer, Helen Fowler, Linda Fraser, Robert Fugate, Garnet Greve, Trine Haro, Gary Hatch, Reva Heisler, Carolyn Howard, Betty Hughes, Cecil Laidet, Neal Leonard, Marilyn Lester, Stanley Lombardi, Bob Lund, Joan MacNider, Charles Malaspino, Janet Miller, Jerry Milligan, Cord Moller, Nellie Moses, Donna Moss, Gaye Newton, Garth Otis, Manuel Ramirez, Diana Reider, Betty Schaefer, Margaret Sender, Kenneth Snyder, Joyce Taylor, Margaret Warness, Gene Weatherby, Jack West, Daryl White, Joyce Whitten, Joyce Williams, Robert Woodward, Jim Youngson, and Ann Zwinge.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Howard Lee Christensen and Jeff Hedley of North Hollywood; Mrs. Elizabeth Snyder of Los Angeles; and Alan Cranston of Los Altos.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Allen Bottorff of Buttonwillow, Kern County.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. G. Wendell Olson of Fullerton.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
April 25, 1955

#### *Secretary's Report on Condition of File*

*Hon. Harold J. Powers*  
*President of the Senate*

DEAR MR. PRESIDENT: Today is the seventy-sixth calendar day. We have, including today, 44 more days. If we subtract the Saturdays and Sundays, we have 32 left.

We have to date this session enrolled 503 measures, leaving us 1,827 to act upon if we are going to enact as many this session as we did last. In that event, we will have to average not less than 58 roll calls per day from now till the eighth of June. In fact, we will have to average more than 58 roll calls, because there will be roll calls on concurrence in Assembly amendments, adoption of conference committee reports and adoption of urgency clauses.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 365  
 Assembly Bill No. 366  
 Assembly Bill No. 1525  
 Assembly Bill No. 2596  
 Assembly Bill No. 2597

Assembly Bill No. 2598  
 Assembly Bill No. 2934  
 Assembly Bill No. 2935  
 Assembly Bill No. 3345

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 106  
 Senate Bill No. 430  
 Senate Bill No. 488  
 Senate Bill No. 531

Senate Bill No. 539  
 Senate Bill No. 681  
 Senate Bill No. 796

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 31  
 Senate Bill No. 90  
 Senate Bill No. 180  
 Senate Bill No. 191  
 Senate Bill No. 446  
 Senate Bill No. 572

Senate Bill No. 762  
 Senate Bill No. 966  
 Senate Bill No. 1286  
 Senate Bill No. 1381  
 Senate Bill No. 1382  
 Senate Bill No. 1383

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 54

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 100  
 Assembly Bill No. 290  
 Assembly Bill No. 325  
 Assembly Bill No. 376  
 Assembly Bill No. 421  
 Assembly Bill No. 544  
 Assembly Bill No. 716  
 Assembly Bill No. 717  
 Assembly Bill No. 776  
 Assembly Bill No. 815  
 Assembly Bill No. 820  
 Assembly Bill No. 928  
 Assembly Bill No. 1050  
 Assembly Bill No. 1055  
 Assembly Bill No. 1056  
 Assembly Bill No. 1057

Assembly Bill No. 1058  
 Assembly Bill No. 1189  
 Assembly Bill No. 1346  
 Assembly Bill No. 1434  
 Assembly Bill No. 1488  
 Assembly Bill No. 1495  
 Assembly Bill No. 1557  
 Assembly Bill No. 1993  
 Assembly Bill No. 2189  
 Assembly Bill No. 2261  
 Assembly Bill No. 2313  
 Assembly Bill No. 2408  
 Assembly Bill No. 3282  
 Assembly Bill No. 3390  
 Assembly Bill No. 3783  
 Assembly Bill No. 3792

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 100**—An act to amend Section 3352 of the Labor Code, relating to part-time gardeners.

Referred to Committee on Labor.

**Assembly Bill No. 290**—An act to amend Section 10051.1 of the Elections Code, relating to consolidated elections.

Referred to Committee on Elections.

**Assembly Bill No. 325**—An act to amend Section 3022 of the Civil Code, relating to giving of notice of assignment of accounts receivable.

Referred to Committee on Judiciary.

**Assembly Bill No. 376**—An act to amend Section 68841 of the Government Code, relating to the Clerk of the Supreme Court.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 421**—An act to amend Sections 1030, 1031, 1032, 1033, 1034 and 1044 of the Fish and Game Code, relating to domestic fish breeder's license.

Referred to Committee on Fish and Game.

**Assembly Bill No. 544**—An act to amend Sections 74642, 74643, and 74644 of the Government Code, relating to the municipal court established in a district embracing the City of Santa Barbara.

Referred to Committee on Local Government.

**Assembly Bill No. 716**—An act to amend Section 4248 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Assembly Bill No. 717**—An act to amend Section 743 of the Agricultural Code, relating to California Dairy Industry Advisory Board.

Referred to Committee on Agriculture.

**Assembly Bill No. 776**—An act to add Sections 72756, 72757, and 72758 to the Government Code, relating to municipal court officers.

Referred to Committee on Judiciary.

**Assembly Bill No. 815**—An act to amend Section 73300 of the Government Code, relating to salaries in municipal court districts.

Referred to Committee on Local Government.

**Assembly Bill No. 820**—An act to amend Section 71221 of the Government Code, relating to municipal and justice courts.

Referred to Committee on Local Government.

**Assembly Bill No. 928**—An act to amend Sections 74182, 74183, 74184 and 74185 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Referred to Committee on Local Government.



**Assembly Bill No. 1050**—An act to repeal Section 2007.5 and to amend Section 2160 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1055**—An act to amend Section 635 of the Agricultural Code, relating to modified milk.

Referred to Committee on Agriculture.

**Assembly Bill No. 1056**—An act to amend Section 4384 of the Agricultural Code, relating to assessments on fluid milk and fluid cream subject to a stabilization and marketing plan.

Referred to Committee on Agriculture.

**Assembly Bill No. 1057**—An act to amend Section 464.5 of the Agricultural Code, relating to milk dispensing devices.

Referred to Committee on Agriculture.

**Assembly Bill No. 1058**—An act to add Section 534 to the Agricultural Code, relating to sanitation in production and handling of imitation milk products.

Referred to Committee on Agriculture.

**Assembly Bill No. 1189**—An act to amend Section 70140 of the Government Code, relating to the salary of superior court commissioners in counties with a population of 2,000,000 or over.

Referred to Committee on Local Government.

**Assembly Bill No. 1346**—An act to amend Section 164.5 of the Welfare and Institutions Code, relating to sending lists of patients to Veterans' Welfare Board.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1434**—An act to amend Sections 2203 and 2214 of the Corporations Code, relating to the rights of shareholders in corporations.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1488**—An act to amend Section 1657 of the Probate Code, relating to guardianship.

Referred to Committee on Judiciary.

**Assembly Bill No. 1495**—An act to add Section 386.6 to the Code of Civil Procedure, relating to attorney fees in actions where parties are interpleaded.

Referred to Committee on Judiciary.

**Assembly Bill No. 1557**—An act to amend Sections 148, 223, 433, 512 and 612 of the Military and Veterans Code, relating to the State Militia, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1993**—An act to amend the heading of, the heading of Article 1 of, and to add Article 2 to, Chapter 8, Division 5 of the Agricultural Code, relating to chicken meat.

Referred to Committee on Agriculture.

**Assembly Bill No. 2189**—An act to amend Section 1401 of the Health and Safety Code, relating to hospitals.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2261**—An act to add Sections 655.5, 5755.5, 5756, 5757, and 6700.5 to, and to amend Section 5751 of, the Elections Code, relating to the canvass of ballots by electronic tabulators.

Referred to Committee on Elections.

**Assembly Bill No. 2313**—An act to add Section 69902.5 to the Government Code, relating to the office of the jury commissioner.

Referred to Committee on Judiciary.

**Assembly Bill No. 2408**—An act to amend Section 2165d of the Welfare and Institutions Code, relating to real property of applicants for and recipients of aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 3282**—An act to amend Section 5009 of the Public Resources Code, relating to the State Park System.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3390**—An act to amend Section 3287 of the Civil Code, relating to recovery of damages and interest.

Referred to Committee on Judiciary.

**Assembly Bill No. 3783**—An act to amend Section 125 of the Agricultural Code, relating to weed seed, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

**Assembly Bill No. 3792**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Orange, State of California, or to reform a certain resolution and deed, or both.

Referred to Committee on Governmental Efficiency.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 28**—Relative to the enactment of federal highway legislation;

**Senate Concurrent Resolution No. 57**—Relative to the creation of the Joint Committee on Federal Highway Aid;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-second day of April, 1955, at 3 p.m.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 55  
Senate Bill No. 62  
Senate Bill No. 145  
Senate Bill No. 221  
Senate Bill No. 739  
Senate Bill No. 743

Senate Bill No. 815  
Senate Bill No. 988  
Senate Bill No. 1111  
Senate Bill No. 1762  
Senate Bill No. 1982

And reports the same correctly engrossed.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 462  
Senate Bill No. 463  
Senate Bill No. 510

And reports the same correctly re-engrossed.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, APRIL 25, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 2  
Senate Bill No. 49  
Senate Bill No. 50  
Senate Bill No. 132  
Senate Bill No. 142  
Senate Bill No. 327

Senate Bill No. 537  
Senate Bill No. 759  
Senate Bill No. 770  
Senate Bill No. 1062  
Senate Bill No. 1582  
Senate Bill No. 1674

And reports the same correctly engrossed.

WARD, Chairman

**Committee on Military and Veterans Affairs**

## SENATE CHAMBER, SACRAMENTO, APRIL 25, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 877

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote; Ayes 7; absent 4.

SUTTON, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, APRIL 25, 1955

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 1866

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

SUTTON, Chairman

Above reported bill ordered to second reading.

**MOTION TO APPROVE JOURNALS**

Senator Ward moved that the Journals for Monday, April 18, 1955; Tuesday, April 19, 1955; Wednesday, April 20, 1955; Thursday, April 21, 1955; and Friday, April 22, 1955, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

**Senate Bill No. 200**—An act to amend Section 1142 of the Agricultural Code, relating to eggs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate April 18, 1955, after "Sections", insert "1141".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 1141 of the Agricultural Code is amended to read:

1141. As used in this article "egg products" means "liquid eggs," "frozen eggs," ["dried eggs"] "egg solids" or other egg products intended for human consumption. SEC. 2. Section 1142 of said code is".

**Amendment No. 3**

On page 1, line 15, strike out "2", and insert "3".

**Amendment No. 4**

On page 2, line 5, strike out "3", and insert "4".

**Amendment No. 5**

On page 3, line 18, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1493**—An act to add Section 4260 to the Agricultural Code, relating to marketing of milk and dairy products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out the first word "or", and insert "or".

**Amendment No. 2**

On page 1, line 9, strike out "Nothing in this section", and all of lines 10 and 11.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1157**—An act to add Sections 1300.15a, 1300.17a, 2226.5, 2713, and 3218 to the Agricultural Code, relating to production and marketing of olives.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1090**—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "This chapter does not apply to or include", and insert

"As used in this chapter the terms "commission merchant", "dealer", "broker", "Cash buyer", or "agent" shall not mean any of the following".



**Amendment No. 2**

On page 1, line 4, strike out "A", and insert "Any".

**Amendment No. 3**

On page 2, lines 10 and 11, strike out ", not otherwise required to be licensed under this chapter,".

**Amendment No. 4**

On page 2, line 12, after "from", insert "no one other than".

**Amendment No. 5**

On page 2, line 12, strike out "to which any", and strike out line 13, and insert "defined in subdivision (a) of this section."

Amendments read, and adopted.

Bill ordered printed and re-referred to Committee on Agriculture.

**Senate Bill No. 1159**—An act to add Section 1159 to the Agricultural Code, relating to the production and marketing of olives, apricots, or clingstone peaches.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate April 11, 1955, strike out "olives, apricots, or".

**Amendment No. 2**

On page 1, line 4, strike out "(1)".

**Amendment No. 3**

On page 1, line 5, strike out "olives and".

**Amendment No. 4**

On page 1, line 6, strike out "and (2) smaller size of apricots".

**Amendment No. 5**

On page 1, line 7, strike out "excepting stat".

**Amendment No. 6**

On page 1, strike out line 8.

**Amendment No. 7**

On page 1, line 9, strike out "whole or pitted".

**Amendment No. 8**

On page 1, line 11, strike out "olives, apricots, or".

**Amendment No. 9**

On page 1, line 14, strike out "(1)".

**Amendment No. 10**

On page 1, line 15, strike out "olive or".

**Amendment No. 11**

On page 1, line 17, strike out the comma and insert a period.

**Amendment No. 12**

On page 1, strike out lines 18 to 20, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1163**—An act to add Section 1157 to the Agricultural Code, relating to production of olives, apricots, and clingstone peaches.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate April 11, 1955, strike out "olives, apricots, and".

**Amendment No. 2**

On page 1, line 6, strike out "olives, apricots, or".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1065**—An act to amend Sections 336.3, 344.1, 346.1, and 346.2 of the Agricultural Code, relating to location of cattle brands.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1066**—An act to amend Section 336.6 of the Agricultural Code, relating to applications for cattle brands.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1067**—An act to amend Section 353.9 of the Agricultural Code, relating to cattle hide and brand inspection fees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1068**—An act to amend Sections 396 and 399 of the Agricultural Code, relating to sale of estrays.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1669**—An act to add Section 821.85 to the Agricultural Code, relating to apples, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2962**—An act to amend Section 102 of the Agricultural Code, relating to plant quarantine and pest control.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2891**—An act to amend Section 818 of, and to add Section 818.2 to, the Agricultural Code, relating to standards for potatoes, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in Assembly March 31, 1955, after "rots," strike out "black heart, and live insect larvae which have penetrated;" and insert "and black heart;"

**Amendment No. 2**

On page 1, line 5, strike out "the flesh ;".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1069**—An act to amend Sections 354.1 and 380 of the Agricultural Code, relating to fees for inspection of animals.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 354.1 and", and insert "Section 354.1 and to amend and renumber Section".

**Amendment No. 2**

On page 1, line 11, after "amended", insert "and renumbered".

**Amendment No. 3**

On page 1, line 12, strike out "380.", and insert "373."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3601**—An act to amend Section 372 of the Agricultural Code, relating to livestock killed or injured on railroads.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in Assembly April 8, 1955, strike out "72", and insert "96".

**Amendment No. 2**

On page 1, line 19, strike out "The owner"; and strike out all of lines 20 to 24, inclusive; and on page 2, strike out lines 1 and 2, and insert "If the".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1075**—An act to amend Section 1011 of the Agricultural Code, relating to spray residue.

Bill read second time, and ordered to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 759, 2, 327 and 1582 carry an appropriation or an implied appropriation.

The President ordered Senate Bills Nos. 759, 2, 327 and 1582 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**President pro Tempore of the Senate Presiding**

At 2.17 p.m., Hon. Clarence C. Ward, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the Desk

**MOTION TO RE-REFER SENATE BILL NO. 1157**

Senator J. Howard Williams moved that Senate Bill No. 1157 be re-referred to Committee on Agriculture.

Motion lost.

**REQUEST FOR UNANIMOUS CONSENT**

At 2.35 p.m., Senator John F. McCarthy asked for, and was granted, unanimous consent to have Senators J. Howard Williams, Abshire, Murdy, and John F. McCarthy excused due to a conference with the Governor.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 972**—An act to amend Section 4793.1 of the Health and Safety Code, relating to the disposition of moneys remaining in the construction fund of a county sanitation district after completion of construction.

Bill read third time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill as amended in Senate, April 18, 1955, after "accomplished", insert a comma.

**Amendment No. 2**

On page 1, line 11, after "he", insert "; provided, however, that with respect to improvement districts such general objectives and purposes shall not include the acquisition or construction of new local street sewers or laterals as distinguished from main trunks, interceptors, and outfall sewers".

**Amendment No. 3**

On page 1, line 20, after "said", insert "county sanitation".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senator Burns Presiding**

At 2.39 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**Senate Bill No. 462**—An act to amend Sections 5255, 8701, 12300, 15801, 17400, 18800, 22400, and 24400 of the Financial Code; to amend Sections 10080 and 11001 of the Business and Professions Code; to amend Sections 25308, 27003, and 28200 of the Corporations Code; to add Section 42 to the Insurance Code; and to amend Sections 383.5, 843, 1691.3, 1812, 1851, 10292, 10498.6, 11515, and 11751.5 of the Insurance Code, relating to regulations of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1254**—An act to add Section 486 to, and to amend Sections 488 and 488.5 of, the Vehicle Code, relating to accident reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Cobey, Coombs, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1092**—An act to amend Section 330 of the Fish and Game Code, relating to wildlife management areas.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1391**—An act to amend Section 13583 of the Education Code, relating to certificated employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Short, Sutton, Thompson, Ward, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Constitutional Amendment No. 28**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII, relating to property taxation.

Resolution read.

#### Motion to Amend

Senator Brown moved the adoption of the following amendments:

#### Amendment No. 1

On page 2 of the printed measure, strike out line 3, and insert "a county, city and county, or city owning".

#### Amendment No. 2

On page 2, line 4, after "activity", insert "for the production, development, storage, transmission, or utilization of water or electricity".

#### Amendment No. 3

On page 2, line 6, strike out "(other than those used)"; strike out line 7; and in line 8 strike out "in part by charges for services)".

#### Amendment No. 4

On page 2, line 9, after "corporation", insert "(other than those of a county, city and county, or city, used in connection with an activity for the production, development, storage, transmission, or utilization of water or electricity which is supported in whole or in part by charges for services)".

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 132**—An act to amend Section 28146 of the Government Code, relating to compensation for public services in counties of the forty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 142**—An act to add Section 70045.6 to the Government Code, relating to court reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 739**—An act to amend Section 25905 of the Government Code, relating to agricultural fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, and Way—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 743**—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange.

Bill read third time.

#### Motion to Amend

Senator Parkman moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate March 10, 1955, after "exchange", insert "and for accomplishing the purposes of this act".

#### Amendment No. 2

On page 2, line 36, strike out "Rose Hills Cemetery", and insert "Myrtle Lawn Section of Whittier Heights Memorial Park".

#### Amendment No. 3

On page 2, line 39, strike out "Lot 10 and all of Lot 11", and insert "Lot 11 and all of Lot 10".

#### Amendment No. 4

On page 3, line 42, after the period, insert "The school district is authorized to take any action necessary to accomplish the exchange."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1111**—An act to amend Section 9702 of the Elections Code, relating to campaign financial statements by candidates for municipal offices.

Bill read third time.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Dilworth moved a call of the Senate.

Motion carried. Time, 3.10 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1062**—An act to add Section 1714.1 to the Civil Code, relating to liability of parents for torts of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**President of the Senate Presiding**

At 3.18 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Senate Bill No. 815**—An act to add Sections 416.1, 416.2, and 416.3 to, and to amend Sections 422, 581a, 585, 586, and 1014 of, the Code of Civil Procedure, relating to motions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Burns Presiding**

At 3.31 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.36 p.m., on motion of Senator Dilworth, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 1111 passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft,

McBride, Robert I. McCarthy, Murdy, Richards, Short, Teale, Ward, Way, and J. Howard Williams—25.

NOES—Senators Erhart, Montgomery, Parkman, Regan, Sutton, and Thompson—6.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1440**—An act to amend Sections 35104, 35108, 35250, 35251, 35257, 35258, 35402, 35404, 35406, 35411, 35412, 35413, 35418, 35423, 35428, 35560, 35565, and 35704 of the Streets and Highways Code, to repeal Section 3401 of said code, and to add Sections 35113, 35108.5, 35275, 35276, 35402.1, 35402.2, 35402.3, 35414.1, 35566, and 35706 to said code, relating to districts formed under the Parking District Law of 1951.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Parkman, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—25.

NOES—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 460**—An act to amend Sections 1058, 1252, 2552, and 11415 of the Water Code, and to amend Section 18202 of the Education Code, relating to regulations of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 461**—An act to add Sections 21216 to the Public Utilities Code, relating to the California Aeronautics Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 463**—An act to amend Sections 16, 254, 261, 262, 324, 333.3, 333.4, 351.2, 359.2, 380.50, 441, 617, 747.1, 762.8, 782, 841, 892, 917.5, 1012.6, 1044, 1068, 1082, 1106.1, 1232, 1248, 1260.1, 2649, and 3149 of, and to add Section 16.1 to, and to repeal Section 896 of, the Agricultural Code, and to amend Sections 8525, 8560, 8972.1, 12027,



12107, 19510, 19561, 19561.5, 19562 and 19590 of the Business and Professions Code, relating to regulations of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 464**—An act to amend Sections 18624, 18682, 5526, 5015, 5021, 5022, 9533, 7606, 2119, 2558, 2630, 2715, 2736, 2854, 2882, 4808, 4849, 4009, 9630, 21243, 3025, 6866, 14231, 14248, 6716, 6717, 6754, 8710, 8745 of the Business and Professions Code; to amend Sections 1262, 11112, 11423, 11424, and 11426 of the Government Code; to amend Section 411 of the Unemployment Insurance Code; and to add Section 6751.5 to the Business and Professions Code, relating to regulations of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 510**—An act to amend Section 7 of the Construction and Employment Act (Chapter 20, 1946, First Ex. Session); Section 7706 of the Education Code; Section 55 of the Labor Code; Section 3502 of the Agricultural Code; Sections 1614, 1651, 5630, 7008, 7059, 7065, 7076, 7084, 8920, and 19089 of the Business and Professions Code; and Sections 13160, 13399, 13780, 13920, 13922, 13924, 13926, and 13951 of the Government Code, relating to regulations of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 511**—An act to amend Sections 5517, 5701, 6602, 6725.5, 6726, 6727, 7302, 7502, and 7500.5 of the Welfare and Institutions Code; Sections 13108, 13116, 13120, 13126, 13143, 13252, 13552, and 19813 of the Health and Safety Code; Sections 156.5, 167, 237, 249.04, 249.11, 254.6, 422.6, and 422.7 of the Vehicle Code; Sections 12601, 13020, and 13022 of the Water Code; Sections 127, 305, and 306 of the Unemployment Insurance Code; Sections 72, 700, 1014, and 1023 of the Military and Veterans Code; and to add Section 19 to the Military and Veterans Code, relating to regulations of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**President of the Senate Presiding**

At 3.56 p.m., Hon. Harold J. Powers, President of the Senate, presiding.

**Senate Bill No. 513**—An act to amend Sections 102, 208, 212, 271, 432.4, 435.2, 600, 1222, 1411, 1509, 1603, 1604, 1606, 1614, 1660, 1668, 21100, 24102, 26321, 26540, 26540.2, 26542, 28013, 28153, 28182, 28339, 28440, 28508, 28663.5, and 28709, and repeal Sections 26323 and 26544 of the Health and Safety Code, to amend Sections 1220 and 1221 of the Business and Professions Code, and to amend Section 1147 of the Agricultural Code, relating to rules and regulations pertaining to public health.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Ward, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assistant Secretary Lachlan M. Richards, Jr., at the Desk**

**Senate Bill No. 521**—An act to amend Section 6078 of the Water Code, relating to rules and regulations of the Department of Public Works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Ward, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 12**—An act to add Section 2626.1 to, and to amend Sections 2665 and 2668 of, the Business and Professions Code, relating to physical therapists, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 711**—An act to amend Section 21364 of the Government Code, relating to the special death benefit under the State Employees' Retirement System.

Bill read third time.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Parkman moved a call of the Senate.

Motion carried. Time, 4.10 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.12 p.m., on motion of Senator Parkman, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 711 passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1762**—An act to amend Sections 8, 10, and 17 of the Storm Water District Act of 1909 (Chapter 222 of the Statutes of 1909), relating to storm water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 55**—An act to amend Sections 3, 7, 17, 21, and 22 of the San Benito County Water Conservation and Flood Control District Act, relating to the San Benito County Water Conservation and Flood Control District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 145**—An act to amend Section 433 of the Education Code, relating to the compensation of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 988**—An act to amend Section 31671 of the Government Code, relating to retirement for county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1674**—An act to amend Section 28140 of the Government Code, relating to compensation for public service in a county of the fortieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 537**—An act to add Section 21337 to the Government Code, relating to the State Employees' Retirement System in respect to benefits payable upon the deaths of local firemen members.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Busch, Cobey, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—29.

**NOES**—None.



**Motion to Amend Title**

Senator Regan moved the adoption of the following amendment to the title:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in Senate April 22, 1955, strike out "Fireman".

Amendment read, and adopted.

Bill ordered reprinted and transmitted to the Assembly.

**Senate Bill No. 50**—An act to amend Section 444 of the Education Code, relating to compensation of the county superintendent of schools in a county of the forty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 49**—An act to amend Section 28144 of the Government Code, relating to compensation for public service in counties of the forty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 3**—An act to amend Section 45 of the Vehicle Code, relating to implements of husbandry.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1969**—An act to amend Sections 799, 802, and 802.3 of the Agricultural Code, relating to grapes.

Bill read third time, and presented by Senator J. Howard Williams.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2870**—An act to amend Section 980 of the Military and Veterans Code, relating to veterans.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2125**—An act to amend Section 952 of the Agricultural Code, relating to cotton industry and the products thereof.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1891**—An act to add Sections 8967, 8967.5, 8968, 8968.5, and 8969 of the Health and Safety Code, relating to dedication of property of public cemetery districts.

Bill read third time, and presented by Senator Short.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Cobey, Coombs, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 97**—An act to amend Sections 1736, 2071, and 2073 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 434**—An act to amend Section 3131 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F.

McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1823**—An act to amend Section 525, to repeal Section 525.2, and to add Section 525.2 to the Vehicle Code, relating to driving on the right side of roadways and obedience to distinctive roadway markings.

Bill read third time, and presented by Senator Dilworth.

The bill was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Assembly Bill No. 3311**—An act to amend Section 2052 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Cobey, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 85**—Relative to the establishment of a state college in the area of Napa and Solano Counties.

Resolution read, and presented by Senator Coombs.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, and Ward—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 186**—An act to add Section 450.2 to the Fish and Game Code, relating to fish and game.

Bill read third time, and presented by Senator Ed. C. Johnson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Ward, Way, and J. Howard Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 63:** By Senator Erhart—Relative to approving the charter of the City of San Luis Obispo, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourth day of April, 1955.

Resolution read, and ordered held at the desk.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1107**

Senator Ward moved that Senate Bill No. 1107 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1107**—An act to create a Department of Purchases in the State Government and to transfer to said department certain functions of certain other state agencies with respect to state purchases, by repealing Chapter 4 of Part 3, Division 3, Title 2 of the Government Code, and adding Part 3.5 to Division 3 of Title 2 of said code, relating to state purchases.

Bill read second time.

**Motion to Amend**

Senator Ward moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, strike out the title of the printed bill, and insert "An act to add Section 4303.5 to the Government Code, relating to purchases by public bodies."

**Amendment No. 2**

On page 1, strike out line 1, and insert "SECTION 1. Section 4303.5 is added to the Government Code, to read: 4303.5. Any provision of this article to the contrary notwithstanding, any such body or person may let a contract for the purchase of office machines or supplies therefor without regard to the place of their manufacture or the source of the materials from which such machines or supplies manufactured, except that such contracts or purchases shall be subject to the provisions of Section 4334."

**Amendment No. 3**

On page 1, strike out lines 2 to 23, inclusive; and strike out pages 2, 3, and 4.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1953**

Senator Desmond moved that Senate Bill No. 1953 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1953**—An act to make an appropriation for the purpose of improvement of the proposed new California State Fair site.

Bill read second time.



**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "proposed".

**Amendment No. 2**

On page 1, line 1, after "of", insert "nine hundred seventy thousand dollars (\$970,000)".

**Amendment No. 3**

On page 1, line 2, after "dollars", insert "payable".

**Amendment No. 4**

On page 1, line 3, after "Fund", insert "available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professions Code, California State Fair and Exposition".

**Amendment No. 5**

On page 1, line 3, strike out "proposed".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 86**

Senator Gibson moved that Senate Bill No. 86 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 86**—An act to amend Sections 74841, 74842, 74843, 74844, and 74845 of, and to add Section 74846 to, the Government Code, relating to the municipal court established in a district embracing the City of Vallejo.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "and 74845 of, and to add Section 74846 to," and insert "74845, 74846, and 74847 of".

**Amendment No. 2**

On page 1, line 4, strike out "----- dollars (\$-----)" and insert "twelve thousand dollars (\$12,000)".

**Amendment No. 3**

On page 1, lines 7 and 8, strike out "----- dollars (\$-----)", and insert "three hundred sixty-four dollars (\$364)".

**Amendment No. 4**

On page 1, strike out lines 9 to 13, inclusive, and insert "twenty-one dollars (\$21) and twenty-two dollars (\$22) and twenty-four dollars (\$24) and twenty-five dollars (\$25) to a maximum of four hundred fifty-six dollars (\$456) monthly."

**Amendment No. 5**

On page 1, line 21, strike out "Three", and insert "One".

**Amendment No. 6**

On page 1, line 23, strike out "----- dollars (\$-----)", and insert "two hundred forty-seven dollars (\$247)".

**Amendment No. 7**

On page 1, strike out lines 24 and 25; and on page 2, strike out lines 1 to 3, inclusive, and insert "fourteen dollars (\$14) and fifteen dollars (\$15) and fifteen dollars (\$15) and eighteen dollars (\$18) to a maximum of three hundred nine dollars (\$309) monthly."

**Amendment No. 8**

On page 2, line 6, strike out "----- dollars (\$-----)", and insert "two hundred twenty-one dollars (\$221)".

**Amendment No. 9**

On page 2, strike out lines 7 to 11, inclusive, and insert "ments of twelve dollars (\$12) and fourteen dollars (\$14) and fourteen dollars (\$14) and fifteen dollars (\$15) to a maximum of two hundred seventy-six dollars (\$276) monthly."

**Amendment No. 10**

On page 2, line 12, strike out "Two", and insert "Four".

**Amendment No. 11**

On page 2, line 13, strike out "----- dollars (\$-----)" and insert "two hundred nine dollars (\$209)".

**Amendment No. 12**

On page 2, strike out lines 14 to 17, inclusive, and insert "with increments of twelve dollars (\$12) and twelve dollars (\$12) and fourteen dollars (\$14) and fourteen dollars (\$14) to a maximum of two hundred sixty-one dollars (\$261) monthly."

**Amendment No. 13**

On page 2, strike out line 20, and insert "six thousand dollars (\$6,000) an-".

**Amendment No. 14**

On page 2, line 24, strike out "Three", and insert "Two".

**Amendment No. 15**

On page 2, line 26, strike out "----- dollars (\$-----)" and insert "three hundred nine dollars (\$309)".

**Amendment No. 16**

On page 2, strike out lines 27 to 31, inclusive, and insert "seventeen dollars (\$17) and eighteen dollars (\$18) and twenty dollars (\$20) and twenty one dollars (\$21) to a maximum of three hundred eighty-five dollars (\$385) monthly."

**Amendment No. 17**

On page 2, line 34, strike out "----- dollars (\$-----)" and insert "two hundred ninety-one dollars (\$291)".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 18**

On page 2, strike out lines 35 to 47, inclusive, and insert "ments of eighteen dollars (\$18) and seventeen dollars (\$17) and eighteen dollars (\$18) and twenty dollars (\$20) to a maximum of three hundred sixty-four dollars (\$364) monthly."

(c) One deputy marshal, who shall receive a minimum salary of two hundred forty-seven dollars (\$247) monthly with increments of fourteen dollars (\$14) and fifteen dollars (\$15) and fifteen dollars (\$15) and eighteen dollars (\$18) to a maximum of three hundred nine dollars (\$309) monthly.

SEC. 6. Section 74846 of said code is amended to read:

74846. Attaches shall be hired at the minimum rate of salary except if it is difficult to secure qualified personnel, or if a person of unusual qualifications is hired, in which case the judge may hire at the salary indicated on the second step. *Persons appointed to new positions in the court created after its establishment and who have discharged comparable duties in the court shall receive credit for their continuous prior service in determining their rate of compensation, and their prior service shall be deemed service in the new positions. Such credit shall be given only when the judge of the court determines that the officer is entitled to receive it.*

SEC. 7. Section 74847 of said code is amended to read:

74847. After six months of satisfactory employment at the minimum rate of salary, the attache shall receive the first increment in salary. [One year after receiving the first increment in salary, and upon satisfactory service in employment, the

attache may receive the second increment in salary.] The second and all subsequent increments in salary shall be given not as a matter of right but only when the judge determines that the attache is properly entitled to receive it. *Subsequent increments in salary shall be given in accordance with the following schedule:*

(a) *An employee may receive the second increment beginning on the first day of the month after completion of one year of service at the first increment.*

(b) *An employee may receive the third increment at the beginning of the fiscal quarter after completion of eighteen months of service at the second increment.*

(c) *An employee may receive the fourth increment at the beginning of the fiscal quarter after completion of two years of service at the third increment.*

Where, by reason of unusual circumstances, rigid adherence to the foregoing schedule would cause a manifest injustice, the judge may make such order relating thereto as in his discretion is proper.

Notwithstanding the foregoing provisions of this section, an employee who is promoted or reclassified from one class to another having a higher overlapping salary range shall be adjusted to the minimum of the new range or to one step above his old salary, but thereafter shall be governed by this section."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 731

Senator Way moved that Senate Bill No. 731 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 731**—An act to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to state assistance for the restoration, repair or reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Way moved the adoption of the following amendment:

#### Amendment No. 1

On page 4, line 48, of the printed bill, as amended in Senate April 18, 1955, strike out "The", and insert "Except as required by Sections 18191 to 18205, inclusive, of the Education Code, the".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 809

Senator Way moved that Senate Bill No. 809 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 809**—An act to provide for the removal of an island from the channel of Eel River and making an appropriation for such purpose.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "twenty-five thousand dollars (\$25,000)", and insert "twenty thousand dollars (\$20,000)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1950**

Senator Thompson moved that Senate Bill No. 1950 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1950**—An act to repeal Article 5 of Chapter 18 of Division 3 of, and to add Article 5 to Chapter 18 of Division 3 of, the Business and Professions Code, relating to cleaning, dyeing, and pressing services.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 33, of the printed bill, after "losses", strike out "and", and insert "fraud".

**Amendment No. 2**

On page 3, line 10, after "labor," insert "including that of the owners and the members of the families of the owners."

**Amendment No. 3**

On page 3, line 18, after "made", strike out "or", and insert "the board must first determine that conditions exist in a city, county, or other area which require the establishing of a minimum cost schedule therefor, in order to prevent the occurrence or happenings of any of the events, acts, or things enumerated in Section 9560 of this code. Before".

**Amendment No. 4**

On page 3, line 18, after "schedule", insert "may be".

**Amendment No. 5**

On page 3, strike out lines 34 to 47, inclusive, and insert

"(a) A plant performing cleaning services shall not load, or permit to be loaded, any cleaning machine with garments or items to be cleaned whose total poundage or the total number of which is in excess of the poundage or number of garments or items recommended to be loaded by the manufacturer of the machine for the proper usage of the machine.

(b) Any final rinse solvent used shall not contain more than three-tenths of one percent (0.003) of fatty acids.

(c) All garments and items cleaned shall, before the cleaning process is begun, be classified and assorted according to fabric, color, and trimmings with respect to the mechanical action and time required to properly clean any such garment or item, and shall be cleaned accordingly.

(d) All spots which are not removed from a garment or item in a cleaning machine by the dry cleaning solvent used therein shall be removed, if it is possible to do so without causing injury or damage to the garment or item, or its fabric or color, by other proper chemicals applied manually.

(e) All surface wrinkles of garments or items shall be removed by pressing or steaming which is at least of the same standard and quality as that required to obtain an operator's registration certificate under the rules established by the board, and the garment or item shall be returned in a wearable or usable condition, and shall be restored to its original shape, dimensions, or contour, or to that shape, dimensions, or contour in which it was received from the customer."



**Amendment No. 6**

On page 5, strike out lines 7 to 9, inclusive, and insert "to appear and present evidence that the minimum cost schedule proposed by the committee of certified public accountants is not factually correct with respect to what the minimum cost actually is for the rendering of any minimum, proper, healthful and sanitary cleaning, dyeing, or pressing service."

**Amendment No. 7**

On page 6, after line 21, insert "9571. The board and the Attorney General are each specifically charged with the duty of enforcing the provisions of this article."

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1384**

Senator Kraft moved that Senate Bill No. 1384 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1384**—An act to amend Section 6710 of the Business and Professions Code, relating to civil and professional engineers.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 6710 of", and insert "add Sections 6702.1, 6702.2, 6731.1, 6731.2, 6731.3, and 6731.4 to, and to amend Sections 6717, 6730, 6731, 6734, 6735, 6738, 6740, 6741, 6744, 6745, 6752, and 6787 of,".

**Amendment No. 2**

In line 2 of the title, strike out "civil and".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 6702.1 is added to the Business and Professions Code, to read:

6702.1. "Electrical engineer" as used in this chapter means a professional engineer in the branch of electrical engineering and refers to one who practices or offers to practice electrical engineering in any of its phases.

SEC. 2. Section 6702.2 is added to said code, to read:

6702.2. "Mechanical engineer" as used in this chapter means a professional engineer in the branch of mechanical engineering and refers to one who practices or offers to practice mechanical engineering in any of its phases.

SEC. 3. Section 6717 of said code is amended to read:

6717. The board shall have the power to define the scope of each branch of professional engineering, other than civil, *electrical*, and *mechanical* engineering, for which registration is provided under this chapter.

SEC. 4. Section 6730 of said code is amended to read:

6730. In order to safeguard life, health, property and public welfare, any person, either in a public or private capacity, except as in this chapter specifically excepted, who practices, or offers to practice, civil, *electrical*, or *mechanical* engineering in any of its branches in this State or who practices, or offers to practice professional engineering in any other branch thereof, shall submit evidence that he is qualified to practice, and shall be registered as a [civil] professional engineer in the appropriate branch by the board.

SEC. 5. Section 6731 of said code is amended to read:

6731. Civil engineering embraces the following studies or activities in connection with fixed works for irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, purification of water, sewerage, refuse disposal, foundations, framed and homogeneous structures, buildings, or bridges.

(a) The economies of, the use and design of, materials of construction and the determination of their physical qualities.

(b) The supervision of the construction of engineering structures.

(c) The investigation of the laws, phenomena and forces of nature.

(d) Appraisals or valuations.

(e) The preparation and/or submission of designs, plans and specifications and engineering reports.

[Nothing in this chapter shall prohibit the preparation of plans, drawings, specifications, estimates, or instruments of service for single or multiple dwellings not more than two stories and basement in height, garages or other structures appurtenant to such dwellings, farm or ranch buildings, or any other buildings, except steel frame and concrete buildings, not over one story in height, where the span between bearing walls does not exceed twenty-five (25) feet.]

Civil engineering also includes city and regional planning insofar as any of the above features are concerned therein, and geodetic, municipal and topographic surveying.

SEC. 6. Section 6731.1 is added to said code, to read:

6731.1. "Electrical engineering" is that branch of professional engineering which embraces studies or activities relating to the generation, transmission, and utilization of electrical energy, including the design of electrical and magnetic circuits and the technical control of their operation, and of the design of electrical gear. It is concerned with the research, design, production, supervision of construction and installation, and with the operational, organizational, and economic aspects of the above.

SEC. 7. Section 6731.2 is added to said code, to read:

6731.2. "Mechanical engineering" is that branch of professional engineering which embraces studies or activities relating to the generation, transmission, and utilization of thermal and mechanical energy; to tools, machines, and their products; and to systems for heating, cooling and refrigerating, ventilating, air conditioning and plumbing. It is concerned with the research, design, production, supervision of construction and installation, and with the operational, organizational, and economic aspects of the above.

SEC. 8. Section 6731.3 is added to said code, to read:

6731.3. Nothing in this chapter shall prohibit the preparation of plans, drawings, specifications, estimates, or instruments of service for:

(a) Single or multiple dwellings not exceeding two stories and basement in height.

(b) Farm or ranch buildings.

(c) Garages or other structures appurtenant to buildings described under subdivisions (a) and (b) of this section.

(d) Any building not over one story in height in which the span between bearing walls does not exceed 25 feet, and which does not employ a steel frame, or is not of concrete or of steel and concrete construction.

SEC. 9. Section 6731.4 is added to said code, to read:

6731.4. Nothing in this chapter in respect to professional engineering services shall apply to:

(a) Farm equipment.

(b) Electrical systems where the total rating of main service entrance protective devices or the setting thereof for each class of service does not exceed 400 amperes, or the rated normal service voltage does not exceed 750 volts.

(c) Generation, transmission, and utilization of thermal energy aggregating less than 500,000 BTU per hour.

(d) Generation, transmission, and utilization of mechanical energy aggregating less than 100 horsepower.

(e) Heating, ventilating, air conditioning, and plumbing systems for enclosed volumes of less than 100,000 cubic feet or for enclosed floor areas of less than 10,000 square feet.

(f) Ventilating systems of less than 20,000 cfm aggregate capacity.

(g) The operation of electrical or mechanical equipment or systems.

(h) The design and production of mechanical tools, machines, and their products, having a unit list price of less than twenty-five hundred dollars (\$2,500).

SEC. 10. Section 6734 of said code is amended to read:

6734. Any person practices civil, electrical, or mechanical engineering when he professes to be a civil, electrical, or mechanical engineer or is in responsible charge of civil, electrical, or mechanical engineering work.

SEC. 11. Section 6735 of said code is amended to read:

6735. All civil, electrical, and mechanical engineering plans, specifications, reports or documents shall be prepared by a [registered civil] professional engineer, registered in the branch of professional engineering involved, or by a subordinate

employee under his direction. In addition, they shall be signed by him or stamped with his seal, either of which shall indicate his responsibility for them. The registered [civil] professional engineer shall use together with his signature or seal, the title "civil engineer," "electrical engineer," or "mechanical engineer," as the case may be, or, if he has the authority, the title "structural engineer."

SEC. 12. Section 6738 of said code is amended to read:

6738. (a) This chapter does not prohibit one or more [civil] professional engineers from practicing or offering to practice [civil] professional engineering through the medium of a partnership, firm, or corporation; provided:

(1) A [civil] professional engineer is the partner, member, or directing officer in charge of the engineering practice of the partnership, firm, or corporation.

(2) All civil, electrical, or mechanical engineering plans, specifications, and reports are prepared by or under the direct supervision of a [registered civil] professional engineer, registered in that branch of engineering with which the plans and specifications are concerned, who shall sign or stamp with his seal such plans, specifications, and reports.

(3) The partnership, firm, or corporate name shall not contain the name of any person who is either not registered by the board in a branch of professional engineering, or as an architect; provided, that any holding out by such partnership, firm, or corporation of any individual or individuals to the public as a member, or members, of such partnership, firm, or corporation, other than by the use of the name or names of such individual or individuals in the partnership, firm, or corporate name, shall clearly and specifically designate the license status of such individual or individuals.

(b) Nothing herein shall authorize the offering to practice or the practice of civil, electrical, or mechanical engineering by any person, either as a member, officer, or employee of any partnership, firm, or corporation, who is not a [registered civil] professional engineer registered in such branch of engineering.

(c) This chapter does not prevent or prohibit an individual, firm, company, association or corporation engaged in any line of business other than the practice of [civil] professional engineering from employing a registered [civil] professional engineer to perform [civil] professional engineering services incidental to the conduct of their business.

(d) The provisions of this section shall not apply to, or prevent the use of name of, any partnership, firm, or corporation engaged in rendering [civil] professional engineering services which was lawfully in existence on September 30, 1947; provided, all civil, electrical, or mechanical engineering plans, specifications, and reports are prepared by or under the direct supervision of a [registered civil] professional engineer, registered in that branch of engineering with which the plans and specifications are concerned, who may be a member of the firm, or a permanent employee of the partnership, firm, or corporation; provided further, that all [civil] professional engineering plans, specifications and reports shall be signed by or stamped with the seal of the registered civil, electrical, or mechanical engineer in charge of the preparation of the same.

(e) Nothing in this chapter shall prohibit an engineer registered in one branch of engineering from undertaking work in his field which is recognized as overlapping or common to activities in another branch of professional engineering; provided, however, nothing herein shall authorize the offering to practice or the practice of professional engineering by any person in any branch of professional engineering other than the one in which he is registered.

SEC. 13. Section 6740 of said code is amended to read:

6740. A subordinate to a [civil] professional engineer registered under this chapter, or a subordinate to a [civil] professional engineer exempted from registration under this chapter, insofar as he acts solely in such capacity, is exempt from registration under the provisions of this chapter. This exemption, however, does not permit any such subordinate to practice civil, electrical, or mechanical engineering in his own right or to use the title, "civil engineer," "electrical engineer," "mechanical engineer," or "structural engineer."

SEC. 14. Section 6741 of said code is amended to read:

6741. Any person, firm, partnership, or corporation who is not a resident of the State of California, and who is legally qualified to practice as a [civil] professional engineer in another state, and offers to practice but who does not practice [civil] professional engineering in this State and who does not have or maintain a regular place of business in this State is exempt from registration under the provisions of this chapter.

SEC. 15. Section 6744 of said code is amended to read:

6744. This chapter does not require registration for the purpose of practicing [civil] professional engineering, by an individual, a member of a firm or partnership, or by an officer of a corporation or in connection with property owned or leased by the individual, firm, partnership, or corporation, unless the [civil] professional engineering work to be performed involves the public health or safety or the health and safety of employees of the individual, firm, partnership or corporation.



SEC. 16. Section 6745 of said code is amended to read:

6745. This chapter does not prohibit any person, firm or corporation, from furnishing, either alone or with subcontractors, labor and materials, with or without plans, drawings, specifications, instruments of service or other data covering such labor and materials:

(a) For store fronts, interior alterations or additions, fixtures, cabinet work, furniture, or other appliances or equipment.

(b) For any work necessary to provide for their installation.

(c) For any alterations or additions to any building necessary to or attendant upon the installation of such store fronts, interior alterations or additions, fixtures, cabinet work, furniture, appliances or equipment; provided, such alterations do not affect the [structural] safety of the building or its occupants.

SEC. 17. Section 6752 of said code is amended to read:

6752. An applicant for registration as a civil, *electrical*, or *mechanical* engineer must have gained his experience under the direction of a civil, *electrical*, or *mechanical* engineer legally qualified to practice in the branch of engineering for which he is making application, and must be at least 25 years of age.

SEC. 18. Section 6787 of said code is amended to read:

6787. Every person is guilty of a misdemeanor and for each offense of which he is convicted is punishable by a fine of not more than five hundred dollars (\$500) or by imprisonment not to exceed three months, or by both fine and imprisonment:

(a) Who, unless he is exempt from registration under this chapter, practices or offers to practice civil, *electrical*, or *mechanical* engineering in this State according to the provisions of this chapter without legal authorization.

(b) Who presents or attempts to file as his own the certificate of registration of another.

(c) Who gives false evidence of any kind to the board, or to any member thereof, in obtaining a certificate of registration.

(d) Who impersonates or uses the seal of any other practitioner.

(e) Who uses an expired or revoked certificate of registration.

(f) Who shall represent himself as, or use the title of, registered civil engineer, *registered electrical engineer*, or *registered mechanical engineer*, or any other title whereby such person could be considered as practicing or offering to practice civil, *electrical*, or *mechanical* engineering in any of [its] *their* branches, unless he is qualified by registration as a [civil] *professional engineer in any such branch* under this chapter.

(g) Who, unless registered, manages, or conducts as manager, proprietor, or agent, any place of business from which civil, *electrical*, or *mechanical* engineering work is solicited, performed or practiced.

(h) Who uses the title, or any of them, of "professional engineer," "chemical engineer," "civil engineer," "electrical engineer," "mechanical engineer," "petroleum engineer," or "structural engineer" without being registered as required by this act.

(i) Who violates any provisions of this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1398

Senator McBride moved that Senate Bill No. 1398 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1398**—An act to amend Section 25457 of the Government Code, relating to contracts for construction, alteration and repair of buildings.

Bill read second time.

#### Motion to Amend

Senator McBride moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "25457", and insert "25450".



**Amendment No. 2**

On page 1, line 1, strike out "25427", and insert "25450".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, between lines 2 and 3, insert

"25450. Whenever the estimated cost of construction of any wharf, chute, or other shipping facility, or of any hospital, almshouse, courthouse, jail, historical museum, aquarium, county free library building, branch library building, art gallery, art institute, exposition building, stadium or other public building or the cost of any repairs thereto [or furnishing thereof,] exceeds the sum of [two thousand dollars (\$2,000).] *four thousand dollars (\$4,000).* [exclusive] *inclusive* of the estimated cost of materials or supplies to be furnished pursuant to Section 25457, the work shall be done by contract. Any such contract not let pursuant to this article is void."

**Amendment No. 4**

On page 1, strike out lines 3 to 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1144**

Senator McBride moved that Senate Bill No. 1144 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1144**—An act to add Section 12256.5 to the Revenue and Taxation Code, and Chapter 7.5 to Part 1 of Division 4 of the Labor Code, relating to rehabilitation of industrially disabled workers, and providing funds therefor.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate April 21, 1955, after "and", insert "Section 3701.5 to and".

**Amendment No. 2**

On page 1, between lines 17 and 18, insert

"SEC. 2. Section 3701.5 is added to the Labor Code, to read:

3701.5. No certificate of consent to self-insure shall be issued unless an employer desiring to secure the payment of compensation by such method shall file with the Director of Industrial Relations his consent and agreement either to provide personally for the vocational rehabilitation of any of his employees in need of such rehabilitation who are injured in his employment and are entitled to compensation therefor or to pay annually, on or before August 10th of each year, into the Disabled Employees' Rehabilitation Fund such percentage of his average annual payroll, as shall be determined by the Department of Education, as may be necessary to provide for any such rehabilitation of any of his such employees, the rehabilitation services in the latter alternative to be furnished by the Department of Education pursuant to Chapter 7.5 of Part 1 of Division 4 of this code.

Any failure to comply with the terms of any consent and agreement filed in accordance with this section shall constitute grounds for the revocation of the consent to self-insure."

**Amendment No. 3**

On page 1, line 18, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1281**

Senator Ward moved that Senate Bill No. 1281 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1281**—An act to amend Section 13841.1 of the Education Code, relating to sick leave for certificated employees.

Bill read second time.

**Motion to Amend**

Senator Ward moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 8, of the printed bill, strike out "transferred to his credit", and insert "credited to him".

**Amendment No. 2**

On page 2, line 9, strike out "a sum of money by", and insert "all sick leave cumulated in".

**Amendment No. 3**

On page 2, line 10, strike out "equal to his cumulated sick leave".

**Amendment No. 4**

On page 2, line 11, strike out "multiplied by his daily salary; and".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 542**

Senator J. Howard Williams moved that Assembly Bill No. 542 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 542**—An act to add Section 25800.2 to the Water Code, relating to irrigation district assessments.

Bill read second time.

**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in Assembly April 8, 1955, strike out "the secretary"; and strike out lines 6 to 9, inclusive, and insert "a minimum annual assessment may be set by the board which shall not exceed two dollars (\$2) for each such separately assessed parcel of land, and upon a determination by the board that a minimum assessment shall be set, the secretary shall enter

that assessment for each separately assessed parcel of land for which the annual assessment is less than the amount set by the board."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 643

Senator Richards moved that Senate Bill No. 643 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 643**—An act to amend Section 1 of the Government Code, relating to the organization, operation, and maintenance of a system of state and local government.

Bill read second time.

##### Motion to Amend

Senator Richards moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "I", and insert "14030".

##### Amendment No. 2

In line 2 of the title, strike out "the organization, operation, and maintenance of a system"; and strike out all of line 3, and insert "the Division of Architecture Revolving Fund."

##### Amendment No. 3

On page 1, line 1, strike out "1", and insert "14030".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### Amendment No. 4

On page 1, strike out all of lines 3 and 4, and insert "14030. The Division of Architecture Revolving Fund in the State Treasury is continued in existence. With the approval of the Department of Finance, there shall be transferred to, or deposited in, the fund all money appropriated, contributed, or made available from any source, including sources other than state appropriations, for expenditure on work within the powers and duties of the Division of Architecture, including but not limited to services, new construction, major construction and equipment, minor construction, maintenance, improvements and equipment, and other building and improvement projects, as authorized by the state agency for which such an appropriation is made or, as to funds from sources other than state appropriations, as may be authorized by written agreement between the contributor or contributors of such funds and the Division of Architecture, when approved by the Department of Finance.

Money in the fund also may be used, upon approval of the Department of Finance, to finance the cost of any construction projects within the powers and duties of the Division of Architecture for which the Federal Government will contribute a partial cost thereof; provided, written evidence has been received from a federal agency that money has been appropriated by Congress and the Federal Government will pay to the State the amount specified upon the completion of construction of the project. The Director of Public Works may approve plans, specifications and estimates of cost, and advertise for and receive bids on such projects in anticipation of the receipt of such evidence.

Money so transferred or deposited is available for expenditure by the Division of Architecture for the purposes for which appropriated, contributed, or made available, without regard to fiscal years and irrespective of the provisions of Section 16304.

No money in such fund which is derived from an appropriation from the General Fund shall be used to pay the charges imposed by Sections 18750[,] or 11044 [or

20752] of the Government Code or the charges imposed pursuant to Articles 2 or 3 of Chapter 3, Part 1, Division 3, Title 2 of said code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 673

Senator Montgomery moved that Assembly Bill No. 673 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 673**—An act to amend Section 1101 of the California Insurance Code, relating to interest of officers in purchases, sales and loans with admitted insurers.

Bill read second time.

#### Motion to Amend

Senator Montgomery moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1101 of the California", and insert "add Sections 1107, 1108 and 1109 to, and to amend Section 1282 of, the".

#### Amendment No. 2

In lines 2 and 3 of the title, strike out "interest of officers in purchases, sales and loans with admitted".

#### Amendment No. 3

In line 3 of the title after "insurers", insert "and insurance".

#### Amendment No. 4

On page 1, strike out lines 1 to 16, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert

"SECTION 1. Section 1107 is added to the Insurance Code, to read:

1107. The provisions of Section 1101 shall not prohibit or prevent any transaction, other than a transaction relating to a life insurer, if the amount involved is less than 10 percent of the surplus as to policyholders of the insurer and the following circumstances exist:

The transaction is just and reasonable as to the insurer at the time it is authorized or approved by its board of directors or the executive or investment committee thereof, or the board of the subscribers of a reciprocal or interinsurance exchange and either:

(a) The fact of any conflicting interests is disclosed or known to such board or committee and noted in the minutes of a lawful meeting of such board or committee authorizing, approving or ratifying the transaction in good faith by a vote otherwise sufficient for the purpose without counting the vote of any such officer, director, trustee, member or person who has any conflicting interest, or

(b) The fact of any conflicting interests is disclosed or known to the shareholders, in the case of a stock insurer, or, in the case of a mutual insurer or reciprocal or interinsurance exchange, to the policyholders, members or subscribers thereof, and they approve or ratify the transaction in good faith by a majority vote or written consent of the shareholders, policyholders, members or subscribers, as the case may be, entitled to vote, unless the consent or vote of more than a majority is otherwise required in which event the vote or written consent shall be that so otherwise required.

Any such director, officer, trustee, member or person who has any such conflicting interest may be counted in determining the presence of a quorum at a meeting.

SEC. 2. Section 1108 is added to the Insurance Code to read:

1108. The provisions of Section 1101 shall not prohibit or prevent any transaction, other than a transaction relating to a life insurer, involving ten percent or more of the surplus as to policyholders of such insurer provided the same is permitted, approved or authorized by the commissioner pursuant to authority granted



to him by any other provision of this code or such act or transaction receives his written approval prior to its consummation pursuant to provisions of this section:

(a) The application for such approval shall be in writing, duly verified and contain:

- (1) The information specified in Sections 834, 835 and 837;
- (2) A copy of all minutes of any proceedings of its directors, trustees, stockholders or members relating to or affecting such transaction;
- (3) A copy of its charter, constitution, article or articles of incorporation, as the case may be, and its by-laws and any amendments thereto, unless the same are on file with the commissioner; and
- (4) Any further information necessary to make a complete and detailed disclosure of all matters in connection with such transaction, including any direct or indirect relationship to or interest in the same by any person specified in Section 1101.

(b) Upon the filing of such application, the commissioner shall examine it and the other papers and documents filed therewith. He shall issue his written approval if he finds that the consummation of such transaction will not be unfair, unjust or inequitable to such insurer or to any of its stockholders, members or policyholders. Otherwise he shall deny the application and notify the applicant in writing of such decision and his reason therefor. The commissioner may hold a hearing upon any such application, and he may, at his discretion, in respect to any hearing under this section, require the applicant at applicant's expense, to give notice of such hearing to its stockholders, policyholders, members or subscribers and prescribe the nature of such notice.

(c) The commissioner may prescribe in his approval or denial the amounts, considerations, terms and conditions to govern the consummation of such transaction.

(d) The commissioner shall hold a hearing upon such application if requested in writing by applicant at any time prior to denial or approval thereof. In any case where no such hearing was held prior to such denial or approval, the commissioner shall hold a hearing upon written request of applicant filed not later than 30 days after such denial or approval. Following such hearing, the commissioner may reverse, amend, modify or affirm his denial or approval.

(e) No proceedings under this Section shall be subject to the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code.

SEC. 3. Section 1109 is added to the Insurance Code, to read:

1109. The provisions of Section 1101 shall not prohibit or prevent any transaction relating to a life insurer if the transaction meets all of the circumstances set forth in Section 1107 or receives the written approval of the Commissioner under Section 1108 and the following circumstances also exist:

(a) Such officers, directors and trustees of the life insurer do not in the aggregate own more than 5% of the stock of any corporation with which the insurer is entering into a transaction."

#### Amendment No. 5

On page 2, between lines 22 and 23, insert

"SEC. 4. Section 1282 of the Insurance Code is amended to read:

1282. The provisions of the following sections, articles and chapters shall be applicable to reciprocal or interinsurance exchanges:

Chapter 1, Part 1, Division 1;  
 Article 14, Chapter 1, Part 2, Division 1;  
 Article 16, Chapter 1, Part 2, Division 1;  
 Chapter 9, Part 2, Division 1;  
 Sections 1101 to 1109, inclusive;  
 Article 1, Chapter 1, Part 3, Division 2;  
 Article 2, Chapter 1, Part 3, Division 2;  
 Article 1, Chapter 2, Part 3, Division 2;  
 Article 2, Chapter 2, Part 3, Division 2;  
 Article 1, Chapter 3, Part 3, Division 2;  
 Article 2, Chapter 3, Part 3, Division 2; and  
 Article 3, Chapter 3, Part 3, Division 2."

#### Amendment No. 6

On page 2, line 23, strike out "2", and insert "5".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 19**—An act to repeal an act entitled "An act for the certification of land titles and the simplification of the transfer of real estate," approved March 17, 1897, relating to the registration of land titles, deeds, and instruments affecting land titles, and all acts amending same; thereby repealing all provisions of law relating to the registration of land titles, deeds, and instruments affecting land titles, and making provision as to titles to land registered thereunder; declaring the urgency of this act, to take effect immediately;

**Senate Bill No. 684**—An act to add Section 21.1 to the Fish and Game Code, relating to age limits for fish and game wardens;

**Senate Bill No. 1973**—An act authorizing the State Lands Commission to exchange property of the State of California for property in Alameda County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1955, at 2.30 p.m.

WARD, Chairman

SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 61**—Relative to the passing of John H. Doran;

And reports the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fifth day of April, 1955, at 3 p.m.

WARD, Chairman

## Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

**Assembly Bill No. 3082**

**Assembly Bill No. 3083**

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

MCBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

**Assembly Bill No. 902**

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

MCBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

**Assembly Bill No. 1545**

**Assembly Bill No. 1521**

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

MCBRIDE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:  
Senate Bill No. 452  
Assembly Bill No. 2361

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 6; absent 5.

McBRIDE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:  
Assembly Bill No. 2489

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

McBRIDE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:  
Assembly Bill No. 2993

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; noes 4; absent 1.

McBRIDE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 22, 1955

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 927

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

McBRIDE, Chairman

Above reported bill ordered to second reading.

## Committee on Water Resources

## SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Assembly Bill No. 1837

Assembly Bill No. 1952

Assembly Bill No. 1950

Assembly Bill No. 522

Assembly Bill No. 1951

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

J. HOWARD WILLIAMS, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Assembly Joint Resolution No. 6

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

J. HOWARD WILLIAMS, Chairman

Above reported resolution ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, APRIL 22, 1955

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 1748

Has had the same under consideration, and reports the same back with amendments  
with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

GIBSON, Chairman

Above reported bill ordered to second reading.

**Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, APRIL 25, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:  
Assembly Bill No. 2302  
Assembly Bill No. 2588  
Assembly Bill No. 3063

Has had the same under consideration, and reports the same back with the recom-  
mendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, APRIL 25, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:  
Assembly Bill No. 982                      Assembly Bill No. 1151  
Assembly Bill No. 983                      Assembly Bill No. 1152  
Assembly Bill No. 1147                      Assembly Bill No. 1727  
Assembly Bill No. 1148

Has had the same under consideration, and reports the same back with the recom-  
mendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

MILLER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:  
Senate Bill No. 652

Has had the same under consideration, and reports the same back with amendments  
with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

MILLER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:  
Senate Bill No. 1821

Has had the same under consideration, and reports the same back with amendments  
with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

MILLER, Chairman

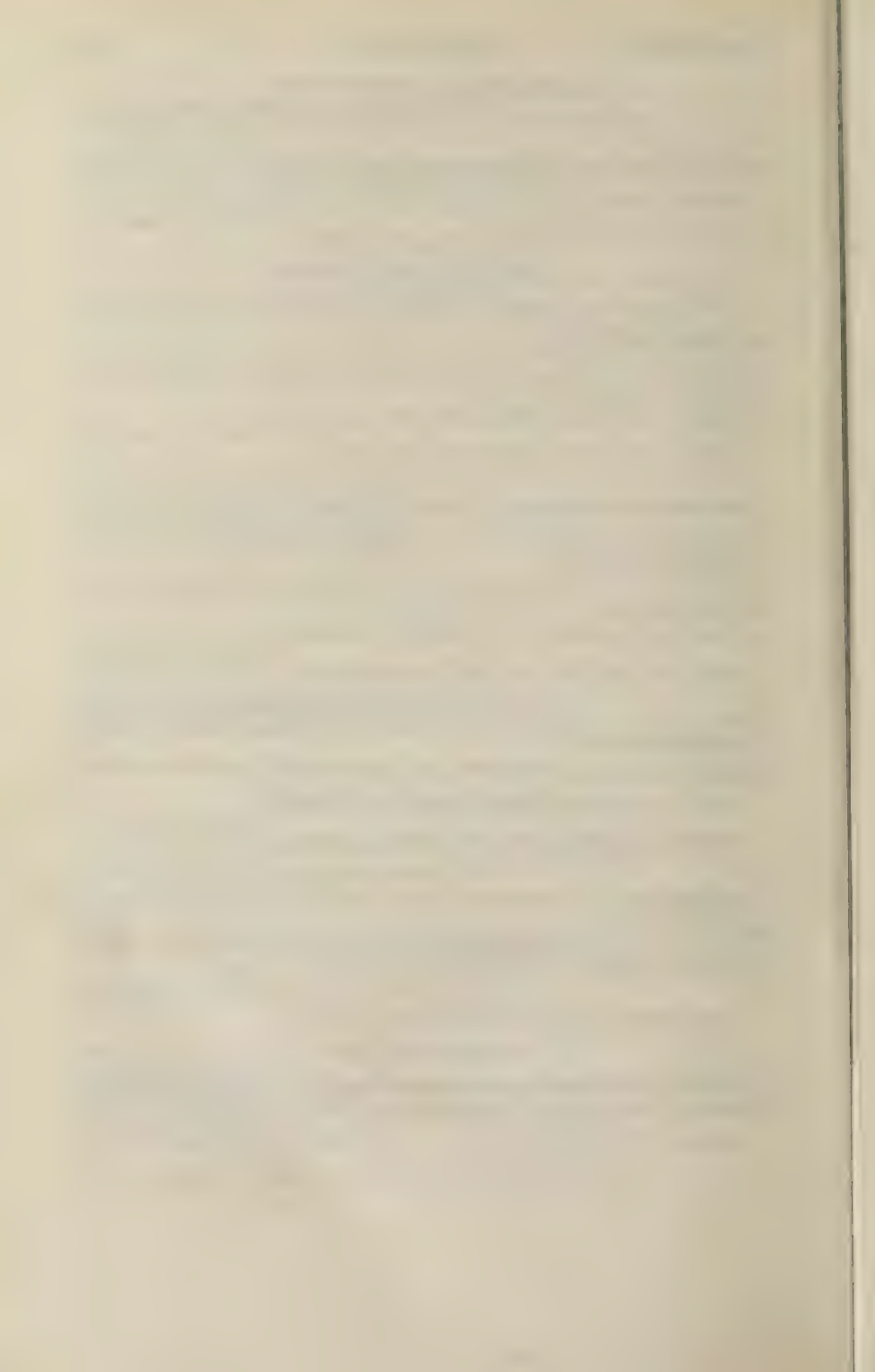
Above reported bill ordered to second reading.

**ADJOURNMENT**

At 5.05 p.m., on motion of Senator Ward, the President declared the  
Senate adjourned until 2 p.m., Tuesday, April 26, 1955.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1955 REGULAR SESSION

# SENATE DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY  
SEVENTY-SEVENTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Tuesday, April 26, 1955

The Senate met at 2 p.m.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—32.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rev. Father Luke Powleson.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dale C. Williams, on motion of Senator Montgomery, due to illness.

Senator Cunningham, on motion of Senator Montgomery, due to legislative business.

Senator Harold T. Johnson, on motion of Senator Montgomery, due to legislative business.

Senator Miller, on motion of Senator Montgomery, due to legislative business.

Senator Byrne, on motion of Senator Montgomery, due to legislative business.

Senator Collier, on motion of Senator Montgomery, due to legislative business.

Senator Ward, on motion of Senator Brown, due to illness.

**REQUESTS FOR UNANIMOUS CONSENT**

Senator Montgomery asked for, and was granted, unanimous consent to have the record show that Senators Collier, Cunningham, and Harold T. Johnson were excused on this legislative day because they are in Washington, D. C., to further the highway program for California.

Senator Montgomery asked for, and was granted, unanimous consent to have the record show that Senators Byrne and Miller were excused on this legislative day because they are away on civilian defense program work.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Veva Davidson of Sacramento, Elyse McFarland, Gordon Cadd and Gary Cadd of Ukiah.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator Bill Rich and Earl Armstrong of Marysville.

On request of Senator Richards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Janet Medina, Mrs. Lucille Ballantyne, Philip Raykoff of Los Angeles, George O'Day of Tijuana and Robert Hecht of Huntington Park.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to principal Ray Lindgren, parent Mrs. Joseph Olivera, and the following eighth grade students from Gratton School, Denair: Delmar Allen, Carol Howard, Timothy Howard, Bobby James, Donald Murry, Joan Olivera, Janet Rostad, Howard Womack, and Mary Lou Wright.

On request of Senators Desmond and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Benjamin L. Campisi, Gil Seaver of Oakland, and Leonard J. Hooper of Sacramento.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Byron Netzley, Bert Betts, and Palmer Svalstad, all of San Diego.

On request of Senators Murdy and Short, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Fred Rieger of Stockton and Mrs. Anne Campbell of Santa Ana.

On request of Senator John F. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Duane V. Moeller, bus driver Ann Avilla, and the following students from Pacheco School, Marin County: Tommy Brooks, Jerry Burton, Wesley Campbell, Erroll Deadwiley, Samuel Froese, Frederic Gray, Arnold Rathburn, Ronald Snidow, Robert Taylor, Mike Tompkins, Tom Unger, Claudio von Fresin, Claudia Bergmann, Nancy Bisbee, Linda Bottoms, Linda Bressler, Donna Fryer, Kaye Gosser, Ruth Keith, Mildred Rivamonte, Cynthia Shehadi, and Leslie Maxwell.

On request of Senators Brown and Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. William Losh and Mrs. Florence Tully of San Francisco.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred Dressler of Gardnerville, Nevada, and Mrs. Louis G. Sutton.

On request of Senators Abshire and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Charles F. Wallace of Berkeley.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. E. H. Raymond, Mrs. Guy Young, Mrs. Bert Voorheis, and Mrs. Freda Wentworth, all of Napa.

On request of Senator Robert I. McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hanford Clews of San Francisco.

On request of Senator Teale, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Miss Charlotte Arpaio, Albert Mikuta, principal Max Egger, and the following students from West Point Union School: Clinton Anderson, Tom Baldwin, Mary Jane Ball, Randy Brickman, Jo Ann Calvin, Donna Downum, Paul Hohman, Margaret Hughes, Edward Kelly, James Lewis, Tom Milligan, Richard Munroe, Kenneth Osborne, Eddie Owensby, Jim Owensby, Gloria Petersen, Anita White, Janice Wiemers, Roberta Young, Bill Anberg, George Carlton, Rhalene Conger, Charlene Davis, Gaby Dick, Robert Dubois, Ray Graham, Karin Hohman, Jeannie Ives, Joan Johnson, Josephine Johnson, Lynn Kroneberger, Paul La Teer, Steven Livingstone, Jessie Lombardi, Clarice Matlock, Lyle O'Niell, Sondra Pickel, Leroy Rader, Thomas Roemer, Joan Stallings, Tamara Townsend, Kathleen Wiemers, and Ruth Young.

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, April 26, 1955

#### *To the Senate of the State of California*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

GEORGE D. LYON, a resident of Los Angeles; business executive; veteran of World War I; past commander of Marine Post American Legion, and also past commander of Los Angeles County American Legion; served as secretary and treasurer of Veterans of Foreign Wars National Convention; former member of the Los Angeles Crime Commission; past president of Civic Betterment League; and former Civil Service Commissioner of the City of Los Angeles;

to the Social Welfare Board, vice Mrs. Elizabeth L. Hoey, term expired, for the term prescribed by law, ending January 15, 1959.

Respectfully,

GOODWIN J. KNIGHT, Governor

Message read, and referred to Committee on Rules.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 100

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk



**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 100**—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of April, 1955.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 100, at this time for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 100**

**Assembly Concurrent Resolution No. 100**—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of April, 1955.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Cobey, Desmond, Dilworth, Erhart, Grunsky, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—24.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 452**—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption in respect to churches inadvertently failing to claim it, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 262 of", and insert "add Section 262.5 to".

**Amendment No. 2**

In lines 3 and 4 of the title, strike out ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, strike out lines 1 to 4, inclusive; and in line 5, strike out "1954", and insert

"SECTION 1. Section 262.5 is added to the Revenue and Taxation Code, to read: 262.5. Any tax for any fiscal year commencing during the calendar year 1955 or any subsequent calendar year".

**Amendment No. 4**

On page 1, strike out lines 14, 15, and 16, and insert "Section 256."

**Amendment No. 5**

On page 1, strike out lines 24 and 25; and strike out page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**Senate Bill No. 1748**—An act to amend Sections 5402, 5417.3, 5418 and 5427 of the Public Resources Code, relating to parks, recreation and parking districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "5402,".

**Amendment No. 2**

On page 1, strike out lines 1 to 24, inclusive; and on page 2, line 1, strike out "SEC. 2.", and insert "SECTION 1."

**Amendment No. 3**

On page 2, line 11, strike out "3", and insert "2".

**Amendment No. 4**

On page 2, line 20, strike out "4", and insert "3".

**Amendment No. 5**

On page 2, line 25, after "directors", insert "and in the event a majority of the employees of the district consent".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 652**—An act to amend Section 6040 of the Insurance Code, relating to county mutual insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 9, of the printed bill, after "value", insert ", at time of issuance of policy and at each renewal date thereof,".

**Amendment No. 2**

On page 1, line 10, after "occupancy", insert "at such time".

**Amendment No. 3**

On page 1, line 11, after "of" insert "the following".

**Amendment No. 4**

On page 1, line 11, strike out "such as", and insert ":-".

**Amendment No. 5**

On page 1, line 11, strike out ", dentistry", and insert "and dentistry and other healing arts".

**Amendment No. 6**

On page 1, line 11, after "law", insert ", engineering, architecture".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**Senate Bill No. 1821**—An act to add Section 11736.2 to the Insurance Code, relating to workmen's compensation insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 18, of the printed bill, after (c) strike out "Director", and insert "Directly".

**Amendment No. 2**

On page 1, strike out lines 20 to 24, inclusive; and on page 2, lines 1 to 3, inclusive, and insert

"This section shall not apply to the purchase or exchange of stock of an admitted insurer, other than life, by or between an admitted insurer, other than life, nor to any merger, consolidation or corporate re-organization of such insurers, other than life, and shall not apply as to such purchase, merger, exchange, consolidation or reorganization, to the officers, directors, trustees or any persons having authority in the management of such insurers funds and no such transactions shall be either void or voidable."

**Amendment No. 3**

On page 2, strike out lines 4 and 5, and insert

"(1) The transaction is just and reasonable as to the insurers involved at the time it is authorized or approved and if no such officer, director, trustee or other person having authority in the management of such insurers funds receives any money or other valuable thing, other than his usual compensation for his regular duties for negotiating, procuring, recommending or aiding in such transaction, and, either".

**Amendment No. 4**

On page 2, line 8, after the "of", strike out "the purchasing", and insert "any such".

**Amendment No. 5**

On page 2, line 15, after the "funds of", strike out "the".

**Amendment No. 6**

On page 2, line 16, strike out "purchasing", and insert "any such".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1866**—An act to amend Sections 232, 450, 452, 456, 457, and 458 of the Military and Veterans Code, relating to the State Militia, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly March 30, 1955, after "232," insert "411,".

**Amendment No. 2**

On page 2, between lines 6 and 7, insert

"Sec. 2.5. Section 411 of said code is amended to read:

411. The board of supervisors of any county or the legislative body of any city may appropriate money from the general fund of [the] such county or city for the use, benefit, or assistance of the National Guard or Naval Militia or for National Guard or Naval Militia purposes within [the] such county or city only."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3082**—An act to amend Section 25761a of the Revenue and Taxation Code, relating to jeopardy assessments of bank and corporation tax.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 2, line 10, of the printed bill, after "Chapter", strike out "11", and insert "20".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 3083**—An act to amend Sections 18645 and 18646 of the Revenue and Taxation Code, relating to jeopardy assessments of personal income tax.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 1, line 21, of the printed bill, after "Chapter", strike out "11", and insert "18".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 902**—An act to amend Section 2852 of the Revenue and Taxation Code, relating to the collection of property taxes on the secured roll, to take effect immediately, urgency measure.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1545**—An act to repeal Chapter 3, comprising Sections 5200 to 5207, inclusive, of Division 6, Title 1 of the Government Code, relating to payment of taxes and assessments with bonds of public bodies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1521**—An act to amend Section 573 of the Revenue and Taxation Code, relating to tax liens on lieu lands.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2361**—An act to add Section 6387 to the Revenue and Taxation Code, relating to the sales tax in connection with sales of property for delivery and use outside the State.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in Assembly March 28, 1955, strike out "exclusively", and insert "solely".



**Amendment No. 2**

On page 1, line 18, strike out "Country", and insert "State".

**Amendment No. 3**

On page 1, line 21, strike out "exported to a point in a foreign country", and insert "delivered to a port outside the continental limits of the United States".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2489**—An act to add Section 214.7 to the Revenue and Taxation Code, relating to the welfare exemption.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in Assembly March 23, 1955, after "or", insert "other lawful".

**Amendment No. 2**

On page 1, line 7, after "254.5", insert "This section does not apply to such portions of a hospital as may be leased or rented to a physician for his office for the general practice of medicine."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 927**—An act to amend Section 14103 of the Revenue and Taxation Code, and to add Section 13671.5 thereto, relating to inheritance taxation, including the taxability of joint tenancy and other jointly held property and the payment of inheritance taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 1, after line 21, of the printed bill as amended in Senate April 13, 1955, insert

"SEC. 3. Where community property was converted by a husband and wife into their joint tenancy property and the tenancy thereafter maintained, such property was, under the Inheritance Tax Law (Revenue and Taxation Code Sections 13301-14901), treated as community property of the parties until August 25, 1952, when the State Controller revoked Rule 673(a), formerly adopted by him under the provisions of that law. The revocation of the rule was made effective with respect to decedents dying after April 26, 1950. It is the intent and purpose of Section 13671.5, as enacted by Section 2 of this act, to restate the law as it existed and was interpreted under the Inheritance Tax Law prior to the revocation of the rule."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2993**—An act to add Section 220 to the Revenue and Taxation Code, relating to the exemption of aircraft from personal property taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Assembly March 21, 1955, after "taxation," insert "This exemption does not apply to aircraft normally based in California, or operated intrastate or interstate in and into California."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1837**—An act to amend Section 8426 of the Water Code, relating to assessments for maintenance and operation of flood control projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1950**—An act to amend Section 7047 of the Water Code, relating to alteration of the course of any nonnavigable stream.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1951**—An act to amend Section 2701 of the Water Code, relating to reopening proceedings for adjudication of water rights.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1952**—An act to amend Section 409 of the Water Code, relating to publication of notice of intention to engage in rain-making operations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 522**—An act to add Chapter 5 to Part 3 of Division 16 of the Water Code, relating to waterworks districts.

Bill read second time, and ordered to third reading.

**Assembly Joint Resolution No. 6**—Relative to operation of federal dams.

Resolution read.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 1, line 1, of the printed measure, after "of", insert "unappropriated".

**Amendment No. 2**

On page 1, line 2, strike out "sale", and insert "disposal".

**Amendment No. 3**

On page 1, line 3, strike out ", Pine Flat, and Isabella Dams", and insert "Dam".

**Amendment No. 4**

On page 1, line 6, strike out "those dams", and insert "this dam".

**Amendment No. 5**

On page 1, line 8, strike out "price", and insert "charge".

**Amendment No. 6**

On page 1, line 8, strike out "sold under the", and insert "made available under".

**Amendment No. 7**

On page 1, line 13, strike out "sell", and insert "dispose of".

**Amendment No. 8**

On page 1, line 24, after "available", insert ", pursuant to State law,".

**Amendment No. 9**

On page 1, lines 25 and 26, strike out ", Pine Flat, and Isabella Dams," and insert "Dam".

**Amendment No. 10**

On page 1, line 26, strike out "sale under the".

Amendments read, and adopted.

Resolution ordered printed, and to third reading.

**Assembly Bill No. 2302**—An act to add Section 6412 to the Financial Code, relating to gifts and premiums by savings and loan associations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2588**—An act to add a new chapter to Division 1 of the Financial Code, to be numbered 10a, relating to nondepartmental banking.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3063**—An act to add Section 1194.95 to the Insurance Code, relating to investments in equipment by insurance companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 982**—An act to add Section 1765.2 to the Insurance Code, relating to surplus line brokers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 983**—An act to add Section 1765.3 to the Insurance Code, relating to surplus line brokers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1147**—An act to repeal Section 4 of Chapter 14 of the Statutes of 1953, relating to the Insurance Commissioner.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1148**—An act to amend Section 10 of the Insurance Code, relating to definitions contained therein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1151**—An act to amend Sections 10831.5 and 10882 of the Insurance Code, relating to mutual life and disability insurers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1152**—An act to amend Section 11524 of the Insurance Code, relating to grants and annuities societies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1727**—An act to amend Section 10493 of the Insurance Code, relating to benefit and relief associations.

Bill read second time, and ordered to third reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 1493 and Assembly Bill No. 2588 carry an appropriation or an implied appropriation.

The President ordered Senate Bill No. 1493 and Assembly Bill No. 2588 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**Request for Unanimous Consent**

Senator Erhart asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 63, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 63**

**Senate Concurrent Resolution No. 63**—Relative to approving the charter of the City of San Luis Obispo, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourth day of April, 1955.

**Motion to Refer Bill to Inactive File**

Senator Erhart moved that Senate Concurrent Resolution No. 63 be placed on the inactive file.

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)****UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 106**—An act to amend Section 18610 of the Financial Code, relating to annual reports of industrial loan companies.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 106?

**Amendment No. 1**

On page 1, line 28, of the printed bill, as amended, after "commissioner," insert "prepared by an independent certified public accountant or public accountant,".

**Amendment No. 2**

On page 2, lines 10 and 11, strike out "applied on a basis consistent with that of the preceding fiscal period".

**Amendment No. 3**

On page 2, strike out lines 17 and 18, and insert "dependent confirmation of investment certificates, investments, loans and receivables in accordance with generally accepted principles of auditing procedures and standards. If the".

**Amendment No. 4**

On page 2, line 23, after "amount of," insert "delinquent".

**Amendment No. 5**

On page 2, line 24, strike out "current and".

**Amendment No. 6**

On page 2, line 27, after the period, insert "The report shall contain comments of the accountant regarding the confirmation procedure employed and the results thereof as well as the adequacy of reserves and charge-offs. For the purposes of



the composite report provided in Section 18611 each company shall furnish statistical information as reasonably requested by the commissioner."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 106 by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Cobey, Desmond, Dilworth, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—23.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 430**—An act authorizing a suit or suits against the State of California to quiet title to interests in certain real property in the County of Orange, State of California, or to reform a certain deed relating thereto, or both, and authorizing reconveyance of certain interests heretofore conveyed to the State of California.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 430?

#### Amendment No. 1

In line 4 of the title of the printed bill, strike out "and authorizing reconveyance of certain interests heretofore conveyed to the State of California".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 430 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 488**—An act to add Section 11014 to the Government Code, relating to the administration of the State.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 488?

#### Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate March 9, 1955, strike out "and power lines".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 488 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—25.

NOES—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 681**—An act to amend Sections 13006, 13800, 15253, 15254 and 15278 of the Government Code, and Section 72 of the Agricultural Code, relating to the Department of Finance.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 681?

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate March 10, 1955, after "Code," insert "and Section 72 of the Agricultural Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 2, following line 6, insert

"Sec. 6. Section 72 of the Agricultural Code is amended to read:

72. There shall be a [division of] Fairs and Expositions *Division* in the Department of Finance. The division shall be in charge of a chief who shall be appointed by the Director of Finance, in accordance with the provisions of the State Civil Service Act."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 681 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 796**—An act to amend Sections 1 and 2 of the Solano County Flood Control and Water Conservation District Act (Chapter 1656 of the Statutes of 1951), relating to the Solano County Flood Control and Water Conservation District.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 796?

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate March 11, 1955, after "Act", insert "(Chapter 1656 of the Statutes of 1951)".

**Amendment No. 2**

On page 2, line 15, of the printed bill as amended in Senate March 28, 1955, strike out "within or partly within or contiguous to", and insert "entirely within".

**Amendment No. 3**

On page 2, line 16, after "Solano", insert "and any city located outside the County of Solano, which is contiguous to the County of Solano".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 796 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Above bill ordered enrolled.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 972**—An act to amend Section 4793.1 of the Health and Safety Code, relating to the disposition of moneys remaining in the construction fund of a county sanitation district after completion of construction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Desmond, Dilworth, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, Robert I. McCarthy, Montgomery, Murdy, Parkman, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

## Motions to Retain Place on File

Senator Breed moved that Senate Bill No. 1147 be passed on file and retain its place on file.

Motion carried.

Senator Grunsky moved that Senate Bill No. 89 be passed on file and retain its place on file.

Motion carried.

**Senate Bill No. 1707**—An act to amend Section 1963 of the Code of Civil Procedure, relating to disputable presumptions in actions at law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

## Motion to Retain Place on File

Senator Montgomery moved that Senate Bill No. 1108 be passed on file and retain its place on file.

Motion carried.

**Senate Bill No. 1967**—An act to add Section 13533.5 to the Education Code, relating to the dismissal of certificated employees of school districts.

Bill read third time.

## Motion to Amend

Senator Dilworth moved the adoption of the following amendment:

## Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Senate April 14, 1955, strike out "shall", and insert "may".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 743**—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange and for accomplishing the purposes of this act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan M. Richards, Jr., at the Desk

**Senate Bill No. 221**—An act to add Section 1110a of the Penal Code, relating to crimes involving stolen property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Donnelly, Erhart, Gibson, Grunsky, Kraft, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Way, and J. Howard Williams—24.

NOES—Senator Richards—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 770**—An act to amend Section 2672 of the Elections Code, relating to the disposition of filing fees of candidates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Cobey, Coombs, Desmond, Donnelly, Erhart, Gibson, Grunsky, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Way, and J. Howard Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 200**—An act to amend Sections 1141, 1142, 1142.1, 1142.2, and 1142.3 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1308**—An act to amend Section 5642 of the Public Resources Code, relating to the election of trustees of park, recreation and parkway districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Desmond.



**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Desmond, Dilworth, Erhart, Gibson, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator Burns moved a call of the Senate.

Motion carried.

Time, 3.05 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****Request for Unanimous Consent**

At 3.07 p.m., Senator Thompson asked for, and was granted, unanimous consent to have Senators Gibson, Murdy and Thompson excused to hold a meeting of the Subcommittee on Water Problems in the Senate Lounge.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 2287**—An act to add Sections 32004.7, 32004.8, 32004.9, 32004.91, and 32004.92 to the Health and Safety Code, relating to hospital districts.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Montgomery, Parkman, Richards, Sutton, Teale, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was introduced, and read:

**Senate Concurrent Resolution No. 64:** By Senators Parkman, Richards, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cobey, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Miller, Montgomery, Murdy, Regan, Short, Sutton, Teale, Thompson, Ward, Way, Dale C. Williams, and J. Howard Williams—Relative to the passing of the Honorable Frank Finley Merriam.

**Request for Unanimous Consent**

Senator Parkman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 64, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 64**

**Senate Concurrent Resolution No. 64**—Relative to the passing of the Honorable Frank Finley Merriam.

Resolution read, and unanimously adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—32.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 2494**—An act to add Sections 15031.5 and 15500.4 to, and to amend Sections 15500 and 15501 of, the Health and Safety Code, relating to housing and buildings on the same lot.

Bill read third time, and presented by Senator John F. McCarthy. The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, John F. McCarthy, Montgomery, Parkman, Richards, Short, Sutton, Teale, Thompson, and Way—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2133**—An act to add Section 465.1 to the Vehicle Code, relating to the erection of traffic control devices on private roads or driveways.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, Montgomery, Parkman, Regan, Richards, Short, Sutton, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 665**—An act to add Sections 206.5 and 206.7 to the Civil Code and to amend Section 270c of the Penal Code, relating to the duty of a child to support its parents.

Bill read third time, and presented by Senator Richards.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Ed. C. Johnson, McBride, John F. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—25.

NOES—Senators Grunsky, Hulse, Kraft, Murdy, and Thompson—5.

**Motion to Reconsider**

Senator Murdy moved to reconsider the vote whereby Assembly Bill No. 665 was passed.

**Postponement of Reconsideration**

On motion of Senator Murdy, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 665 was passed, was continued until the next legislative day.

**Assembly Bill No. 529**—An act to amend Section 1711.5 of the Welfare and Institutions Code, relating to the action by the Department of the Youth Authority.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 530**—An act to amend Section 1767 of the Welfare and Institutions Code, relating to delegation of powers of the Department of the Youth Authority.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 532**—An act to amend Section 1381 of the Penal Code, relating to the time of trial of persons committed to the Youth Authority on charges other than that for which committed.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 843**—An act to add Section 18654 to the Business and Professions Code, relating to amateur boxing contests and sparring or wrestling matches.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1432**—An act to amend Section 9502 of the Business and Professions Code, relating to dyeing.

Bill read third time, and presented by Senator Richards.

The roll was called, and the motion carried by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Cobey, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1675**—An act to amend Section 850 of the Labor Code, relating to working hours of pharmacy employees.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Regan, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1676**—An act to amend Section 851 of the Labor Code, relating to working hours of pharmacy employees.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Cobey, Coombs, Dilworth, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2022**—An act to add Section 2615 to the Business and Professions Code, relating to registered physical therapists.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 23**—An act to add Section 1340.8 to the Fish and Game Code, relating to bears.

Bill read third time, and presented by Senator Way.

#### Motion to Amend

Senator Burns moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 10, of the printed bill, as amended in Senate April 14, 1955, strike out "including", and insert "except by".

Amendment read.



**Roll Call Demanded**

Senators Cobey, Way, and John F. McCarthy demanded a roll call. The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Burns, Erhart, Gibson, Hulse, Ed. C. Johnson, McBride, Parkman, Regan, Richards, Sutton, Thompson, and J. Howard Williams—12.

NOES—Senators Abshire, Berry, Breed, Brown, Busch, Cobey, Coombs, Dilworth, Grunsky, Kraft, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Short, Teale, and Way—17.

**Further Amendments to Assembly Bill No. 23****Motion to Amend**

Senator Regan moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "or county", and after "federal", insert "or".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 516**—An act to amend Section 8 of Chapter 29 of the Statutes of 1946 (First Extraordinary Session), relating to the availability of moneys appropriated for the acquisition of housing facilities for veterans and families of servicemen.

Bill read third time, and presented by Senator Robert I. McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1019**—An act to amend Section 963.5 of the Agricultural Code, relating to seed potato certification funds.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1020**—An act to amend Section 785 of the Agricultural Code, relating to fruits, nuts, and vegetables not in compliance with law.

Bill read third time, and presented by Senator Cobey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Assembly Bill No. 1911**—An act to add Section 30.1 to the Agricultural Code, relating to production of trees.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Parkman, Regan, Richards, Short, Sutton, Teale, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1**—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1518**—An act to amend Section 5007 of the Education Code, relating to investment of school district funds.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Richards, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—28.

**NOES**—None.

Bill ordered transmitted to Assembly.

**Assembly Bill No. 1351**—An act to amend Sections 12011.7, 12106, and 12752.1 of, and to add Section 12757 to, the Education Code, relating to the issuance, suspension, and revocation of certification documents issued by the State Board of Education.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill refused passage by the following vote:

**AYES**—None.

**NOES**—Senators Abshire, Berry, Breed, Brown, Burns, Cobey, Coombs, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, John F. McCarthy, Robert I. McCarthy, Montgomery, Murdy, Parkman, Regan, Short, Sutton, Teale, Thompson, Way, and J. Howard Williams—26.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.40 p.m., on motion of Senator Burns, further proceedings under the call of the Senate were dispensed with.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 152  
 Assembly Bill No. 175  
 Assembly Bill No. 324  
 Assembly Bill No. 346  
 Assembly Bill No. 394  
 Assembly Bill No. 417  
 Assembly Bill No. 504  
 Assembly Bill No. 587  
 Assembly Bill No. 610  
 Assembly Bill No. 670  
 Assembly Bill No. 764  
 Assembly Bill No. 772  
 Assembly Bill No. 926  
 Assembly Bill No. 938  
 Assembly Bill No. 939  
 Assembly Bill No. 1153  
 Assembly Bill No. 1161  
 Assembly Bill No. 1186  
 Assembly Bill No. 1190  
 Assembly Bill No. 1211  
 Assembly Bill No. 1283

Assembly Bill No. 1453  
 Assembly Bill No. 1522  
 Assembly Bill No. 1538  
 Assembly Bill No. 1634  
 Assembly Bill No. 1666  
 Assembly Bill No. 1670  
 Assembly Bill No. 1899  
 Assembly Bill No. 1979  
 Assembly Bill No. 2089  
 Assembly Bill No. 2380  
 Assembly Bill No. 2391  
 Assembly Bill No. 2401  
 Assembly Bill No. 2441  
 Assembly Bill No. 2442  
 Assembly Bill No. 2797  
 Assembly Bill No. 2798  
 Assembly Bill No. 2885  
 Assembly Bill No. 3268  
 Assembly Bill No. 3395  
 Assembly Bill No. 3398  
 Assembly Bill No. 3784

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 152**—An act to amend Section 258 of the Probate Code, relating to estates of victims of homicide.

Referred to Committee on Judiciary.

**Assembly Bill No. 175**—An act to amend Section 4301 of the Government Code, relating to American-made materials.

Referred to Committee on Natural Resources.

**Assembly Bill No. 324**—An act to add Article 4 to Chapter 10 of Division 7 of the Public Utilities Code, relating to disincorporation of public utility districts.

Referred to Committee on Public Utilities.

**Assembly Bill No. 346**—An act to amend Section 28135 of the Government Code, relating to compensation for public service in a county of the thirty-fifth class.

Referred to Committee on Local Government.

**Assembly Bill No. 394**—An act to amend Sections 21155 and 21156 of the Education Code, relating to the California Maritime Academy.

Referred to Committee on Education.

**Assembly Bill No. 417**—An act to amend Sections 9802 and 9802.1 of the Education Code, relating to the education of mentally retarded minors.

Referred to Committee on Education.

**Assembly Bill No. 504**—An act to amend Section 69595 of the Government Code, relating to superior court judges in San Diego County.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 587**—An act to add Section 1506 to the Education Code, relating to contracts of school districts.

Referred to Committee on Local Government.

**Assembly Bill No. 610**—An act to amend Section 43.5(a) of the Civil Code, relating to liability of peace officers.

Referred to Committee on Judiciary.

**Assembly Bill No. 670**—An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class.

Referred to Committee on Local Government.

**Assembly Bill No. 764**—An act to amend Sections 13404, 13405, 13441 and 13442 of, and to repeal Section 13407 of, the Education Code, relating to the holding of teachers' institutes.

Referred to Committee on Education.

**Assembly Bill No. 772**—An act to add Section 1686 to Article 2, Chapter 9, Division 2 of the Streets and Highways Code, relating to county aid to cities.

Referred to Committee on Local Government.

**Assembly Bill No. 926**—An act to amend Sections 73872, 73873, and 73874 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of North Sacramento.

Referred to Committee on Local Government.

**Assembly Bill No. 938**—An act to amend Section 1278 of the Fish and Game Code, relating to deer license tags.

Referred to Committee on Fish and Game.

**Assembly Bill No. 939**—An act to amend Section 39.8 of the Fish and Game Code, relating to conservation education.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1153**—An act to amend Section 4751 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 1161**—An act to amend Section 4668 of the Education Code, relating to the assumption of bonded indebtedness by a unified school district.

Referred to Committee on Education.



**Assembly Bill No. 1186**—An act to amend Section 5871 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Referred to Committee on Local Government.

**Assembly Bill No. 1190**—An act to amend Section 7071 of the Business and Professions Code, relating to the licensing of contractors.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1211**—An act to amend Sections 2222.7 and 3093 of the Welfare and Institutions Code, relating to refunds to public assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1283**—An act to amend Section 72602 of the Government Code, relating to judges of the municipal court in a district embracing Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1453**—An act to amend Section 1370 of the California Insurance Code, relating to investments of reciprocal insurers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1522**—An act to repeal Article 11 of Chapter 1 of Division 5 of, and to amend Sections 2831, 2840, 2841, 2842, and 2843 of, the Elections Code, relating to county central committees in counties containing 20 or more assembly districts.

Referred to Committee on Elections.

**Assembly Bill No. 1538**—An act to repeal Part 4 of Division 6 of the Water Code, relating to the San Luis Rey Water Authority.

Referred to Committee on Water Resources.

**Assembly Bill No. 1634**—An act to add Section 140 to, to amend Section 141 of, and to repeal Section 142 of, the Education Code, relating to the Superintendent of Public Instruction.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1666**—An act to add Sections 717.1, 748, 1015.4 and 1015.6 to, and to amend Sections 1015.5 and 1065 of, the Fish and Game Code, and to repeal Section 1015.1 of the Fish and Game Code and Section 2 of Chapter 1276 of the Statutes of 1947, relating to commercial fishing and the Marine Research Committee, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1670**—An act to amend Section 7044 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1899**—An act to amend Section 50400 of the Government Code, relating to public parks.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1979**—An act to amend Sections 58103, 58106 and 58308 of, and to add Section 58309 to, the Government Code, relating to district organizations.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2089**—An act to add Section 17.5 to the Penal Code, relating to the imposition of death sentences.

Referred to Committee on Judiciary.

**Assembly Bill No. 2380**—An act to add Section 26886 to the Government Code, relating to salary of county controller.

Referred to Committee on Local Government.

**Assembly Bill No. 2391**—An act to add Article 8 to Chapter 1 of Part 2 of Division 5 and Section 4144.1 to and to amend Section 4146 of the Health and Safety Code, relating to garbage disposal districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2401**—An act to amend Section 13009 of the Education Code, relating to exchange certificated employees.

Referred to Committee on Education.

**Assembly Bill No. 2441**—An act to amend Section 3474 of the Welfare and Institutions Code, relating to aid to the blind, and introducing a responsibility of relatives scale directly into this part of the code.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2442**—An act to amend Section 3088 of the Welfare and Institutions Code, relating to aid to the blind, and introducing a responsibility of relatives scale directly into this part of the code.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2797**—An act to add Article 5 to Division 6, Chapter 3 of the Business and Professions Code, relating to remedy by injunction for unauthorized use of name other than trade name.

Referred to Committee on Judiciary.

**Assembly Bill No. 2798**—An act to add Sections 21308, 21309 and 21310 to the Corporations Code, relating to remedy by injunction for unauthorized use of name or insignia of an association.

Referred to Committee on Judiciary.

**Assembly Bill No. 2885**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Referred to Committee on Agriculture.

**Assembly Bill No. 3268**—An act to amend Section 6503 of the Public Resources Code, relating to rentals for use of state lands.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3395**—An act to add Section 3606.1 to the Public Resources Code, relating to oil and gas.

Referred to Committee on Natural Resources.

**Assembly Bill No. 3398**—An act to amend Section 3602 of, and to add Section 3602.1 to, the Public Resources Code, relating to oil and gas wells.

Referred to Committee on Natural Resources.

**Assembly Bill No. 3784**—An act to amend Section 654.1 of the Agricultural Code, relating to milk and imitations thereof.

Referred to Committee on Agriculture.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 95

Assembly Concurrent Resolution No. 97

Assembly Concurrent Resolution No. 101

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

**Assembly Concurrent Resolution No. 95**—Relative to urging contributions in order to combat multiple sclerosis.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 97**—Relative to congratulating Mechanics' Institute of San Francisco on one hundredth anniversary.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 101**—Relative to the Third Biennial Press-Legislature Golf Tournament.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 308

Assembly Bill No. 381

Assembly Bill No. 382

Assembly Bill No. 767

Assembly Bill No. 793

Assembly Bill No. 833

Assembly Bill No. 900

Assembly Bill No. 1015

Assembly Bill No. 1128

Assembly Bill No. 1129

Assembly Bill No. 1131

Assembly Bill No. 1160

Assembly Bill No. 1184

Assembly Bill No. 1289

Assembly Bill No. 1554

Assembly Bill No. 1733

Assembly Bill No. 1893

Assembly Bill No. 1936

Assembly Bill No. 2309

Assembly Bill No. 2310

Assembly Bill No. 3088

Assembly Bill No. 3158

Assembly Bill No. 3749

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 308**—An act to amend Section 4022 of the Penal Code, relating to the sentencing of law violators.

Referred to Committee on Judiciary.

**Assembly Bill No. 381**—An act to amend Section 441 of the Education Code, relating to the county superintendent of schools of a county of the forty-first class.

Referred to Committee on Local Government.

**Assembly Bill No. 382**—An act to amend Section 451 of the Education Code, relating to the county superintendent of schools of a county of the fifty-first class.

Referred to Committee on Local Government.

**Assembly Bill No. 767**—An act to add Section 18059 to the Education Code, relating to the purchase by the governing boards of school districts of books and instructional materials.

Referred to Committee on Local Government.

**Assembly Bill No. 793**—An act to amend Section 24121n of the Revenue and Taxation Code, relating to state taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 833**—An act to add Article 3 to Chapter 5, Division 12 of the Education Code, relating to the protection of school pupils.

Referred to Committee on Judiciary.

**Assembly Bill No. 900**—An act to add Sections 6575.5, 6596, and 6597 to the Business and Professions Code, relating to barbering.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1015**—An act to amend Sections 31514, 31530, 31557, 31558, 31559, 31560 and 31860 of the Streets and Highways Code, and to add Sections 31569.1 and 31593 to said code, relating to vehicle parking districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1128**—An act to amend Section 6007 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1129**—An act to amend Section 6701 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1131**—An act to amend Section 6384 of, and to add Section 6007.5 to, the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.



**Assembly Bill No. 1160**—An act to add Section 13862 to the Education Code, relating to pay roll deductions for school district employees.

Referred to Committee on Local Government.

**Assembly Bill No. 1184**—An act to amend Section 11612 of the Business and Professions Code, relating to subdivisions.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1289**—An act to amend Sections 553 and 946 of the Code of Civil Procedure, relating to undertakings after judgment.

Referred to Committee on Judiciary.

**Assembly Bill No. 1554**—An act to amend Section 50705 of the Water Code, relating to reclamation districts.

Referred to Committee on Water Resources.

**Assembly Bill No. 1733**—An act to amend Section 13985 of the Revenue and Taxation Code, relating to establishment or payment of a deductible item after an order fixing tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1893**—An act to add Section 24008 to the Government Code, relating to county fire wardens.

Referred to Committee on Local Government.

**Assembly Bill No. 1936**—An act to add Sections 35121.5 and 35313.5 to the Government Code, relating to the annexation of territory to cities.

Referred to Committee on Local Government.

**Assembly Bill No. 2309**—An act to amend Section 85 of the Vehicle Code, relating to the definition of crosswalk.

Referred to Committee on Transportation.

**Assembly Bill No. 2310**—An act to amend Section 459.2 of the Vehicle Code, relating to crosswalks.

Referred to Committee on Transportation.

**Assembly Bill No. 3088**—An act to add Section 9653.5 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Transportation.

**Assembly Bill No. 3158**—An act to amend Section 3356 of the Revenue and Taxation Code, relating to publication of delinquent tax lists and notices of tax sales.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 3749**—An act to add Sections 14276.6 and 14522.1 to, and to amend Sections 14305, 14525, 14575, 14601, 14613, 14633, 14639.5, and 14680 of the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Governmental Efficiency.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 102

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read.

**Assembly Concurrent Resolution No. 102**—Relative to the death of former Governor Frank F. Merriam.

Referred to the Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 41  
Senate Bill No. 75  
Senate Bill No. 335  
Senate Bill No. 341  
Senate Bill No. 705

Senate Bill No. 799  
Senate Bill No. 882  
Senate Bill No. 920  
Senate Bill No. 1045  
Senate Bill No. 1701

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bills ordered enrolled.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was introduced, and read:

**Senate Constitutional Amendment No. 30:** By Senator J. Howard Williams—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16 of Article XX thereof, relating to the terms of office of the members of the State Water Board.

Referred to Committee on Governmental Efficiency.

**RESOLUTIONS**

The following resolution was offered:

By Senator Abshire:

**Senate Resolution No. 96**

Relating to the use of the Sonoma State Home for the custody of psychopathic delinquents

WHEREAS, Senate Concurrent Resolution No. 72 of the 1949 Session of the Legislature requested the Director of Mental Hygiene to investigate the situation existing at Sonoma State Home which had permitted several psychopathic delinquents to escape from said home and injure and murder several citizens of the State of California, and to ascertain and take such steps as might be necessary to make it impossible for any psychopathic delinquents to escape from said home; and

WHEREAS, Such resolution further requested the Director of Mental Hygiene, if he found that provision for maximum security at the Sonoma State Home was impossible or impractical, to designate some other state institution at which greater security could be provided for the commitment of psychopathic delinquents, and to transfer from Sonoma State Home such psychopathic delinquents to other state institutions; and

WHEREAS, After the adoption of such resolution, the Department of Mental Hygiene took steps to increase the security measures on portions of the premises

of Sonoma State Home by building a security fence around Paxton and Goddard Halls and posting guards on gates in such fence, and that, further, the Director of Mental Hygiene did designate another state institution as the proper institution for the retention of psychopathic delinquents; and

WHEREAS, Since the imposition of such security measures, it has come to the attention of the Legislature that although security measures had been increased by the building of a fence, such fence is not presently guarded nor are the gates locked, and escapes from such home occur with regularity, and one such escape has resulted recently in the killing of a resident of Sutter County; and

WHEREAS, Until the recent publicity given to the taking of the life of the citizen of the State of California by an escaped patient of the Sonoma State Home, the Legislature was informed and believed that there were no longer any psychopathic delinquents held or maintained at such home; and

WHEREAS, The citizens of the State of California, and especially those living in the Valley of the Moon area and areas contiguous to the Sonoma State Home, are much aroused by the most recent escape and the possibility of future escapes and attendant dangers therewith, and are demanding that a stop be made to such escapes; now, therefore, be it

*Resolved by the Senate of the State of California, That the Director of Mental Hygiene is respectfully requested to report to the Senate and the Legislature of the State of California the complete status of measures taken at the Sonoma State Home to increase the security of such home, and to report on the number of psychopathic delinquents kept or maintained at such home since the enactment of Senate Concurrent Resolution No. 72, above mentioned, together with the frequency of escapes from such institutions by both psychopathic delinquents and by mentally deficient and to report on the relative public dangers attendant upon escapes by both such classes of inmates; and be it further*

*Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Governor, to the Director of Mental Hygiene, and to the Superintendent of the Sonoma State Hospital.*

Resolution read, and referred to Committee on Rules.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 995

Senator Burns moved that Senate Bill No. 995 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 995**—An act to amend Sections 7113 and 7114 of the Health and Safety Code, relating to permission and liability for autopsies.

Bill read second time.

#### Motion to Amend

Senator Burns moved the adoption of the following amendments:

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 through 28, and insert  
 "7113. A cemetery authority or licensed funeral director or a licensed hospital or its agent may permit or assist, and a physician may perform, an autopsy of any remains in its or his custody upon the receipt of a written authorization [of] from a person representing himself to be any of the following:

(a) The surviving spouse; (b) a surviving child or parent; (c) a surviving brother or sister; (d) any other kin or person who has acquired the right to control the disposition of the remains; (e) a coroner or any other duly authorized public officer. A cemetery authority or a licensed funeral director or a licensed hospital or its agents is not liable for permitting or assisting, and a physician is not liable for performing, an autopsy pursuant to such authorization unless he or it has actual notice that such representation is untrue at the time the autopsy is performed."

**Amendment No. 2**

On page 2, strike out lines 2 through 14, and insert  
"7114. Any person who performs, *permits or assists at*, an autopsy on a dead body without having first obtained (a) *the authorization of the deceased in writing, including, but not limited to, the last will of the deceased;* or (b) *the authorization in writing of the person designated by Section 7100 of this code as having the right to control the disposition of the remains of the deceased;* or (c) *in the case of a cemetery authority or a licensed funeral director or a licensed hospital or its agents or a physician, the written authorization [required by] described in Section 7113 of this code, is guilty of a misdemeanor, except that this section shall not be applicable to the performance of an autopsy by the coroner or other officer authorized by law to perform autopsies."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1520**

Senator Cobey moved that Senate Bill No. 1520 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1520**—An act to add Section 12931 to the Business and Professions Code, relating to weighing of cotton seed.

Bill read second time.

**Motion to Amend**

Senator Cobey moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, strike out lines 5 to 7, inclusive, of the printed bill, as amended in Senate April 12, 1955, and insert

"12931. In the ginning of cotton, after the cottonseed has been separated from the lint cotton in such ginning, such cottonseed shall be weighed on a weighing device which has been approved and sealed in accordance with the provisions of this division; and the weights determined shall be attested to on a state certificate of weights and measures. The operator of the cotton gin shall account for the cottonseed to the producer thereof on the basis of such weights."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1636**

Senator Parkman moved that Senate Bill No. 1636 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1636**—An act to amend Sections 9606, 9606.7 and 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out " , 9606.7".



**Amendment No. 2**

On page 1, strike out lines 19 to 28, inclusive.

**Amendment No. 3**

On page 2, line 1, strike out "3", and insert "2".

**Amendment No. 4**

On page 2, line 2, after "9653.", insert "(a)".

**Amendment No. 5**

On page 2, line 7, at the beginning of the line, insert "(b)".

**Amendment No. 6**

On page 2, line 13, strike out "This tax does not apply to that portion of the gross"; and strike out lines 14 to 17, inclusive, and insert

"(c) If any incorporated city imposes any tax or any franchise or license fee measured by the gross receipts derived from the transportation of passengers and any operator engages in the transportation of passengers partly within and partly without the city, the tax imposed by this part does not apply to the portion of the gross receipts attributable to operations within the city and included in the measure of the city tax or fee. The amount of gross receipts to which the tax does not apply under this subdivision shall not exceed the proportion of the operator's gross receipts that the mileage operated within the city bears to the entire mileage over which the operations extend."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1693**

Senator Abshire moved that Senate Bill No. 1693 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1693**—An act to amend Section 3600 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "injury", strike out "or occupational disease."

**Amendment No. 2**

On page 1, line 22, after "is", insert "unlawfully".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 516**

Senator Abshire moved that Senate Bill No. 516 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 516**—An act to amend Section 215 of the Financial Code, relating to rules issued by the Superintendent of Banks.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "regulations," insert " , except those relating to the internal operation of banks, or relating to their investments,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 581**

Senator Breed moved that Senate Bill No. 581 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 581**—An act to add Part 13 to the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Breed moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "13 to", insert "Division 2 of".

**Amendment No. 2**

Strike out line 2 of the title; and in line 3 strike out "an appropriation", and insert "posing taxes with respect to cigarettes".

**Amendment No. 3**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Part 13 is added to Division 2 of the Revenue and Taxation Code, to read:

**PART 13. CIGARETTE TAX****CHAPTER 1. GENERAL**

30001. This part is known and may be cited as the "Cigarette Tax Law."

30002. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

30003. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

30004. "Untaxed cigarette" means any cigarette which has not yet been distributed in such manner as to result in a tax liability under this part.

30005. "Sale" includes any transfer of title or possession for a consideration, exchange or barter, in any manner or by any means whatever.

30006. "Distribution" includes

(a) The first sale of cigarettes manufactured in this State,

(b) The use or consumption by the manufacturer of cigarettes manufactured in this State,

(c) The first sale of untaxed cigarettes after transportation to this State,

(d) The use or consumption by the first person in possession in this State of untaxed cigarettes transported to the State in quantities of 200 or more in a single shipment.

30007. "Distribution" does not include the sale of cigarettes by one distributor to another distributor if the latter distributor is licensed.

30008. "Use or consumption" includes the exercise of any right or power over cigarettes incident to the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale.

30009. "Person" includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, trustee, syndicate, this State, any county, city and county, municipality, district, or other political subdivision of the State, or any other group or combination acting as a unit.

30010. "Distributor" includes

(a) Every person who, after 4 o'clock a.m. on July 1, 1955, and within the meaning of the term "distribution" as defined in this chapter, distributes cigarettes.

(b) Every person who sells or accepts orders for cigarettes which are to be transported from a point outside this State to a consumer within this State in quantities of 200 or more in a single shipment.

30011. "Dealer" includes every person, other than one holding a distributor's license, who engages in this State in the sale of cigarettes.

30012. "In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America.

30013. "Package" means the individual package, box or other container in or from which retail sales of cigarettes are normally made or intended to be made.

30014. "Stamp" means the stamp or stamps authorized by the board, by use of which the tax levy under this part is paid.

30015. "Warehouseman" means any person in this State who acts as an agent for any person outside this State, by receiving in interstate commerce and storing of cigarettes subject to distribution or delivery upon order from any person within or without this State, to distributors, manufacturers, retailers, or consumers.

30016. "Board" means the State Board of Equalization.

## CHAPTER 2. IMPOSITION OF TAX

### Article 1. Tax on Distributors

30101. For the privilege of distributing cigarettes, a tax is hereby imposed upon every distributor at the rate of one and one-half mills (\$.00015) for the distribution after 4 o'clock a.m. on July 1, 1955, of each cigarette. The tax shall be collected as provided in this part.

### Article 2. Floor Stocks Tax on Dealers

30130. For the privilege of making the sale of cigarettes, a floor stocks tax is hereby imposed upon every dealer at the rate of one and one-half mills (\$.00015) for each cigarette in his possession or under his control at 4 o'clock a.m. on July 1, 1955.

30131. The tax imposed by this article is due and payable on or before July 15, 1955.

30132. Each dealer, on or before July 15, 1955, shall file a report with the board in such form as the board may prescribe. The report shall state the number of cigarettes on hand at 4 o'clock a.m. on July 1, 1955, and the amount of tax due thereon. Each report shall be accompanied by a remittance payable to the board for the amount of tax due.

30133. All cigarettes which are in the possession or under the control of a dealer on and after July 15, 1955, and which have been reported as required by this article but for which no tax has been paid are subject to seizure and sale pursuant to Article 1 of Chapter 7.

### Article 3. Exemptions and Miscellaneous Provisions

30150. Any cigarette with respect to which a tax has once been imposed under this part shall not be subject upon a subsequent distribution to the taxes imposed by this part.

30151. Cigarettes sold under such circumstances that this State is without power to impose such tax are exempted from the taxes imposed by this part.

30152. The taxes imposed by this part shall not apply to the sale of cigarettes, except through vending machines, to the following listed instrumentalities of the armed forces of the United States organized under Army, Air Force, or Navy regulations and located upon territory within the State:

(a) Army, Air Force, and Navy exchanges.

(b) Officers', noncommissioned officers', and enlisted men's clubs or messes.

30153. The taxes imposed by this part shall not apply with respect to sales of cigarettes to agencies of the United States Government nor to sales of cigarettes for use out of the State.

30154. No tax under this part shall be imposed upon the sale of cigarettes by a distributor to a common carrier or to a person authorized to sell cigarettes on the facilities of such carrier. Wherever cigarettes are sold by distributors to common



carriers engaged in interstate or foreign passenger service for use or sale on facilities of the carriers, or to persons authorized to sell cigarettes on those facilities, the tax imposed by Section 30101 shall not be levied with respect to the sales of the cigarettes by the distributors, but a tax is hereby levied upon the carriers or upon the persons authorized to sell cigarettes on the facilities of the carriers, as the case may be, for the privilege of making such sales in California at the same rates as set forth in Section 30101. Such common carriers and authorized persons shall pay the tax imposed by this section and file reports with the board, as provided in Section 30301.

30155. The tax imposed by this part shall apply to the donation by the manufacturer or his agents of cigarettes as samples for advertising purposes. In lieu of the requirement that stamps be affixed to the packages in which such cigarettes are contained, the board may permit the manufacturer to pay the tax due under this part with respect to such cigarettes substantially as provided in Section 30301.

30156. With respect to taxes resulting from a distribution of cigarettes within the meaning of subdivision (d) of Section 30006, the tax shall be paid by the consumer or user as provided in Section 30302.

30157. Distributors may add the amount of the taxes imposed by this part to the sales price thereof, and the distributor may state the amount of the tax separately from the sales price of such cigarettes on all price display signs, sales or delivery slips, and bills and statements. The provisions of this section do not affect the method of collection of the tax as provided by this part.

30158. Unless the contrary is established, it shall be presumed that all cigarettes manufactured in this State, or transported to this State and no longer in the possession of the distributor, have been distributed.

### CHAPTER 3. LICENSES, BONDS AND REGISTRATION

#### Article 1. Licenses and Bonds

30180. Every person desiring to engage in the sale of cigarettes as a distributor, except a person who desires merely to sell or accept orders for cigarettes which are to be transported from a point outside this State to a consumer within this State, shall file with the board an application, in such form as the board may prescribe, for a distributor's license. The application shall be accompanied by a license fee of one dollar (\$1) payable to the board.

30181. Every applicant for license as a distributor shall file with the board, in such form as the board prescribes, a bond or bonds executed by him as principal and a corporation such as is mentioned in Section 1056 of the Code of Civil Procedure in this State as surety, payable to the people of the State of California, conditioned upon the payment of all taxes, penalties, and other obligations of the distributor arising under this part.

30182. The board shall fix the total amount of the bond or bonds required of any taxpayer and may increase or reduce the amount at any time.

30183. Every bond shall contain a provision substantially that when the surety exercises his right to withdraw as surety the withdrawal shall be effective on the first day of the calendar month after receipt of the notice by the board if the notice is received on or before the fifteenth day of the month, otherwise the withdrawal shall be effective on the first day of the second calendar month after receipt of the notice by the board.

30184. The license of any distributor shall be automatically suspended upon cancellation of his bond, or if the bond becomes void or unenforceable for any reason, or if the distributor fails to pay any taxes or penalties due under this part. The license shall be automatically reinstated if the distributor files a valid bond, or pays his delinquent taxes, as the case may be.

Upon the petition of any distributor whose license has been suspended under this section, a hearing shall be afforded him after five days notice of the time and place of hearing.

30185. In lieu of a bond or bonds a distributor, under such conditions as the board may prescribe, may deposit with the State Treasurer an amount of lawful money equivalent to the amount of the bond or bonds or he may deposit bonds or other obligations of the United States, the State of California, or any county or city and county of this State of an actual market value not less than the amount of the bond or bonds fixed by the board.

30186. Upon receipt of a certificate of the board setting forth the amount of a distributor's delinquencies, the State Treasurer shall pay to the board the amount so certified from the money deposited with him by the distributor or from the amounts received from the sale of bonds or other obligations deposited with the Treasurer by the distributor. Securities deposited with the State Treasurer which have a prevailing market price may be sold by him for the purposes of this section at private sale at a price not lower than the prevailing market price thereof.

30187. Whenever any distributor fails to comply with any provision of this part or any rule or regulation of the board prescribed and adopted under this part, the board upon hearing, after giving the distributor at least 10 days notice in writing specifying the time and place of hearing and requiring him to show cause why his



license should not be revoked, may revoke the license held by him. The notice may be served personally or by mail in the manner prescribed for service of notice of a deficiency determination. The board shall not issue a new license to a distributor whose license has been revoked unless it is satisfied that he will comply with the provisions of this part and the rules and regulations of the board.

30188. Any person required to obtain a license as a distributor under this chapter who engages in business as a distributor without a license or after a license has been canceled or revoked, and each officer of any corporation which so engages in business, is guilty of a misdemeanor.

#### Article 2. Registration

30210. Every distributor, except one to whom a license is issued under Article 1 of this chapter, shall register with the board and give the names and addresses of all agents operating in this State, the location of all distribution or sales houses or offices or other places of business in this State, and such other information as the board may require.

#### CHAPTER 4. COLLECTION AND LIEN OF TAX

30260. The taxes imposed and levied by Article 1 of Chapter 2 of this part shall be paid through the use of stamps. The board shall secure stamps of such designs and denominations as it may prescribe suitable to be affixed to packages and provide for the sale thereof to licensed distributors. Only licensed distributors shall affix and cancel stamps. On sales of revenue stamps the board shall allow as compensation for the services and expenses of distributors in the affixing and handling of such stamps a discount of three percent (3%) of the face value of any sale of one hundred dollars (\$100) or more; provided, that the distributor has complied with all of the provisions of this part. No discount shall be allowed on any sale of less than one hundred dollars (\$100) and stamps shall not be sold in blocks of less than one hundred (100) stamps.

30261. Distributors shall not sell, borrow, loan, buy or exchange unstamped cigarettes or stamps to, from or with other distributors.

30262. The board shall regulate and prescribe the manner of affixing and canceling stamps.

30263. Every distributor shall cause to be affixed on every package of cigarettes on which the tax required under Article 1 of Chapter 2 of this part has not previously been paid as evidenced by stamps affixed thereto, stamps of an amount equal to the tax due thereon before such person sells, offers for sale, uses, consumes, handles, removes or distributes such cigarettes in this State.

30264. Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of tax upon the contents therein, and shall be affixed in such manner as to be visible to the purchaser and that they cannot be removed from the package or container without being mutilated or destroyed.

30265. The board, if it shall determine that it is practicable in any case to permit licensed distributors to impress on or attach to each package of cigarettes, evidence of tax payment, by means of a metering machine, in lieu of stamps, may authorize any licensed distributor to use any metering machine approved by the board, such machine to be sealed by the board before being used and used in accordance with rules and regulations prescribed by the board. Any licensed distributor authorized by the board to affix evidence of tax payment to packages of cigarettes by means of a metering machine shall make a prepayment, allowing for the discount, if any, provided for herein and subject also to the same conditions as in the case of the sale of stamps, covering the amount of the tax for which the meter is set.

#### CHAPTER 5. REPORTS

30300. Every distributor shall file with the board on or before the fifteenth day of each month, a report in such form as the board shall prescribe. The report shall disclose the number of cigarettes on hand on the first and last days of the calendar month immediately preceding the month in which the report is required, and such information concerning the amount of stamps purchased, used, and on hand during the report period and any other information for the report period that the board may prescribe.

30301. On or before the fifteenth day of each month the common carriers and authorized persons specified in Section 30154 shall file with the board a report of the sales of tobacco products made by them on the facilities of the carriers in California in the calendar month immediately preceding the month in which the report is received, in such detail and form as the board may prescribe, accompanying the report with the amount of the tax due under Section 30154.

30302. The consumer or user specified in Section 30156 shall on or before the fifteenth day of the month following receipt of cigarettes file with the board a report of the amount of cigarettes received by him in the calendar month immediately preceding the calendar month in which the report is received, in such detail and form as the board may prescribe, accompanying the report with the amount of tax due.

30303. The board may require warehousemen to make such reports relating to the cigarettes handled by them as the board deems necessary for the purposes of administering this part.

30304. Any person who shall fail to file any report on the day when it shall be due, shall forfeit as a penalty, for each day thereafter until the report is filed, the sum of one dollar (\$1), to be collected in the manner provided in this part for the collection of penalties. The board, if satisfied that the failure to file any report required by this chapter on the day when it became due, was excusable, may remit the whole or any part of such penalty.

#### CHAPTER 6. DETERMINATIONS

30330. If any person fails to pay the tax required under this part the board shall make an estimate of the quantity of cigarettes sold, used, consumed, handled or distributed by such person in this State on which the tax was not paid. The estimate shall be based upon any information which is in the board's possession or may come in its possession. Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty of an amount equal to the total tax computed, and interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment.

30331. Promptly after making its determination the board shall give to the person written notice of the estimate, determination and penalty, the notice to be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure.

#### CHAPTER 7. COLLECTIONS

##### Article 1. Seizure and Sale

30360. Whenever the board shall discover any cigarettes, subject to tax under this part, and upon which the tax has not been paid or the stamps affixed as herein required, it is hereby authorized and empowered to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale. Such seized cigarettes, vending machine or receptacle shall be deemed to be forfeited to the State.

30361. The board may, within a reasonable time after a seizure of cigarettes pursuant to this chapter, by a public notice at least five days before the day of sale, sell such forfeited cigarettes at a place to be designated by it and from the proceeds of such sale shall collect the tax due thereon and all other unpaid cigarette taxes found to be due by the board together with a penalty of an amount equal to the taxes due and interest at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment and the costs incurred in such proceedings. The board shall pay the balance, if any, to the person in whose possession such forfeited cigarettes were found.

30362. The board, in lieu of the sale of cigarettes as provided in this chapter, may permit the person from whom any cigarettes were seized to redeem the cigarettes, and any vending machine or receptacle seized therewith, by the payment of the taxes due together with a penalty of an amount equal to the tax due thereon, interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment, and the costs incurred in such proceeding, which total payment shall not be less than five dollars (\$5).

30363. The seizure and sale or redemption of cigarettes shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this part.

30364. When the board has good reason to believe that any cigarettes are being kept, sold, or offered for sale, in violation of the provisions of this part or its regulations it may make an affidavit of such fact, describing the place or thing to be searched, before a judge of any court in this State, and such judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the board commanding him diligently to search any building, room, place, or vehicle as may be designated in the affidavit and search warrant, and to seize such cigarettes so possessed and to hold the same until disposed of by law, and to arrest the person in possession or control of the same. If upon the return of such warrant, it shall appear that any of the cigarettes, unlawfully possessed, were seized, the same shall be sold as provided in this part.

##### Article 2. Civil Action

30380. If any person is delinquent in the payment of any obligation imposed under this part, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State.

30381. In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required.

30382. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax, interest and penalties set forth in the certificate, and of compliance by the board with all provisions of this part in relation to the assessment of the property and computation and levy of the tax.

#### CHAPTER 8. REFUNDS

30420. The board may issue regulations providing for the refund to distributors of the cost of stamps affixed to packages of cigarettes, which by reason of damage become unfit for sale or use and are destroyed by the distributor under the supervision of the board, or are returned to the manufacturer.

30421. The board is authorized to redeem any unused stamps purchased from it at the face value thereof less any discount allowed upon their purchase.

#### CHAPTER 9. ADMINISTRATION

30450. The board shall enforce the provisions of this part and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this part. The board may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

30451. The board may employ accountants, auditors, investigators, assistants, and clerks necessary for the efficient administration of this part and may designate representatives to conduct hearings, prescribe regulations, or perform any other duties imposed by this part or other laws of this State upon the board.

30452. Every distributor and every person dealing in, transporting, or storing cigarettes in this State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto in such form as the board may require.

30453. The board or its authorized representative may examine the books, papers, records, and equipment of any person dealing in, transporting, or storing cigarettes and may investigate the character of the disposition which the person makes of the cigarettes in order to ascertain whether all taxes due under this part are being properly reported and paid.

30455. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any report, or to permit any report or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person. However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person.

Any violation of this section is a misdemeanor and is punishable by a fine not exceeding one thousand dollars (\$1,000), by imprisonment not exceeding one year, or by both in the discretion of the court.

#### CHAPTER 10. DISPOSITION OF PROCEEDS

30470. All amounts required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. The board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Cigarette Tax Fund, which fund is hereby created.

30471. All money deposited in the Cigarette Tax Fund under this part shall, upon order of the State Controller be transferred to the General Fund of this State.

#### CHAPTER 11. VIOLATIONS

30500. It is a felony for any person falsely or fraudulently to make, forge, alter or counterfeit any stamp prescribed by the board under the provisions of this part, or to cause or procure to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, or to knowingly and wilfully use, utter, purchase, pass or tender as true any such false, altered or counterfeited stamp.

30501. It is a misdemeanor for any person to fail, neglect, or refuse to comply with, or to violate any provision of this part or any regulation issued by the board under this part.

30502. It is a misdemeanor for any person to possess or transport unstamped packages of cigarettes in this State for the purpose of sale, or to sell or offer for sale unstamped packages of cigarettes in violation of the provisions of this part.

30503. All agents, employees and others who aid, abet, or otherwise participate in any way in the violation of the provisions of this part, shall be guilty and punishable as principals.

30504. It is presumed that persons other than distributors and agents who purchase or receive shipments of unstamped cigarettes do so to avoid payment of the tax imposed under this part.

SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."



**Amendment No. 4**

On page 1, strike out lines 3 to 27, inclusive; and strike out pages 2 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 584**

Senator Breed moved that Senate Bill No. 584 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 584**—An act to add Article 4.5 (consisting of Sections 19500 to 19507, inclusive) to Chapter 4 of Division 8 of the Business and Professions Code, relating to license fees payable by operators of places, inclosures or tracks used for horse racing.

Bill read second time.

**Motion to Amend**

Senator Breed moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 18, 19, and 20, and insert "(a) Any tax paid under the California Bank and Corporation Tax Law may be deducted."

**Amendment No. 2**

On page 2, line 11, strike out "used in"; and strike out lines 12 to 15, inclusive, and insert "valued in accordance with generally accepted accounting principles, excluding those assets used in or in connection with operations other than the conduct of the racing meet authorized by the California Horse Racing Board, and further reduced by the licensee's liabilities, also as of the beginning of its taxable year, incurred in or in connection with the operation of such racing meet. Further, depreciable assets and land are to be included in such calculation at the basis accepted for the determination of the franchise taxes under the California Bank and Corporation Tax Law."

**Amendment No. 3**

On page 3, lines 4, 5, and 6, strike out "be drawn therefrom for the purpose of making refunds pursuant to this article or shall".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1659**

Senator J. Howard Williams moved that Senate Bill No. 1659 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1659**—An act to appropriate funds for the support of the Department of Water Resources.

Bill read second time.



**Motion to Amend**

Senator J. Howard Williams moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "appropriate funds for the support of the", and insert "amend Sections 22, 226, 1000, 1057, 6001, 10000, 11101, 11127, 11705, 12572, and the title of Article 1 of Chapter 2 of Division 1, the title of Article 2 of Chapter 2 of Division 1, the title of Article 5 of Chapter 2 of Division 1, the title of Article 2 of Chapter 3 of Part 3 of Division 6, the title of Article 3 of Chapter 3 of Part 3 of Division 6, and the title of Article 4 of Chapter 3 of Part 3 of Division 6, of, to amend and renumber Section 200, of, to add Sections 23, 111, 112, 2002, 4003, 13007, 20004, 30028, 39029, and Article 2 to Chapter 2 of Division 1, Article 3 to Chapter 2 of Division 1, Article 4 to Chapter 2 of Division 1, Article 2 to Chapter 3 of Division 1, Article 1 to Chapter 2 of Part 1 of Division 2, Part 5 to Division 2, Chapter 3 to Part 1 of Division 3, the title to Article 5 of Chapter 2 of Division 1, the title to Article 1 of Chapter 3 of Division 1, the title to Article 2 of Chapter 2 of Part 1 of Division 2, and the title to Article 4 of Chapter 1 of Part 6 of Division 6, to, and to repeal Sections 23, 201, 202, 203, 1009, 1050.5, 1050.6, 11410, 11411, 11412, 11413, 11414, 11415, 11416, 11417, 11418, 11701, 11702, 12591, 12592, 12593, 12594, 12595, 12596, 12597, 12598, 12599, 12600, 39029, Article 3 of Chapter 2 of Division 1, Article 4 of Chapter 2 of Division 1, Chapter 4 of Division 1, Chapter 3 of Part 1 of Division 3, Article 1 of Chapter 3 of Part 3 of Division 6, and the title of Article 4 of Chapter 1 of Part 6 of Division 6, of, the Water Code, and to amend Sections 4001, 11041, 12040, 14005, 14033, of, and to repeal Sections 14034, 14035, 14036, and 14037, of, the Government Code, creating a".

**Amendment No. 2**

In line 2 of the title, after "Resources", insert ", a Water Rights Administration, and a State Administration of Dams, all relating to state administration of water resources, and making an appropriation".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 22 of the Water Code is amended to read:

22. "Department," unless otherwise specified, means the Department of [Public Works] *Water Resources*.

SEC. 2. Section 23 of said code is repealed.

SEC. 3. Section 23 is added to said code, to read:

23. Unless otherwise specified "board" means the State Water Board and "director" means the Director of Water Resources.

SEC. 4. The title to Article 1, Chapter 2, Division 1 of said code is amended to read:

Article 1. [State Administrative Agencies] *Department of Water Resources*

SEC. 5. Section 200 of said code is renumbered and amended to read:

110. [200.] There is in the [Department of Public Works the Division] *State Government a Department of Water Resources*.

SEC. 6. Section 111 is added to said code, to read:

111. Except as provided to the contrary in Divisions 2 and 3 of this code, the Department of Water Resources shall succeed to and is hereby vested with all of the powers, duties, purposes, responsibilities, and jurisdiction in matters pertaining to water now or hereafter vested by law in the Department of Public Works, the Division of Water Resources in the Department of Public Works, the Water Project Authority, and the State Water Resources Board, or any officer or employee of any of such agencies. Except as provided in Sections 1021 and 6051, the department shall have possession and control of all records, books, papers, and other property, real, personal or mixed, now or hereafter held for the benefit or use of the Water Project Authority, the State Water Resources Board, or the Division of Water Resources in the Department of Public Works.

SEC. 7. Section 112 is added to said code, to read:

112. Except to the extent inconsistent with the provisions of this code, the provisions of Chapter 2, Part 1, Division 3, Title 2 of the Government Code shall govern and apply to the conduct of the Department of Water Resources in every respect

the same as if such provisions were herein set forth at length, and whenever in that chapter the term "head of the department" or similar designation occurs, for the purposes of this section it shall mean the director.

SEC. 8. The title to Article 2 of Chapter 2 of Division 1 of said code is amended to read:

Article [2]6. Surveys and Investigations

SEC. 9. Article 2 is added to Chapter 2, Division 1 of said code, to read:

Article 2. State Water Board

115. There is in the Department of Water Resources the State Water Board consisting of seven members who shall be appointed by the Governor subject to the confirmation of the Senate, as provided in this article.

116. Members shall be appointed to provide in the membership of the board at all times, at least two members with five or more years of experience in the field of municipal water supply; two members with five or more years experience in the field of agricultural water supply; and, one member with five or more years experience in the field of hydroelectric power development and distribution.

They shall be appointed in such a manner as to afford representation on the board from all parts of the State, one member to be appointed from the State at large, and of the remaining six members, not more than one such member shall be appointed from any one congressional district or from any one county.

117. The terms of the members first appointed to the board shall expire as follows: two members on January 15, 1957, two members on January 15, 1958, and three members on January 15, 1959.

118. Appointments shall be for terms of four years. Vacancies shall be immediately filled by the Governor for the unexpired portion of the terms in which they occur.

119. The appointments made by the Governor to membership on the board shall be subject to confirmation by the Senate at the next regular or special session of the Legislature and the refusal or failure of the Senate to confirm an appointment shall create a vacancy in the office to which the appointment was made.

120. Each member of the board shall receive seventy-five dollars (\$75) for each day during which he is engaged in the performance of his official duties. In addition to his compensation each member shall be reimbursed for his necessary traveling and other expenses incurred in the performance of his official duties.

121. The board shall maintain its headquarters at Sacramento and shall hold meetings at such times and at such places as shall be determined by it.

122. Special meetings may be called at any time by the chairman or by the secretary at the request of any four members, upon notice specifying the matters to be acted upon at such meeting, but no other matters shall be acted upon at special meetings which were not so noticed, unless all members are present and consent thereto.

123. The members of the board shall select one of the members to serve as chairman, who shall hold office as chairman at the pleasure of the board.

124. The board may employ an executive secretary and such other assistants as conditions require. The board may select one of its members to act as the executive secretary but no other officer or employee holding another position in the department may serve in that capacity.

125. The board shall establish general policies and prescribe rules and regulations to govern the department in the exercise of its powers and duties.

126. The board, or a representative authorized by the board to do so, may call, conduct or attend conferences or hearings, official or unofficial, within or without this State, or otherwise participate in such conferences or hearings, with interested persons, agencies or officers, of this or any other state or with the Congress of the United States, congressional committees, or officials of the Federal Government, concerning water projects, plans, or problems within the scope of its powers and duties.

127. As to any matter involving the United States, its departments or agencies, which is within the scope of the powers and duties of the board, the board may represent the interests of the State or any county, city, state agency or public district and to that end may correspond, confer and cooperate with the United States, its departments or agencies, and where necessary the members of the board may travel either within or without the State.

128. The board may hold hearings and conduct investigations in any part of the State and for such purposes has the powers conferred upon heads of departments of the State by Article 2 of Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code.

129. Any hearing or investigation by the board may be conducted by any member, or by a committee of members of the board and the member or committee shall have and exercise such powers of the board as the board may prescribe.

130. Any person affected who questions any action, ruling, order or decision of the department may, within 30 days after the date of the ruling, appeal in writing to the board. A copy of the notice of appeal and all accompanying information may be sent to each person on record in support or in opposition to the action,

ruling, order or decision by any means selected by the board. But no order adversely affecting the rights of any such person shall be made by the board unless he shall have been served personally or by registered mail as provided herein, or shall have appeared before the board in connection with the appeal. Service may be proved in the manner authorized in civil actions. Service by registered mail shall be effected if a registered letter containing the notice of appeal and accompanying material is mailed, addressed to such person at the latest address on file with the department. The board shall review all records on file with the department which pertain to the ruling, order, decision, or other official act, and a transcript, if any, of evidence taken and shall take such additional relevant and competent evidence as it may require or as may be submitted by the department or the party filing the appeal. The board shall then issue an order, according to the weight of evidence adduced before it, affirming, reversing, or modifying the action of the department, which shall constitute the final action of the department.

SEC. 10. Articles 3 and 4 of Chapter 2 of Division 1 of said code are repealed.

SEC. 11. Article 3 is added to Chapter 2, Division 1 of said code, to read:

#### Article 3. Director of Water Resources

135. The Department of Water Resources is under the control of an executive officer known as the Director of Water Resources.

136. The director is appointed by and holds office at the pleasure of the Governor. The annual salary of the director is eighteen thousand dollars (\$18,000).

137. Before entering upon the duties of his office, the director shall execute an official bond to the State in the penal sum of twenty-five thousand dollars (\$25,000) conditioned upon the faithful performance of his duties.

138. The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department in accordance with the policies and rules and regulations adopted by the State Water Board except as otherwise provided by law.

139. For the purpose of administration, the director shall organize the department with approval of the Governor in the manner that he deems necessary to segregate and conduct properly the work of the department. The department shall have at least the following divisions: A Division of Planning and a Division of Construction.

140. With the approval of the Governor and the board, the director may create such other divisions and subdivisions as may be necessary and change or abolish them from time to time.

141. The director may require any of the personnel of the department who is entrusted with money belonging to the State to furnish a bond for the faithful performance of his trust, executed by an admitted corporate surety insurer, in the amount the director prescribes. The bond shall cover duties prescribed by administrative regulations or orders of the director as well as those imposed by law.

Any bond may be canceled at any time with the approval of the director. Schedule bonds may be taken covering two or more persons. Bonds provided for in this section shall be filed with the director, and not elsewhere.

SEC. 12. Article 4 is added to Chapter 2, Division 1 of said code, to read:

#### Article 4. Financial Provisions

150. The premium on bonds required of personnel in the department and on other official bonds shall be paid by the department.

151. The department may expend money appropriated for the administration of the laws the enforcement of which is committed to the department. The department may expend such money for the use, support, or maintenance of any appropriate state agency within the department.

Such expenditures by the department shall be made in accordance with law in carrying on the work for which the appropriations were made.

152. The Water Resources Revolving Fund in the State Treasury is continued in existence. The Water Resources Revolving Fund is the successor to the Water Resources Fund. With the approval of the Department of Finance, there shall be transferred to, or deposited in, the fund all money appropriated, contributed, or made available from any source, including sources other than state appropriations, for expenditure on work within the powers and duties of the Department of Water Resources, including but not limited to services, new construction, major construction and equipment, minor construction, maintenance, improvements and equipment, hydraulic or other improvement projects, investigations, surveys, experiments, and reports, as authorized by the state agency for which such an appropriation is made or, as to funds from sources other than state appropriations, as may be authorized by written agreement between the contributor or contributors of such funds and the Department of Water Resources when approved by the Department of Finance.

Money so transferred or deposited is available for expenditure by the Department of Water Resources for the purposes for which appropriated, contributed, or made available, without regard to fiscal years and irrespective of the provisions of Section 16304 of the Government Code. The Department of Water Resources may withdraw from the fund for use in work for other public agencies, local, state or federal, such



sums as may be necessary for such work where the money to be paid by such other agencies is not deposited in said fund in advance of the work being done.

No money in such fund which is derived from an appropriation from the General Fund shall be used to pay the charges imposed by Section 11044 or 20752 of the Government Code or the charges imposed pursuant to Articles 2 or 3 of Chapter 3, Part 1, Division 3, Title 2 of said code.

153. The Department of Water Resources shall file against the Water Resources Revolving Fund all claims covering expenditures incurred in connection with services, new construction, major construction and equipment, minor construction, maintenance, improvements and equipment, hydraulic or other improvement projects, investigations, surveys, experiments and reports, and the State Controller shall draw his warrant therefor against that fund.

154. The Department of Water Resources shall keep a record of all expenditures chargeable against each specific portion of the revolving fund, and any unused balance in any portion of the fund shall on approval by the Department of Finance be withdrawn from the revolving fund and transferred to the credit of the appropriation from which it was transferred or, as to funds from other than state appropriations, be paid out or refunded as provided in the agreement relating to the contributions.

155. The director may authorize the refund of moneys received or collected by the department in payment of fees, licenses, permits, tolls, or for rentals, property or services, wherein the license, permit, rental, property or service cannot lawfully be issued, furnished, or transferred to the person making the payment, or in cases where the payment in whole or in part represents overpayment or payment in duplicate.

156. Without at the time furnishing vouchers and itemized statements, the department may, with the approval of the Department of Finance, withdraw from the Water Resources Revolving Fund not exceeding fifty thousand dollars (\$50,000) at any one time. The sums withdrawn under this section shall be used as a revolving fund where payments of compensation earned or cash advances are necessary.

157. All money available, including money which becomes available after the effective date of the act adding this section, for expenditure by any department, division, board, authority, commission, or officer or employee thereof, to be used in the administration of any function, the exercise of any right, or performance of any duty, which function, right or duty is transferred to the Department of Water Resources.

158. If the nature of any work under jurisdiction of the department, in its opinion is such that its services in connection therewith are not required, it may, with the approval of the Department of Finance, authorize the carrying out of the work directly by the state agency concerned therewith.

159. The department may employ such assistants as may be necessary for the proper discharge of its duties, and may purchase any necessary supplies, instruments, tools, and conveniences.

160. The department shall furnish the board such technical and clerical assistance and such supplies, instruments, tools, and conveniences as the board may deem necessary to carry out its functions.

SEC. 13. Sections 201, 202, and 203 of said code are repealed.

SEC. 14. The title of Article 5 of Chapter 2, Division 1 of said code is amended to read:

#### Article [5] 7. Beach Erosion Control

SEC. 15. A title to Article 5 is added to Chapter 2, Division 1 of said code, immediately preceding Section 205 thereof, to read:

#### Article 5. Participation in Associations

SEC. 16. Section 226 of said code is amended to read:

226. The department, either independently or in cooperation with any person or any county, State, Federal, or other agency, may do any of the following:

(a) Conduct investigations of all or any portion of any stream, stream system, lake or other body of water.

(b) Investigate either or both surface and underground water conditions.

(c) Collect records of diversion and use of water.

[(d) Supervise distribution of water in accordance with agreements and court orders thereof.]

SEC. 17. A title to Article 1 is added to Chapter 3 of Division 1 of said code, immediately preceding Section 350 thereof, to read:

#### Article 1. Water Shortages

SEC. 18. Article 2 is added to Chapter 3 of Division 1 of said code, to read:

#### Article 2. Emergencies

370. In times of extraordinary stress and of disaster, resulting from storms and floods, the director may declare the existence of an emergency and designate the location, nature, cause, area, and extent of the emergency if in his opinion:

(a) The emergency is a matter affecting the waters or dams of the State and is of general public and state concern; and



(b) Work and remedial measures are required to immediately avert, alleviate, repair, or restore damage or destruction to property having a general public and state interest and to protect the health, safety, convenience, and welfare of the general public of the State.

The department may perform any work required or take any remedial measures necessary to avert, alleviate, repair, or restore damage or destruction to property as provided in this section.

The director shall transmit any declaration made under this section to the Department of Finance with a recommendation and request that money be allocated from any available money appropriated for that purpose or to meet state emergencies within the meaning of that term as employed in this section, in order to carry out the work and remedial measures required to meet the emergency.

The Director of Finance shall forthwith determine if a state emergency exists, and if money is available in any appropriation or emergency fund for the work and remedial measures. Upon an affirmative finding upon these matters he shall allocate to the department such amount as in his opinion will be required to meet the emergency.

SEC. 19. Chapter 4 of Division 1 is repealed.

SEC. 20. Section 1000 of said code is amended to read:

1000. As used in this division, "water" includes the term "use of water," "administration," "department," and "Division of Water Resources of the Department of Public Works," the "State Engineer," and the "department acting through the State Engineer" mean the Water Rights Administration, and "administrator" means the State Water Administrator.

SEC. 21. Sec. 1009 of said code is repealed.

SEC. 22. Article 1 is added to Chapter 2, Part 1, Division 2 of said code, to read:

#### Article 1. Water Rights Administration

1020. There is in the State Government the Water Rights Administration.

1021. The Water Rights Administration shall succeed to and is hereby vested with all of the powers, duties, purposes, responsibilities, and jurisdiction in matters pertaining to the administration and determination of water rights, and in all other matters pertaining to the provisions of this division now or hereafter vested by law in the Department of Public Works, the Division of Water Resources in the Department of Public Works, the State Engineer, or any officer or employee thereof. The administration shall have possession and control of all records, books, papers, and other property now or hereafter held for the benefit or use of the Division of Water Resources in the Department of Public Works and of the State Engineer relative to the subject matter of this division.

1022. The Water Rights Administration is under the control of an officer known as the State Water Administrator.

1023. The administrator shall be appointed by the State Water Board under the provisions of the State Civil Service Act.

1024. Before entering upon the duties of his office, the administrator shall execute an official bond to the State in the penal sum of twenty-five thousand dollars (\$25,000) conditioned upon the faithful performance of his duties.

1025. The administrator shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the administration.

1026. The administrator shall organize the administration in the manner that he deems necessary to segregate and conduct properly the work of the administration.

1027. The administrator may require any of the personnel of the administration who is entrusted with money belonging to the State to furnish a bond for the faithful performance of his trust, executed by an admitted corporate surety insurer, in the amount the administrator prescribes. The bond shall cover duties prescribed by administrative regulations or orders of the administrator as well as those imposed by law.

Any bond may be canceled at any time with the approval of the administrator. Schedule bonds may be taken covering two or more persons. Bonds provided for in this section shall be filed with the administrator, and not elsewhere.

The premiums on such bonds and on official bonds shall be paid by the administration.

1028. The administration may employ such assistance as may be necessary for the proper discharge of its duties, and may purchase any necessary supplies, instruments, tools, and conveniences.

1029. Except to the extent inconsistent with the provisions of this code, the provisions of Chapter 2, Part 1, Division 3, Title 2 of the Government Code shall govern and apply to the conduct of the Water Rights Administration in every respect the same as if such provisions were herein set forth at length, and whenever in that chapter the term "head of the department" or similar designation occurs, for the purposes of this section it shall mean the administrator.

1030. The administration may expend money appropriated for the administration of the laws the enforcement of which is committed to the administration. The administration may expend such money for the use, support, or maintenance of any appropriate state agency within the administration.

Such expenditures by the administration shall be made in accordance with law in carrying on the work for which the appropriations were made.

1031. There is hereby created in the State Treasury the Water Administration Revolving Fund. With the approval of the Department of Finance, there shall be transferred to, or deposited in, the fund all money appropriated, contributed, or made available from any source for expenditure on work within the powers and duties of the Water Rights Administration.

Money so transferred or deposited is available for expenditure by the Water Rights Administration, for the purposes for which appropriated, contributed, or made available, without regard to fiscal years and irrespective of the provisions of Section 16304 of the Government Code.

No money in such fund which is derived from an appropriation from the General Fund shall be used to pay the charges imposed by Section 11044 or 20752 of the Government Code or the charges imposed pursuant to Articles 2 or 3 of Chapter 3, Part 1, Division 3, Title 2 of said code.

1032. The Water Rights Administration shall file against the Water Administration Revolving Fund all claims covering expenditures incurred in connection with its services, and the State Controller shall draw his warrant therefor against that fund.

1033. The Water Rights Administration shall keep a record of all expenditures chargeable against each specific portion of the revolving fund, and any unused balance in any portion of the fund shall on approval by the Department of Finance be withdrawn from the revolving fund and transferred to the credit of the appropriation from which it was transferred or, as to funds from other than state appropriations, be paid out or refunded as provided in the agreement relating to the contributions.

1034. The administrator may authorize the refund of moneys received or collected by the department in payment of fees, licenses, permits, tolls, or for rentals, property or services, wherein the license, permit, rental, property or service cannot lawfully be issued, furnished, or transferred to the person making the payment, or in cases where the payment in whole or in part represents overpayment or payment in duplicate.

1035. Without at the time furnishing vouchers and itemized statements, the administration may, with the approval of the Department of Finance, withdraw from the Water Administration Revolving Fund not exceeding fifty thousand dollars (\$50,000) at any one time. The sums withdrawn under this section shall be used as a revolving fund where payments of compensation earned or cash advances are necessary.

1036. All money available, including money which becomes available after the effective date of the act adding this section, for expenditure by any department, division, board, authority, commission, or officer or employee thereof, to be used in the administration of any function, the exercise of any right, or performance of any duty, which function, right or duty is transferred to the Water Rights Administration.

SEC. 23. A title to Article 2 is added to Chapter 2, Part 1, Division 2 of said Code, immediately preceding Section 1050 thereof, to read:

#### Article 2. General Administration

SEC. 24. Sections 1050.5 and 1050.6 of said code are repealed.

SEC. 25. Section 1057 of said code is amended to read:

1057. All fees charged and collected under this [chapter] article shall be paid, at least once each week, accompanied by a detailed statement thereof, into the State Treasury.

SEC. 26. Section 2002 is added to said code, to read:

2002. As used in this part, "department" means the Water Rights Administration.

SEC. 27. Section 4003 is added to said code, to read:

4003. As used in this part, "department" and "Department of Public Works" means the Water Rights Administration.

SEC. 28. Part 5 is added to Division 2 of said code, to read:

### PART 5. OTHER POWERS

#### CHAPTER 1. WASTE

##### Article 1. Proceedings to Prevent Waste or Unreasonable Use

4675. The administration shall take all appropriate proceedings or actions before executive, legislative, or judicial agencies to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water in this State.

##### Article 2. Waste From Artesian Wells

4700. For the purposes of this article, an artesian well is any artificial hole made in the ground through which water naturally flows from subterranean sources to the surface of the ground for any length of time.

4701. For the purposes of this article, waste is the causing, suffering, or permitting any water flowing from an artesian well, to run either:

(a) Into any natural watercourse or channel, or into any bay or pond, unless the water is used thereafter for irrigation or domestic use.

(b) Into any street, road, or highway.

(c) Upon the land of any person or upon the public land of the United States or of the State, unless it is used thereon for irrigation, domestic use, or the propagation of fish.

4702. The use of any water flowing from an artesian well for the irrigation of land, whenever over 5 percent of the water received on the land for irrigation purposes is permitted to escape from the land, is waste within the meaning of this article.

4703. Nothing in this article prevents the running of artesian water into an artificial pond or storage-reservoir, if the water is used thereafter for a beneficial use.

4704. A beneficial use under the next preceding section shall not exceed one-tenth of one miner's inch of water per acre, perpetual flow, but the person using the water may cumulate that amount within any period of each year.

4705. Any artesian well which is not capped or equipped with a mechanical appliance which will readily and effectively arrest and prevent the flow of any water from the well is a public nuisance.

4706. The owner, tenant, or occupant of the land upon which a well which is a public nuisance under the next preceding section is situated, who causes, permits, or suffers such public nuisance to exist or continue is guilty of a misdemeanor.

4707. Any person owning, possessing, or occupying any land upon which is situated an artesian well, who causes, suffers, or permits water unnecessarily to flow from the well or to go to waste is guilty of a misdemeanor.

4708. Each day's continuance of waste constitutes a new offense.

4709. Any person who violates any of the provisions of this article is punishable for each offense by a fine of not less than twenty-five dollars (\$25) and not more than five hundred dollars (\$500) or by imprisonment in the county jail for not more than six months, or by both.

4710. All prosecutions for the violation of any of the provisions of this article shall be instituted in the justice court or municipal court of the county in which the well is situated.

4711. Any fine imposed under the provisions of this article may be collected as in other criminal cases, and the justice or judge, as the case may be, may also issue an execution upon the judgment therein rendered, which may be enforced and collected as in civil cases.

## CHAPTER 2. REGULATION OF RAIN MAKING AND RAIN PREVENTION

4900. The public interest, health, safety, welfare, and necessity require that scientific experimentation in the field of artificial nucleation, and that scientific efforts to develop, increase, and regulate natural precipitation be encouraged, and that means be provided for the regulation and control of interference by artificial means with natural precipitation of rain, snow, moisture, or water in any form contained in the atmosphere, within the State, in order to develop, conserve, and protect the natural water resources of the State and to safeguard life and property.

4901. As used in this chapter:

"Person" means any person, firm, association, organization, partnership, company, corporation, private or public, county, city, city and county, district, or other public agency.

4902. No person, without first securing a license from the administration, shall cause or attempt to cause condensation or precipitation of rain, snow, moisture, or water in any form contained in the atmosphere, or shall prevent or attempt to prevent by artificial means the natural condensation or precipitation of rain, snow, moisture, or water in any form contained in the atmosphere.

4903. Any person desiring to do any of the acts specified in Section 4902 may file with the administration an application in writing for a license. Each application shall be accompanied by a filing fee fixed by the administration with the approval of the Department of Finance but not to exceed fifty dollars (\$50) and shall be on a form to be supplied for such purpose by the administration.

4904. Every application shall set forth all of the following:

(a) The name and post-office address of the applicant.

(b) The previous education, experience, and qualifications of the applicant, or, if the applicant is other than an individual, the previous education, experience, and qualifications of the persons who will be in control of and charged with the operations of the applicant.

(c) A general description of the operations which the applicant intends to conduct and the method and type of equipment that the applicant proposes to use.

(d) Such other pertinent information as the administration may require.

4905. Upon the filing of the application upon a form supplied by the administration and containing the information prescribed by this chapter and accompanied by the required filing fee the administration shall issue a license to the applicant entitling the applicant to conduct the operations described in the application for the calendar year for which the license is issued, unless the license is sooner revoked or suspended.

4906. A license may be renewed annually upon application to the administration, accompanied by a renewal fee fixed by the administration with the approval of the



Department of Finance but not to exceed twenty-five dollars (\$25), on or before the last day of January of the calendar year for which the license is renewed.

4907. Prior to undertaking any operation authorized by the license the licensee shall file with the administration and cause to be published a notice of intention. The licensee shall then confine his activities for that operation substantially within the time and area limits set forth in the notice of intention.

4908. The notice of intention shall set forth all of the following:

(a) The name and address of the licensee.  
(b) The nature and object of the intended operation and the person or persons on whose behalf it is to be conducted.

(c) The area in which and the approximate time during which the operation will be conducted.

(d) The area which will be affected by the operation as near as the same may be determined in advance.

4909. The applicant shall cause the notice of intention to be published at least once a week for three consecutive weeks in a newspaper having a general circulation and published within any county wherein the operation is to be conducted and in which the affected area is located, or, if the operation is to be conducted in more than one county or if the affected area is located in more than one county or is located in a county other than the one in which the operation is to be conducted, then such notice shall be caused to be published in like manner in a newspaper having a general circulation and published within each of such counties. In case there is no newspaper published within the appropriate county publication shall be made in a newspaper having a general circulation within the county.

4910. Proof of publication shall be filed by the licensee with the administration within 15 days from the date of the last publication of the notice. Proof of publication shall be by copy of the notice as published attached to and made a part of the affidavit of the publisher or foreman of the newspaper publishing the notice.

4911. Every licensee shall keep and maintain a record of all operations conducted by him pursuant to his license showing the method employed, the type of equipment used, the times and places of operation of the equipment, the name and post-office address of each person participating or assisting in the operation other than the licensee, and such other information as may be required by the administration, and shall report the same to the administration immediately upon the completion of each operation.

4912. Each licensee shall further prepare and maintain an evaluation statement for each operation which shall include a report as to estimated precipitation, defining the gain or loss occurring from nucleation activities, together with supporting data therefor. This statement, together with such other pertinent information as the administration may require, shall be sent to the administration upon request by the administration.

4913. Notwithstanding any provision of this chapter to the contrary, the administration may grant a licensee permission to undertake an emergency nucleation project, without compliance by the licensee with the provisions of Sections 4907 to 4910, inclusive, if the same appears to the administration to be necessary or desirable in aid of extinguishment of fires.

4914. Any license may be revoked or suspended if the administration finds, after due notice to the licensee and a hearing thereon, that the licensee has failed or refused to comply with any of the provisions of this chapter. The proceedings herein referred to shall be conducted in accordance with the provisions of the Administrative Procedure Act, Chapter 5, Part 1, Division 3, Title 2 of the Government Code, and the administration shall have all the powers granted therein.

4915. Any person who violates any provision of this chapter is guilty of a misdemeanor.

SEC. 29. Section 6001 of said code is amended to read:

6001. "Department" [means the], "department of public works acting through the agency of the State Engineer [.]," "state engineer," and "administration" mean the State Administration of Dams, and "administrator" means the Administrator of Dams.

SEC. 30. Chapter 3 of Part 1 of Division 3 of said code is repealed.

SEC. 31. Chapter 3 is added to Part 1 of Division 3 of said code, to read:

#### CHAPTER 3. ADMINISTRATIVE PROVISIONS

6050. There is in the State Government the State Administration of Dams.

6051. The State Administration of Dams shall succeed to and is hereby vested with all of the powers, duties, purposes, responsibilities, and jurisdiction in matters pertaining to the regulation, supervision, and administration of dams and reservoirs, and in all other matters pertaining to the provisions of this division now or hereafter vested by law in the Department of Public Works, the Division of Water Resources in the Division of Public Works, State Engineer, or any officer or employee thereof. The administration shall have possession and control of all records, books, papers, and other property now or hereafter held for the benefit or use of the Division of Water Resources in the Department of Public Works and of the State Engineer, relative to the subject matter of this division.



6052. The State Administration of Dams is under the control of the officer known as the Administrator of Dams.

6053. The administrator shall be appointed by the State Water Board under the provisions of the State Civil Service Act.

6054. Before entering upon the duties of his office the administrator shall execute an official bond to the State in the penal sum of twenty-five thousand dollars (\$25,000) conditioned upon the faithful performance of his duties.

6055. The administrator shall perform all duties, exercise all powers of jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the administration.

6056. The administrator shall organize the administration in the manner that he deems necessary to segregate and conduct properly the work of the administration.

6057. The administrator may require any of the personnel of the administration who is entrusted with money belonging to the State to furnish a bond for the faithful performance of his trust, executed by an admitted corporate surety insurer, in the amount the administrator prescribes. The bond shall cover duties prescribed by administrative regulations or orders of the administrator as well as those imposed by law.

Any bond may be canceled at any time with the approval of the administrator. Schedule bonds may be taken covering two or more persons. Bonds provided for in this section shall be filed with the administrator, and not elsewhere.

The premiums on such bonds and on official bonds shall be paid by the administration.

6058. The administration may employ such assistance as may be necessary for the proper discharge of its duties, and may purchase any necessary supplies, instruments, tools, and conveniences.

6059. Except to the extent inconsistent with the provisions of this code, the provisions of Chapter 2, Part 1, Division 3, Title 2 of the Government Code shall govern and apply to the conduct of the Administration of Dams in every respect the same as if such provisions were herein set forth at length, and whenever in that chapter the term "head of the department" or similar designation occurs, for the purposes of this section it shall mean the administrator.

6060. The administration may expend money appropriated for the administration of the laws the enforcement of which is committed to the administration. The administration may expend such money for the use, support, or maintenance of any appropriate state agency within the administration.

Such expenditures by the administration shall be made in accordance with law in carrying on the work for which the appropriations were made.

6061. There is hereby created in the State Treasury the Administration of Dams Revolving Fund. With the approval of the Department of Finance there shall be transferred to, or deposited in, the fund all money appropriated, contributed or made available from any source for expenditure on work within the powers and duties of the State Administration of Dams.

Money so transferred or deposited is available for expenditure by the State Administration of Dams, for the purposes for which appropriated, contributed, or made available, without regard to fiscal years and irrespective of the provisions of Section 16304 of the Government Code.

No money in such fund which is derived from an appropriation from the General Fund shall be used to pay the charges imposed by Section 11044 or 20752 of the Government Code or the charges imposed pursuant to Articles 2 or 3 of Chapter 3, Part 1, Division 3, Title 2 of said code.

6062. The State Administration of Dams shall file against the Administration of Dams Revolving Fund all claims involving expenditures in connection with its services, and the State Controller shall draw his warrant therefor against the fund.

6063. The State Administration of Dams shall keep a record of all expenditures chargeable against each specific portion of the revolving fund, and any unused balance in any portion of the fund shall on approval by the Department of Finance be withdrawn from the revolving fund and transferred to the credit of the appropriation from which it was transferred or, as to funds from other than state appropriations, be paid out or refunded as provided in the agreement relating to the contributions.

6064. The administrator may authorize the refund of moneys received or collected by the department in payment of fees, licenses, permits, tolls, or for rentals, property or services, wherein the license, permit, rental, property or service cannot lawfully be issued, furnished, or transferred to the person making the payment, or in cases where the payment in whole or in part represents overpayment or payment in duplicate.

6065. Without at the time furnishing vouchers and itemized statements, the administration may, with the approval of the Department of Finance, withdraw from the Administration of Dams Revolving Fund not exceeding fifty thousand dollars (\$50,000) at any one time. The sums withdrawn under this section shall be used as a revolving fund where payments of compensation earned or cash advances are necessary.

6066. All money available, including money which becomes available after the effective date of the act adding this section, for expenditure by any department, division, board, authority, commission, or officer or employee thereof, to be used in the administration of any function, the exercise of any right, or performance of any duty, which function, right or duty is transferred to the State Administration of Dams.

6067. When the safety and technical conditions pertaining to a dam and specifications require it, or when requested in writing to do so by the owner, the administration shall appoint a consulting board of two or more consultants to report to the administration on the safety features involved.

6068. The cost and expense of the consulting board if appointed on the request of the owner, shall be paid by the owner.

6069. The administration may employ consultants.

SEC. 32. Section 10000 of said code is amended to read :

10000. The coordinated plan for the conservation, development, and utilization of the water resources of the State (except the project known as the "Trinity River Diversion," which is not approved) is set forth in the report thereon formulated and prepared by the Department of Public Works and transmitted to the 49th Session of the Legislature pursuant to Chapter 832 of the Statutes of 1929 shall be known as the "State Water Plan."

SEC. 33. Section 11101 of said code is amended to read :

11101. "Authority," [means the] "Water Project Authority [of the State of California] " *"authority acting by or through the department," "authority, its officers, agents, or employees," or "State Engineer" means the department, and "the chairman of the authority" means the director.*

SEC. 34. Section 11127 of said code is amended to read :

11127. The [authority and the] department shall be regarded as performing a governmental function in carrying out the provisions of this part, *and it is the intention of the Legislature that to the extent feasible local agencies of the State shall construct, operate, or maintain the several portions of any general coordinated plan for the development of the water resources of the State.*

SEC. 35. Article 1 of Chapter 3 of Part 3 of Division 6 of said code is repealed.

SEC. 36. The title of Article 2 of Chapter 3 of Part 3 of Division 6 of said code is amended to read :

#### Article [2] 1. Administrative Provisions

SEC. 37. Sections 11410, 11411, 11412, 11413, 11414, 11415, 11416, 11417, and 11418 of said code are repealed.

SEC. 38. The title of Article 3 of Chapter 3 of Part 3 of Division 6 of said code is amended to read :

#### Article [3] 2. General Powers and Duties

SEC. 39. The title of Article 4 of Chapter 3 of Part 3 of Division 6 of said code is amended to read :

#### Article [4] 3. Limitation of Powers

SEC. 40. Sections 11701 and 11702 of said code are repealed.

SEC. 41. Section 11705 of said code is amended to read :

11705. Bonds shall be issued in the name of the [authority] *department* and shall constitute obligations only of the [authority] *department* and shall be identified as [Water Project Authority] *Central Valley Project* revenue bonds.

SEC. 42. Section 12572 of said code is amended to read :

12572. "Board," [means the] "State Water Resources Board," [.] "State Engineer," *and department, acting through the State Engineer" mean the department.*

SEC. 43. The title of Article 4 of Chapter 1 of Part 6 of Division 6 of said code is repealed.

SEC. 44. Sections 12591, 12592, 12593, 12594, 12595, 12596, 12597, 12598, 12599, and 12600 of said code are repealed.

SEC. 45. The title of Article 4 of Chapter 1 of Part 6 of Division 6 is added to said code immediately preceding Section 12601 thereof to read :

#### Article 4. Administration

SEC. 46. Section 13007 is added to said code, to read :

13007. As used in this division "State Engineer" means the director, and "Division of Water Resources" means the department.

SEC. 47. Section 20004 is added to said code, to read :

20004. As used in this division "State Engineer" means director, and "Division of Water Resources" and "Department of Public Works" means the department.

SEC. 48. Section 30028 is added to said code, to read :

30028. "State Engineer" means the director.

SEC. 49. Section 39029 of said code is repealed.

SEC. 50. Section 39029 is added to said code, to read :

39029. "Department of Public Works" means the department.

SEC. 51. Section 4001 of the Government Code is amended to read:

4001. As used in this chapter, "engineer" means the State Highway Engineer, the [State Engineer] *Director of Water Resources*, the State Architect, or a deputy or other person authorized by any such officer, and every county engineer, county surveyor, county highway engineer, road commissioner, city engineer, commissioner of public works, superintendent of streets, harbor engineer, flood control engineer, the engineer of any board or commission of the State, the engineer of any board or commission of any city, and the engineer of any reclamation, irrigation or other district, political subdivision or agency of the State.

SEC. 52. Section 11041 of the Government Code is amended to read:

11041. Sections 11042 and 11043 are not applicable to the Regents of the University of California, Division of Contracts and Rights of Day, Division of Labor Law Enforcement, Industrial Accident Commission, Railroad Commission, State Compensation Insurance Fund, Legislative Counsel Bureau, *State Administration of Dams*, Inheritance Tax Department, [Division of Water Resources,] *Department of Water Resources*, *Water Rights Administration*, Secretary of State, State Lands Commission, and Department of Education, nor to any other state agency which by law enacted after Chapter 213, of the Statutes of 1933, is authorized to employ legal counsel.

SEC. 53. Section 12040 of the Government Code is amended to read:

12040. There is in the State Government the Governor's Council. It consists of the Directors of Finance, Education, Public Works, *Water Resources*, Motor Vehicles, Public Health, Mental Hygiene, Agriculture, Industrial Relations, Social Welfare, Natural Resources, Investment, Professional and Vocational Standards, Veterans Affairs, Corrections, Fish and Game, and the Youth Authority, the State Fire Marshal, the Chairman of the California Employment Stabilization Commission and the Adjutant General.

SEC. 54. Section 14005 of the Government Code is amended to read:

14005. For the purpose of administration, the director shall organize the department with approval of the Governor in the manner that he deems necessary properly to segregate and conduct the work of the department. The work of the department shall be divided into at least [three] *two* divisions known as [Division of Water Resources,] the Division of Highways[,] and the Division of Architecture.

SEC. 55. Section 14033 of the Government Code is amended to read:

14033. Without at the time furnishing vouchers and itemized statements, the department may, with the approval of the Department of Finance, withdraw from the Division of Architecture Revolving Fund not to exceed at any one time the sum of five hundred thousand dollars (\$500,000). [The Department may likewise withdraw from the Water Resources Revolving Fund not exceeding fifty thousand dollars (\$50,000) at any one time.] The sums withdrawn under this section shall be used as a revolving fund where payments of compensation earned or cash advances are necessary.

SEC. 56. Sections 14034, 14035, 14036, and 14037 of the Government Code are repealed.

SEC. 57. All persons, other than temporary employees, serving in the state civil service and engaged in the performance of a function transferred to the Department of Water Resources, to the Water Rights Administration, or to the State Administration of Dams or engaged in the administration of a law, the administration of which is transferred to said department or to said administrations, shall remain in the state civil service and are hereby transferred to the Department of Water Resources, to the Water Rights Administration, or the State Administration of Dams on the effective date of this act. The status, positions, and rights of such persons shall not be affected by their transfer and shall continue to be retained by them pursuant to the State Civil Service Act, except as to positions the duties of which are vested in a position that is exempt from civil service.

SEC. 58. Any provision of law heretofore applicable to the Department of Public Works, the Water Project Authority of the State of California, or the State Water Resources Board, or any officer, agent or employee thereof, with respect to water or dams shall continue to be applicable with like force and effect to the Department of Water Resources, to the Water Rights Administration, or to the State Administration of Dams or the appropriate officer, agent or employee thereof."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 737**

Senator Dilworth moved that Senate Bill No. 737 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 737**—An act to amend Sections 3301.5 and 3301.6 of, and to add Sections 3301.8 and 3301.9 to, the Health and Safety Code, relating to tuberculosis subsidy.

Bill read second time.

**Motion to Amend**

Senator Dilworth moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill after "tuberculosis," strike out "who are residents of the State and the county".

**Amendment No. 2**

On page 2, line 6, after "persons," strike out "who are residents".

**Amendment No. 3**

On page 2, line 7, strike out "of the State and of the county".

**Amendment No. 4**

On page 2, strike out lines 25 to 29 inclusive, and insert "3301.8. In addition to the amounts specified in Sections 3301.5 and 3301.6 the State shall pay to each county providing care under the provisions of this chapter an additional five dollars (\$5) per patient day for each person suffering from tuberculosis who is not a resident of the State and of the county."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
JOINT RESOLUTION NO. 26**

Senator Regan moved that Senate Joint Resolution No. 26 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Joint Resolution No. 26**—Relative to the Trinity River-San Luis Reservoir Project.

Resolution read.

**Motion to Amend**

Senator Regan moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 51, of the printed bill, strike out "under a plan which will permit integration of"; and on page 3, lines 1 and 2, strike out "the project with a state-wide California plan at a later date; and be it further", and insert "and at the same time establishes the right of the State of California to acquire the San Luis Project through purchase from the United States Government and in so doing outlines the price formula and conditions under which the project may be acquired and the method



## SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 200

Senate Bill No. 1493

And reports the same correctly engrossed.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 25, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1157

And reports the same correctly engrossed.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 31—An act to add Section 2765 to the Business and Professions Code, relating to nurses convicted of a felony or an offense involving moral turpitude;

Senate Bill No. 90—An act to amend Sections 12216, 12218 and 12303 of, and to add Section 12225 to, the Financial Code, relating to check sellers and cashers;

Senate Bill No. 180—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel;

Senate Bill No. 191—An act to amend Sections 7310, 7311, 7372 and 7394.1 of the Business and Professions Code, relating to the practice of cosmetology;

Senate Bill No. 446—An act to add Section 375.6 to the Fish and Game Code, relating to federal preserves;

Senate Bill No. 572—An act to add Section 541.5 to the Vehicle Code, relating to turning of vehicles near fire stations;

Senate Bill No. 762—An act to abolish a condemnation fund established in the State Treasury with respect to the Montague Water Conservation District and to transfer the balance of said fund to the General Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1955, at 4 p.m.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 966—An act to amend Sections 50022.1, 50022.2, 50022.3 and 50022.5 of the Government Code, relating to the enactment of codes by local agencies;

Senate Bill No. 1286—An act to amend Section 3 of Chapter 973 of the Statutes of 1949, relating to fish;

Senate Bill No. 1381—An act to amend Section 6537 of the Business and Professions Code, relating to barber colleges;

Senate Bill No. 1382—An act to amend Section 6560 of the Business and Professions Code, relating to barbers;

Senate Bill No. 1383—An act to amend Section 6561 of the Business and Professions Code, relating to barbers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1955, at 4 p.m.

WARD, Chairman

## SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 54—Relative to expressing appreciation to Mr. Richard Waring, Mr. Richard Mears, and Metro-Goldwyn-Mayer Pictures;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1955, at 4 p.m.

WARD, Chairman

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Senate Bill No. 265

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 8; noes 1; absent 4.

RICHARDS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 1073

Assembly Bill No. 1923

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

RICHARDS, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 1611

Assembly Bill No. 1805

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; absent 3.

RICHARDS, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1612

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; noes 1; absent 2.

RICHARDS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 124

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 11; absent 2.

RICHARDS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 26, 1955

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 1780

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

RICHARDS, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 4.44 p.m., on motion of Senator Dorsey, the President declared the Senate adjourned until 2 p.m., Wednesday, April 27, 1955, out of respect to the memory of the late Hon. Frank Finley Merriam.

JOHN F. LEA, Minute Clerk















